PARLIAMENTARY DEBATES

(HANSARD)

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HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTIETH PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
THIRTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1988-89

COMPRISING PERIOD
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HEAD STOREMAN—A. E. Edmond

SHORTHAND WRITER TO THE HOUSE—Mrs. E. M. C. Holland

PARLIAMENTARY WORKS OFFICER (PSA)—B. C. Sewell

HEAD OF SECURITY—Chief Superintendent A. J. Coxon

COMMUNICATIONS MANAGER—Mrs. J. Garbutt

POSTMASTER—J. Arnold

TRANSPORT MANAGER—R. H. Hyde

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

THIRTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

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Monday 13 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

London (Road and Rail Developments)

1. **Mr. Corbyn:** To ask the Secretary of State for Transport what are the comparative costs of road development in London and the proposed public financing of rail developments.

The Minister for Public Transport (Mr. Michael Portillo): As the House may know, my right hon. Friend the Secretary of State for Transport is attending a meeting abroad today and has asked me to give his apologies to the House.

Expenditure on road developments by my Department, the London local authorities and the London Docklands development corporation is expected to amount to some £300 million in 1988-89. That compares with planned investment of more than £450 million on rail development by British Rail Network SouthEast, London Regional Transport and the London Docklands development corporation.

Mr. Corbyn: Is the Minister not concerned that the road assessment studies for London propose the expenditure of £3·5 billion and the destruction of 6,000 homes, and that all of that would be borne by the public purse and taxpayers, who would pay for the whole road development? Yet a much smaller cost of £2 billion for the central London rail study would largely be borne by the fare-paying public, either through interest charges to private investment being put into the rail system or by increased fares for those who wish to use the central London rail system when it is developed. Does the Minister not think that it is time that the majority of people who travel by public transport benefited from public expenditure and the minority of commuter motorists who drive in and out of London were forced to pay for the destruction that they are causing our city and the exorbitant cost of the road development that is planned to appease them?

Mr. Portillo: The position is not as the hon. Gentleman has represented it. The assessment studies are consultants' studies, not departmental ideas and the consultants are still looking at ways of minimising the effect. All the options will have to be considered in a framework that takes full account of the environmental impact. On the central London rail study, no decision has been taken on how the funding will be achieved.

Mr. Maples: Does my hon. Friend agree that major road developments in central London cause enormous environmental damage and often do little for traffic congestion? They simply encourage more people to use cars. Will he confirm that such environmental and other externalised costs are taken into account in deciding levels of public subsidy for other forms of public transport?

Mr. Portillo: My hon. Friend is right. In answer to the previous question, I stressed that the environmental impact was most important and that we would not support any schemes that did more harm than good. My hon. Friend is also right to say that when proposals are made for investment the Department can look at any external benefits that there may be to non-users.

Mr. Chris Smith: The Minister will be aware of the enormous concern among my constituents and others in north London about the likely impact of the east London assessment study proposals. He will be further aware of

the growing concern at the extension of the private consultants' studies to the King's Cross area. Have any costings been done of any of the proposals that were drafted last year and which may come forward later this year from the study? Would it not be better if the Department of Transport scrapped the whole idea now?

Mr. Portillo: It would be better if people did not misrepresent what is going on. The important point is that we are looking at ideas from consultants which have not yet been finalised. They will be brought forward in the course of the summer and at that time we shall be able to judge the value of those ideas, to reject those that are not very useful and to proceed on those that have a promising future.

Mr. Adley: Does my hon. Friend agree that in assessing road versus rail costs in London or elsewhere it is important to be both sensible and honest? Does he agree, for example, that all the police costs connected with motoring must be taken into account as part of the costs of motoring? Is he aware that, despite lengthy efforts, I have failed to obtain from the Metropolitan police or the Home Office any idea of the amount of police time involved in policing London's motorists? Will my hon. Friend do his best to ensure that that information is available and is taken into account?

Mr. Portillo: My hon. Friend makes an important point. It is one of our principles that we expect those who use the roads to pay their full track costs, which would cover not only the cost of building the road but of maintaining it and, importantly, policing it.

Ms. Ruddock: Will the Minister explain why his Department banned the use of a computer model developed by the transport and road research laboratory and designed to evaluate the merits of different traffic policies for London? Will he confirm that the Government's policy of building more roads in London and cutting public transport subsidies scored lowest in that evaluation, and that a policy of investing in public transport scored highest? Despite his obvious embarrassment, will he now lift the ban so that the TRRL can get on with its work?

Mr. Portillo: I welcome the hon. Lady to her new position, and I hope that she will be very happy in it.

What the hon. Lady says about a lack of subsidy to public transport is not right. She will be aware that the amount of public subsidy to London Regional Transport is proposed to be increased, much to the displeasure of some of my hon. Friends behind me. That was not a powerful point. She will know that big investment is going on in London—about £1 billion on the roads programme, and a further amount of money as yet unsettled because we are still studying the central London rails subsidy proposals.

Mr. Speaker: I make a plea for brief supplementaries today to enable us to get more quickly down the Order Paper.

Motorway Construction

2. **Mr. Knox:** To ask the Secretary of State for Transport how much has been spent on new motorway construction in each of the past four years, at constant prices.

The Minister for Roads and Traffic (Mr. Peter Bottomley): In 1987-88 prices, £385 million, £298 million, £204 million and £176 million last year. The reduction reflects the completion of the M25 and more spending on trunk roads, bypasses and increased maintenance.

Mr. Knox: Given the amount of congestion on motorways at present, which is often caused by the sheer volume of traffic, does my hon. Friend realise that the figures are completely inadequate and that much more needs to be spent on motorway construction if British industry is to be competitive and if the frustration experienced by many motorists is to be reduced?

Mr. Bottomley: Yes, Sir. My right hon. Friend the Secretary of State announced an increase in spending of between 20 per cent. and 40 per cent. over the next three years. That is a welcome increase following the reductions under the Labour Government. It is true that we need roads which are longer, wider and stronger.

Mr. Janner: Although spending on motorways is insufficient, does the Minister agree that there must be a balance between spending on motorways and spending on other roads? Does he know of the death of my constituent, Kerry Allen, aged eight, on New Parks estate? The county council had approved a pelican crossing but said that it did not have the money to install it. How long are we to have insufficient money for road safety? Is not the present position intolerable, unreasonable and totally insupportable?

Mr. Bottomley: The whole House would wish to join every family in grieving over a road death. There are 14 road deaths per day in this country. The nation rises to mourn when there are group deaths, but when 5,000 people a year die on the roads in this country, as the hon. and learned Gentleman said, we must obviously go on reducing the toll as fast as we possibly can.

In overall terms, the number of people killed and injured is 6 per cent. down on the number at this time last year, even though there has been a 4 per cent. increase in traffic, and there was a similar reduction the previous year. In population terms, Britain has fewer road deaths than any other country where there is motoring and drink.

Mr. Fry: In view of my hon. Friend's last remarks, is it not clear that we need more motorways so as to reduce the road accident rate further? What plans does he have to provide alternative routes for such as the M1 and M3 which are now so terribly congested?

Mr. Bottomley: Dealing with congestion is one point, but the point that my hon. Friend picked up from the hon. and learned Member for Leicester, West (Mr. Janner) is that three quarters of deaths and injuries take place in built-up areas. Motorways are not the answer in built-up areas. Bypasses or relief roads may be an answer, but the normal answer is traffic management and traffic calming so that where there are many pedestrians—*[Interruption.]*

Mr. Speaker: Order.

Mr. Bottomley: If I may finish, Mr. Speaker. Where there are many pedestrians, pedestrians get more priority and motorists get slightly less.

Channel Tunnel

3. **Mr. Macdonald:** To ask the Secretary of State for Transport what proposals he has to improve communications between Scotland and the south-east, in preparation for the opening of the Channel tunnel.

Mr. Portillo: British Rail is required by section 40 of the Channel Tunnel Act 1987 to publish a plan by the end of this year setting out its proposals for the dispersal of passenger and freight trains within the United Kingdom. The impact of the Channel tunnel is one of the many factors taken into account in planning the forward trunk road programme.

Mr. Macdonald: Will the Minister confirm a report in the "Politics Today" column of the *Financial Times* on Friday that a study that was prepared for the Prime Minister shows clearly that unless there is a major improvement in the road and rail network between Scotland and the south-east, Scotland will not benefit in any degree from the opening of the Channel tunnel? If that is so, why is the Minister cutting investment to British Rail by £300 million in the latest public expenditure White Paper and why are there no plans in the White Paper to improve the road and rail networks between Scotland and the south-east to enable Scotland to benefit from the economic activity of the Channel tunnel?

Mr. Portillo: There has been no cut in the investment of British Rail. Indeed, it has been rising sharply and will be £3·5 billion in coming years. Perhaps the hon. Gentleman is becoming confused with subsidies, which is a quite different matter and has nothing to do with how much is being invested.

I know of no evidence in any report to suggest that the links to the north are inadequate. On the whole, the inadequacies seem to be in the south-east. That is why there is a £600 million programme of investment in the south-east to improve the links. The north of England and Scotland stand to gain especially from the Channel tunnel because rail freight comes into its own over longer distances.

Dame Elaine Kellett-Bowman: I heard the Minister's reply with delight. Does he agree that since Liverpool has excellent port facilities it makes admirable sense to improve the links between there and the Channel tunnel as it would prove an ideal through-port for goods from America to the continent?

Mr. Portillo: My hon. Friend refers to a most interesting idea. When we last had questions on this subject I referred to a study being conducted into that very matter. We are happy to co-operate with that study in any way.

Mr. George Howarth: Will the Minister therefore confirm that when the study for the landbridge concept for the port of Liverpool is completed and suggests that it is a feasible option the Government will look favourably on that proposal?

Mr. Portillo: We shall always look favourably at any commercial proposition put to us by British Rail. However, as my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) implied a moment ago, the port and road facilities at Liverpool already look as though they have plenty of capacity for that plan.

Mr. Hind: When my hon. Friend discusses these matters with the chairman of British Rail, will he bear in mind that there is still an important link from the whole of the west of country to the tunnel without going through London? All that my hon. Friend needs to do is to put some investment into the flyover at Redhill. That will then provide long routes and freight links all the way to the tunnel from the north-west, the south-west, Wales and Scotland and will definitely benefit the country as a whole.

Mr. Portillo: The important thing is that there should be through freight links between the regions and the Channel tunnel. That is British Rail's ambition and that is why it is working on its plan now. The exact route is a matter for British Rail. I am happy to mention the point to the chairman when I next see him but I am bound to tell my hon. Friend that he has made his case effectively on a number of occasions already.

Mr. Kennedy: The Minister will appreciate that the rail links between the highlands of Scotland and the south and from there to the Channel tunnel suffered a severe setback last week when the rail bridge in the town of Inverness was washed away in the flooding that occurred. Will the Minister give an undertaking that all available finance will be made available to British Rail and ScotRail to ensure that that bridge is reconstructed as fast as possible because the great worry in the north now is that if it takes up to a year——

Mr. Speaker: Order. This question is about the Channel tunnel, but the hon. Gentleman's question is wide of it.

Mr. Kennedy: Without the bridge, there is no rail link to the Channel tunnel from Inverness.

Will the Minister ensure that the finance is available and that British Rail checks bridges of the same age at regular intervals to ensure that there is not a similar setback again?

Mr. Portillo: The safety point is well made and I shall bring it to British Rail's attention. I know that my right hon. Friends the Secretaries of State for Transport and for Scotland have been in touch with each other about the bridge. We do not yet know anything about the costs that would be involved, but we shall stay closely in touch with the hon. Gentleman on this matter.

Thames (Barge Traffic)

4. **Mr. Bowis:** To ask the Secretary of State for Transport what discussions he has had with London riparian borough councils and the Port of London Authority concerning barge traffic on the Thames.

Mr. Portillo: The recent incident at Battersea is being investigated by a Department of Transport marine surveyor who has had discussions with the Port of London Authority. The authority is now restricting the number of barges that may be towed up river under Battersea bridge to one per tug, and I have asked the PLA to inform me of any other new measures that it proposes to take.

Mr. Bowis: Will my hon. Friend confirm that two such measures might well relate to the competence of pilotage on the Thames and the use of the tides? I understand that in this instance the pilot came up too late on the tide and the barge was too close to the bridge structure. Will my hon. Friend further confirm whether the Department has contingency plans against the day when another such incident occurs and the bridge perhaps being completely destroyed?

Mr. Portillo: The marine surveyor will have to consider whether there was a culpable failure and make recommendations arising from that. The PLA has already said that tow barges should come up river as early as possible on the flood tide. In the unlikely event of the bridge collapsing, the PLA would need to take emergency action and it is well aware of that.

Mr. Spearing: Does the Minister agree that to come up early on the tide is navigationally impractical and that the best advantage is in coming up near the top of it? Does he further agree that, pending protective measures to bridges such as Battersea, which is relatively narrow, such accidents on the Thames are rare and when they occur they cause headlines, which illustrates the safety of water transport by barge on the Thames in general?

Mr. Portillo: The hon. Gentleman makes an interesting point. Battersea bridge had been damaged on six occasions this century before the 1988 accident, so it is a fairly rare occurrence. I am not competent to comment on the hon. Gentleman's first point beyond saying that it is the PLA which recommended that tugs should come upstream as early as possible on the flood tide.

Mr. Squire: In addition to echoing the points made by the hon. Member for Newham, South (Mr. Spearing), may I ask my hon. Friend if he will further confirm that it is in everyone's interest that we continue to send domestic refuse down river by barge, rather than attempting to bring it back on to the roads and increase the already impossible congestion?

Mr. Portillo: That is a good point. The barges keep a large number of lorries off the roads, which is welcome to residents of the area.

Minibus Drivers

6. **Mr. Ian Taylor:** To ask the Secretary of State for Transport what steps he has taken to press for modification of the European Community requirement for minibus drivers to hold vocational entitlement under the proposed harmonised driver licensing system.

Mr. Peter Bottomley: We have pressed the European Commission at every level to avoid placing restrictions on the use of minibuses by the many voluntary groups, including those working with the disabled, who depend so heavily on them. We shall continue to do so and we aim to protect our present arrangements in the negotiations in the Council of Ministers.

There is no evidence that our present licensing arrangements for driving minibuses in any way prejudice safety. There is every evidence that voluntary minibuses aid mobility, especially for people with special needs.

Mr. Taylor: I am grateful to my hon. Friend for continuing to press this matter. Will he confirm that minibuses are just about the safest form of transport and that we tend to use them more than other Community countries? The Commission's regulations will cause special hardship to charities for the elderly. That is just not good enough. Will my hon. Friend make that point forcefully to the Commission? Will he also arrange to put in the Library recent correspondence with the Commission on this matter?

Mr. Bottomley: Yes. My hon. Friend speaks for hon. Members on both sides of the House. Minibuses, often with six to 10 voluntary drivers, do a great deal of good for the elderly, the handicapped and the young. The letter which the previous Commissioner for Transport made public on 14 December was probably an aberration. His successor, the present Commissioner for Transport, will look with a fresh eye to see whether safety and mobility for the handicapped and others can be maintained and enhanced. I will put the exchange in the Library.

Mr. Higgins: Will my hon. Friend stress in Europe that harmonisation for its own sake is extremely damaging to the Community as a whole? Can he say whether the eventual decision on this will be by majority vote or unanimous decision?

Mr. Bottomley: The decision would be by majority vote if it came to that, but I have every confidence that on road safety grounds the Commission, Parliament and the whole of Europe will look to Britain, which has the best safety record. If the rest of the Community had our road safety record, 40 per cent. fewer people would have died last year. In other countries, the casualty rate is rising, not falling as it is in Britain, so we have something to contribute. On aid for the handicapped and others, we have learnt some lessons which others may want to copy. We do not know everything, but in this area we are the experts, we have the experience and we are right.

Channel Tunnel

7. **Mr. John Hunt:** To ask the Secretary of State for Transport when he next expects to meet the chairman of British Rail to discuss the Channel tunnel high-speed rail link; and if he will make a statement.

Mr. Portillo: This question comes up at the regular meetings which Ministers have with the chairman from time to time. I am also in regular contact with the BR board member responsible for the development of this proposal.

Mr. Hunt: In view of the continuing anxiety and uncertainty on this matter, is it not high time that we were given a firm date for British Rail's announcement of the chosen route? As soon as that route is known, will my hon. Friend do all that he can—if necessary, by urgent amendment and uprating of the Land Compensation Act 1973—to facilitate speedy and generous compensation to those whose homes will have been blighted?

Mr. Portillo: In answer to my hon. Friend's first point, I agree that an urgent decision is required. There will be an announcement at the beginning of March. On the second point, it is extremely important—I impress this upon British Rail—that there should be an announcement of compensation terms at the same time as the announcement of the proposed route for the line.

Dame Peggy Fenner: Has my hon. Friend had an opportunity to study the submission made by Kent county council on behalf of all residents of Kent? May I have his assurance that he will instruct British Rail that whatever proposal it puts forward it should comply at least in minimal terms with the criteria in that submission?

Mr. Portillo: I and British Rail are looking forward to the Kent county council meeting of 23 February, at which I believe that it will confirm or amend the criteria that it is putting forward. Of course, I take those criteria seriously. Environmental protection for the people of Kent under any proposal is most important, and I have no reason to believe that British Rail is is any doubt about that.

Mr. Matthew Taylor: Is the Minister aware that 16 per cent. of the total cost of the TGV north route has been earmarked for environmental impact work? Will he ensure that there is a similar investment in this country to protect the people of Kent and elsewhere from the environmental impact of the route?

Mr. Portillo: I have no idea how those calculations were done in France. Of course, environmental protection will be included in the proposal, but it is only when British Rail makes a firm proposal that we shall know how much it has to spend on environmental protection over and above the cost of the basic line.

Mr. Tony Banks: Would it not be far more appropriate to have a public inquiry into the route through Kent and, indeed, the location of the second London terminal? This is far too important a matter to be left to British Rail. Has the Minister studied route 5 to see whether it would be environmentally less damaging than the other options being considered?

Mr. Portillo: I cannot accept that the matter is too important to be left to Parliament, which is what we are doing. This will be a matter for a private Bill, which is the appropriate means of settling it. I, too, believe that the people of Kent have suffered enough uncertainty already. The important thing is to bring the uncertainty to a conclusion. That will be done when British Rail makes a firm proposal in March. Discussions will continue thereafter, and then a private Bill will be introduced into Parliament for full discussion here.

Mr. Gerald Bowden: Although I recognise the importance of proper links between the Channel tunnel and the rest of the country, does my hon. Friend recognise that proposals to run heavy freight and high speed passenger trains at speeds above 100 mph along embankments, viaducts and bridges, and over the homes, houses and heads of my constituents, are unacceptable and that they will be opposed vigorously in the House? If there is any lesson to be learnt from the dreadful tragedy at Clapham, it is that such a risk cannot be taken.

Mr. Portillo: My hon. Friend puts me in a difficult position, because we do not yet have a firm proposal on the table from British Rail, but I note his point. My hon. Friend asked about freight. It is proposed that the new line should be for passenger trains. One reason is that only passenger trains can move at high speeds. Freight trains cannot move at those speeds. One effect of putting only passenger trains on the new line will be to allow more room on existing lines for freight trains, which may mean fewer freight lorries on the roads of Kent.

Mr. Prescott: Will the Minister confirm that these expansive environmental safeguards for the rail link will have to be financed out of British Rail revenue? Will that not inevitably mean a low-cost solution that rides roughshod over the concerns of the people of Kent and south London? Such a major decision should not be left solely to British Rail. Is the hon. Gentleman giving serious consideration to the inquiry that I suggested, which may assist the House in making a decision about that route?

Mr. Portillo: It is not strictly true to say that the safeguards would have to be financed out of British Rail revenue. If British Rail were to propose building the line, it would have to be a commercial proposition that provided an acceptable rate of return. The House and Parliament will decide on what line is acceptable. Once that has been decided, we shall see whether it is commercial. That is the way it will be. The other possibility is that it will be built in the private sector with British Rail paying a toll to run across it. That again would not require British Rail finding money from its own resources.

Networker Trains

8. **Mr. Jacques Arnold:** To ask the Secretary of State for Transport what information he has as to when the new Networker trains will be in use; and on which lines they will operate.

Mr. Portillo: My right hon. Friend approved the purchase of the first Networkers—77 diesel vehicles for lines out of Marylebone—last Tuesday. These units will enter service in 1990. British Rail hopes to begin operating the first electric Networkers by 1991 in south-east London and north-west Kent.

Mr. Arnold: Does my hon. Friend accept that my constituents would be relieved finally to get a decision on the introduction of Networker trains on the north Kent line? Does he appreciate that they are well and truly fed-up with the dreadful conditions on commuter trains in north Kent?

While we are talking about better conditions, does my hon. Friend recognise that commuters not only in the Gravesham area, but throughout London, are concerned about security, especially in light of the disgraceful scenes over the weekend on the train from Bedford? Will my hon. Friend reassure us that efforts will be redoubled to avoid such security problems in future? Will he note that we take some comfort from the fact that at least one of the alleged perpetrators has now been apprehended?

Mr. Portillo: I look forward to a proposal from British Rail for the Networkers, but I have told my hon. Friend what the position is.

A man has been charged in connection with the incident on the Bedford to King's Cross train at the weekend, and I understand that further arrests are expected. I understand that four men are in custody in connection with the Clapham Common stabbings and that six men have been arrested over the weekend in connection with the fight on the train in Scotland.

Mr. Lord: When considering these new Networker trains, and bearing in mind the increase in crime to which my hon. Friend the Member for Gravesham (Mr. Arnold) referred, will my hon. Friend take immediate steps to ensure that train drivers can be kept in permanent contact

by telephone with the stations along their route and the emergency services? In this age of modern sophisticated telecommunications equipment, it is ridiculous that we cannot have this obvious safeguard for passengers and crew.

Mr. Portillo: It is certainly British Rail policy to equip new trains with radio communications for drivers and to fit that equipment to some existing trains. The Bedford to King's Cross train involved in the incident was equipped with a radio. The driver was able to radio ahead and the police were then able to meet the train at King's Cross station.

Mr. Spearing: In respect of the new Networker multiple unit electric trains, will the hon. Gentleman speak to his right hon. Friend about the future standards of seating? Is he aware that some of the new trains from other London termini, though they are faster and perhaps smoother than the stock which they are replacing, have less seating room and are less comfortable for travellers? Is that not a step backwards? Will the hon. Gentleman look into the seating design of the proposed Networker stock?

Mr. Portillo: I will look into that matter, but I believe that the hon. Gentleman is being a little grudging. We are talking about a major reinvestment, which will constitute a major improvement in the travelling circumstances of many thousands of people coming into London in the rush hour.

Sir Trevor Skeet: Will my hon. Friend the Minister bear in mind that security is the most important aspect for people travelling from Bedford? They will not use the line at all if their lives are not secure. Will my hon. Friend assure us that British Rail intends to adopt some innovative measures? Whether British Rail accepts the idea of Guardian Angels on the trains or considers any other method, will my hon. Friend assure us that some method is adopted?

Mr. Portillo: My hon. Friend will agree that it is most important that criminals should believe that they are likely to be apprehended. I am sure that he will welcome the news that progress is being made with the investigation. My hon. Friend will be aware that the line has not had a record of serious crime hitherto, so the incident took the police by surprise. Nonetheless, they have reacted with great swiftness to an extremely serious incident.

Mr. Prescott: Will the new Networker trains have guards? That was the element which was so obviously missing in the deplorable Bedford line incident at the weekend. Does he accept that the cuts in staff and police levels have contributed to encouraging an increase in violence on our railway system, with the result that the steamer gangs see our rail system as a soft touch? Will the Minister now tell British Rail that it will forgo the £200 million cut in public subsidies this year? Will he ensure that the moneys are redirected to increasing staffing levels and safety standards to improve security on our railway system, thus making an increase in safety standards a higher priority than the saving of money?

Mr. Portillo: The Networkers will be one-man operated. They will be associated with the new radio equipment I have mentioned, which is extremely important in combating crime. There is no evidence that there is more crime on one-person operated trains than on other trains. When I took the opinion of a senior police officer this morning on whether any difference would have been made if there had been a guard on the train, his reply was, "The guard would have taken a serious beating."

Mr. Jack: My hon. Friend will be aware that the Networker type of train has sliding electrically operated doors. The same type of doors contributed to an accident that resulted in the death of an elderly lady at St. Anne's railway station. Will my hon. Friend undertake that he will consider carefully the representations that I have made to him for a full railway inspectorate inquiry into that matter and into other safety matters that involve sliding doors?

Mr. Portillo: I am taking extremely seriously the matter on which my hon. Friend has corresponded with me. I am discussing it with the railway inspectorate.

Settle-Carlisle

9. **Mr. Matthew Taylor:** To ask the Secretary of State for Transport if he will make a statement on the future of the Settle-Carlisle line.

Mr. Portillo: Not yet. We are still considering British Rail's closure proposal and related matters.

Mr. Taylor: Is the Minister aware that those who are involved in the holiday business in the area, as well as those who use the line daily, are having a blight cast upon their work because of continuing uncertainty? Tour operators have lost bookings because they cannot guarantee that the line will be open from May to October. The continuing uncertainty is not helped by press speculation that the Minister has found a solution about which he will not tell the House. Will the Minister reveal whether the speculation is sourced from his Department and when an announcement will be made?

Mr. Portillo: I am not responsible for the speculation which has appeared in the newspapers. I am sorry to hear about blight. The hon. Gentleman will know that I had to give the most serious undertakings that I would consider all the evidence that is put before me, and there is voluminous evidence. It would be wrong for me to reach a decision until I have gone through the evidence carefully.

Mr. Waller: Although it seems unlikely now that a single operator could take over the Settle-Carlisle line and run it, will my hon. Friend have close discussions with bodies such as the passenger transport authorities, the county councils and the tourist boards to ascertain whether they can come together, with the support of the Government, to find a way of saving what is, by any standards, an important part of the British heritage?

Mr. Portillo: Yes. The first thing that my right hon. Friend the Secretary of State has to do is to reach a decision on the application that has been made by British Rail to suspend its services. A number of people have been in touch with us, including the West Yorkshire PTA.

Mr. Dalyell: In the voluminous evidence, what is the notional figure for the annual maintenance of the Ribblehead viaduct?

Mr. Portillo: I am not prepared to reveal one part of the evidence in isolation from the rest. British Rail's closure

proposal has been published. If the hon. Gentleman cares to read that, he will find some of the figures for which he may be looking.

Channel Tunnel

10. **Mr. Yeo:** To ask the Secretary of State for Transport what recent representations he has received regarding a high-speed rail link from the Channel tunnel.

Mr. Portillo: I have received a large number of representations about British Rail's proposals for rail links to the Channel tunnel.

Mr. Yeo: Does my hon. Friend agree, while understanding the concern of those whose homes may be destroyed, that the national construction of a high-speed rail link offers enormous environmental benefits and improvements? It will give us a chance to transfer some traffic from road to rail, and there is the possibility that there will be fewer vehicles, including coaches, cluttering Kent's roads.

Mr. Portillo: My hon. Friend has made a most interesting point. Even without the new line, rail freight is expected to more than triple. There could be 20 trains a day in each direction through the tunnel and that would mean that 1,500 fewer lorries a day would be required in Kent. With the new line there will be more room on the existing railway network for freight trains. Therefore, there will be less of a tendency for that freight to drift back on to the roads of Kent.

Mr. Andrew F. Bennett: Does the Minister accept that it would be a travesty of justice to promote such a rail link by way of a private Bill? We need a planning inquiry. If a private Bill were used to promote the new line that would bring the procedures of this House into disrepute. Does he agree that it would be absolutely impossible to find four hon. Members to sit in a judicial capacity on the Bill who do not have an interest in the matter? Will he ensure that there is a proper planning inquiry and that the new line is not promoted through the back door route of a private Bill?

Mr. Portillo: No. I absolutely disagree with the hon. Gentleman. Although some proposals have been put forward by a joint committee which we will have to consider very seriously, at the moment there is no method for the promotion of a new railway line other than by a private Bill.

Mr. Rowe: Is my hon. Friend aware that for the past six months British Rail has engaged in what it calls consultations, but which the rest of us would call confrontation, which has added nothing to the argument? As a consequence, when British Rail finally announces the route, it will not have gained any more information or taken any notice, as far as I can see, of what anyone else is saying. Will my hon. Friend, in those circumstances, ensure that British Rail considers other routes, such as, route 5, which has been carefully designed, before it takes its decision?

Mr. Portillo: British Rail should consider its route very carefully including any alternatives which are put forward. However, my hon. Friend rushes to judgment when he says that British Rail has not been listening. He must wait until he sees the proposed line, and then judge for himself.

ATTORNEY-GENERAL

Cohabitation

64. **Mr. Fraser:** To ask the Attorney-General what steps are currently being undertaken by his Department or that of the Lord Chancellor in relation to increasing the rights which flow from cohabitation.

The Solicitor-General (Sir Nicholas Lyell): The Law Commission is currently reviewing the law relating to intestacy, to the occupation of the home, and to domestic violence. This review will include the question of what rights should follow from cohabitation as well as from marriage.

Mr. Fraser: Will the Solicitor-General confirm that it is the intention of the Lord Chancellor's Department to increase the obligations of common law partners in the forthcoming legal aid regulations? Does he agree that inter vivos rights of common law partners should be increased. For example, a common law wife who has lived in a home owned by her common law husband for many years should have rights of security and proprietary rights in the matrimonial home as well and, so as not to be sexist, vice versa?

The Solicitor-General: People in that position already have some rights and the Law Commission is considering whether they should have further rights. Such rights as they have at the moment will be taken into account appropriately when the regulations to which the hon. Gentleman referred come forward.

Mr. Holt: Does my hon. and learned Friend agree that whatever the rights are, it is very important that the mechanics match those rights? Is he satisfied with the work of the legal aid office in Newcastle which allegedly dictated a letter on 19 January, typed it on 1 February and which was finally delivered on 9 February after I had contacted the office by telephone? That communication related to the "tug-of-love" case between one of my constituents and a child's mother. Does my hon. and learned Friend agree that that case was put in jeopardy, whatever the rights may be, because of the length of time involved?

The Solicitor-General: That seems a far cry from cohabitation. However, if my hon. Friend will write to me, we will look at the case.

Serious Fraud Office

65. **Mr. Rooker:** To ask the Attorney-General when he last met the director of the serious fraud office; and what matters were discussed.

The Attorney-General (Sir Patrick Mayhew): Today, Sir. We discussed matters of departmental interest.

Mr. Rooker: Will the Attorney-General confirm whether he has discussed with the director of the serious fraud office the continuing delay in reaching a decision on his inquiries regarding the Department of Trade and Industry's report on the House of Fraser? Will he also confirm that the dilatory actions of former Ministers, Sir Alex Fletcher and the right hon. Member for Chingford (Mr. Tebbit) allowed known crooks to buy the House of Fraser? Are they now co-operating fully with the serious fraud office?

The Attorney-General: As to the less tendentious part of the hon. Gentleman's question, the matter to which he referred at the beginning featured among those that I discussed today. Police inquiries requested by the Director of Public Prosecutions are continuing.

Sir Anthony Grant: Did my right hon. and learned Friend discuss with the Director of Public Prosecutions any need for additional staff in his Department to deal with major fraud cases? It has taken an appalling length of time to bring the Guinness scandal to trial.

The Attorney-General: No, Sir. That was not among the matters discussed, because the director of the serious fraud office has made no representation to me that he needs additional staff. The establishment of the serious fraud office has vindicated the legislation that permitted it, because matters that are now the subject of prosecution —including the prosecution arising out of the Guinness affair—would not have been referred to the Director of Public Prosecutions under the previous arrangements.

Mr. Campbell-Savours: What is happening in the case of Mr. Kunwar Chander Jeet Singh, who ran Ravendale Group plc and City Investment Centres, and who, in the over-the-counter market and in other share dealings, defrauded thousands of people of their money? When will that fraudster be prosecuted?

The Attorney-General: If the hon. Gentleman wishes to ask a question about a specific case, it will be to my advantage and, I suspect, to that of the House, if he addressed his question directly to that case.

Director of Public Prosecutions

67. **Mr. Holt:** To ask the Attorney-General when he last met the Director of Public Prosecutions; and what was discussed.

The Attorney-General: Today, Sir. We discussed a variety of matters of departmental interest.

Mr. Holt: Will my right hon. and learned Friend say whether one of those matters was bringing back to this country Mr. James Draper, to serve the two-year prison sentence that was imposed upon him for contempt of court, after he and others defrauded many people in this country?

The Attorney-General: Yes, Sir. That matter was discussed today. For the assistance of my hon. Friend, I can say that the Vice-Chancellor made an order committing Mr. Draper, in his absence, to prison for two years for civil contempt of court. Extradition cannot be ordered from any country for civil contempt, even if it results in an order of imprisonment. The Vice-Chancellor's judgment and a separate report by Department of Trade and Industry inspectors into the affairs of two companies, known as Milbury plc and Westminster Property Group, which covered similar ground, have been studied by counsel, who concluded that a police investigation should not be commenced, nor extradition sought, in respect of alleged criminal offences committed by Draper. The Crown prosecution service agrees with that view.

Mr. Cohen: Is the Attorney-General aware that London Labour right hon. and hon. Members today met Sir Peter Imbert, Commissioner of Police of the Metropolis, who acknowledged that to tackle racial harassment effectively, a much stronger policy is needed from the Director of Public Prosecutions, so that more of those people who perpetrate racial harassment will be prosecuted?

The Attorney-General: The Commissioner of Police of the Metropolis has not yet reported that meeting to me, nor any opinions such as that which the hon. Gentleman identifies. I look forward to reading any communication from the commissioner.

Mr. Adley: Does my right hon. and learned Friend recall the great courtesy that he showed me, when we met to discuss the case of my constituent, Mrs. Christine Sellers, and the possibility of bringing a criminal prosecution against the surgeon, Mr. Cook? My right hon. and learned Friend's advice was that she should bring a civil case against him. Is my right hon. and learned Friend aware that the case has now been heard, and that judgment is expected later this week? If Mrs. Sellers wins, will my right hon. and learned Friend be willing again to see me, as was anticipated in the first place?

The Attorney-General: I am always willing and anxious to see my hon. Friend. It is a labour of love to extend courtesy to him.

Attorney-General of the Irish Republic

68. **Mr. Dalyell:** To ask the Attorney-General when he last met the Attorney-General of the Republic of Ireland; and what matters were discussed.

The Attorney-General: On Thursday, 29 September 1988. As I stated in my answer of 23 January 1989 to the hon. Gentleman, we had a constructive meeting in regard to matters of concern to our respective responsibilities—in particular, extradition between the United Kingdom and the Republic of Ireland.

Mr. Dalyell: As the right hon. and learned Gentleman has possibly had a telephone conversation this morning with the Irish Attorney-General, what message does the right hon. and learned Gentleman have for lawyers and solicitors in Northern Ireland in the light of last night's tragedy?

The Attorney-General: Last night's tragedy should and does arouse disgust throughout the civilised community. It is, of course, most deeply felt among lawyers but also, I would judge, widely shared throughout the Province.

Sir Raymond Gower: Is my right hon. and learned Friend able to take any steps to bring Mr. Ryan to justice through a trial, either in the Irish Republic or in this country?

The Attorney-General: The Irish Attorney-General has had the papers concerning Mr. Ryan since last month. Those papers were sent with a view to his prosecution being considered by the Irish Director of Public Prosecutions.

Mr. Winnick: Arising from what the Attorney-General has just said to my hon. Friend the Member for Linlithgow (Mr. Dalyell), does he agree that the murder last night of a solicitor is a new escalation of the murderous violence in the Province? Does he also agree that those who practise law in Northern Ireland have a duty and a responsibility

to their clients? Are not those responsible for the murder demonstrating once again that, whether the violence comes from the Republican or the Loyalist side, these murderers have no respect for the rule of law?

The Attorney-General: The hon. Gentleman's last remark was quite correct. However, I do not know whether the murder was an escalation of the violence that has beset the Province for so many years. It is certainly an example of violence on a disgusting and totally unacceptable scale, which right hon. and hon. Members from both sides of the House wish to do all that they can to suppress, consistent with the rule of law.

OVERSEAS DEVELOPMENT

Malawi

71. **Mr. Greg Knight:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last visited Malawi; and if he will make a statement.

The Minister for Overseas Development (Mr. Chris Patten): I visited Malawi at the end of last month. I saw a range of British-financed development projects and technical projects and technical experts, and confirmed to Malawian Ministers our continuing commitment to help Malawi's development programme. British aid to Malawi, including help for Mozambican refugees, amounted to £25 million in 1987, the latest year for which full figures are available.

Mr. Knight: Is not one of the biggest problems facing Malawi its need to improve transport links to the coast? Is there anything that the British Government can do to assist in that matter?

Mr. Patten: I wholly agree with my hon. Friend. I saw for myself the importance to Malawi's economy of improving transport links. That is why we intend to spend just over £13 million on the northern transport corridor linking Malawi to Dar-es-Salaam. We have also made a contribution to the rehabilitation of the Nacala line, and will probably be able to do more to support that project as well.

Sir Jim Spicer: My hon. Friend will know all our aid is directed on a bilateral basis where it is most needed. Why does the European Community, particularly in the case of black South African townships, insist on feeding its aid through a third party, which then has the power to direct where the aid should go? Would not our approach be more satisfactory?

Mr. Patten: We are pressing, both through our own bilateral contributions to projects in South Africa and through the European Community, to ensure that that aid goes to education and social projects where it is most needed. We shall, as my hon. Friend suggested, be spending on our own substantial programme and we have already committed about £25 million to bilateral projects in South Africa in the five years to 1992.

Lomé IV

72. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current progress in negotiations on Lomé IV.

Mr. Chris Patten: Negotiations on a successor to the third Lomé convention, which expires in February 1990, were opened formally in October last year. The first European Community—African Caribbean Pacific ministerial negotiating meeting, which I shall be attending, is in Brazzaville later this week.

Mr. Andrew F. Bennett: When the Minister attends the meeting, will he press the European Commission to consider carefully the implications of the 1992 single market and its impact on African, Caribbean and Pacific countries? Will he ensure that those Third world countries do not lose out in the single market? Does he recognise the grave danger that the fat cats of Europe will get the cream and milk while the Third world countries will be left with only a cracked saucer?

Mr. Patten: I find myself in the unusual position of agreeing with a good deal of what the hon. Gentleman said. We have to make absolutely certain that 1992 does not create a fortress Europe, as my right hon. Friend the Prime Minister has made clear. We have to do all that we can in the re-negotiation of the Lomé convention to ensure that we liberalise the existing trade arrangements where we can. We have set out our thoughts on that, and in particular we have made clear our views on bananas and the importance of guaranteeing the position of our traditional suppliers in 1992 and thereafter.

Miss Lestor: While the hon. Gentleman is in the mood to agree with my hon. Friend, may I ask whether he has had time to look at the charter for Lomé IV produced by the world development movement? Two of the points in that charter may well be in line with what he is thinking, and I should welcome his comments. First, the Economic Community, in discussing 1992, should publish a report on the anticipated costs and benefits to African Caribbean Pacific states and fully compensate those that are adversely affected, and secondly that the Economic Community should abolish all remaining tariffs and non-tariff barriers on processed products from ACP states. As the Minister shares the Opposition's concern about the move towards 1992, I should welcome his co-operation on those matters.

Mr. Patten: I agree with a good deal of the world development movement's charter on the Lomé re-negotiations. In regard to tariffs, as I said earlier, we are pressing for further liberalisation. For example, we are pressing for rum to be treated like other industrial products. It seems inconceivable that after 1992 we could continue with a quota on rum and with compartmentalisation. I have mentioned the importance of liberalising the arrangements. The hon. Lady also mentioned an economic assessment of the consequences of 1992. We have argued with ACP countries that they should benefit from a larger and more dynamic market after 1992. The European Community has to help them develop their own processing and manufacturing capacity, for example, by simplifying the existing rules of origin.

Dame Peggy Fenner: May I say how much I appreciate my hon. Friend's concern about the effects of 1992? Will

he pay particular attention to the Madrid appeal—the document produced by the 22 countries of the Council of Europe in their campaign for greater public awareness in the North-South campaign?

Mr. Patten: That was a very useful campaign, particularly as my hon. Friend the Member for Medway (Dame P. Fenner) played a part in drawing up that declaration. We were pleased to be able to make a small contribution to that campaign, which quite properly accomplished its objectives.

OVERSEAS DEVELOPMENT

International Debt

73. **Mr. Cohen:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to take in the light of the World Bank's report on the growth of international debt.

Mr. Chris Patten: We shall continue to play our full part in implementing the internationally-agreed strategy on debt. We will maintain support through the aid programme for important initiatives recently adopted for the poorest debtors, in which Britain took a leading role.

Mr. Cohen: That is some strategy. The Minister will be aware that that World Bank report showed that the poorer nations paid the richer nations some $43 billion last year and because of compound interest they were still $39 billion further in debt. The Government's strategy is to export privatisation, to soak the resources of those countries and leave them even further in debt. Is that not a recipe for poverty capitalism, rather than popular capitalism?

Mr. Patten: Unusually, the hon. Gentleman is a little wide of the mark. The figures which he quoted are certainly misleading as they take no account of grant aid or of the ability of better off developing countries to repay their debts. The net capital flows to sub-Saharan African countries were strongly positive throughout the 1980s. Even after deducting interest payments they amounted to $15 billion in 1987, the last year for which we have figures. These days very few people would agree with the hon. Gentleman about the importance of market forces. His views seem to be more in line with those of Mr. Ligachev than with those of President Gorbachev.

Mr. Wells: The House owes my hon. Friend a great debt of gratitude for the initiative that he and the Chancellor of the Exchequer have taken to put on the international scene the initiative on sub-Saharan debt, which has been taken a step further at Toronto. Does my hon. Friend believe that the time is now ripe for a further initiative in that area, and that we should extend the initiative on sub-Saharan debt to other countries, such as Guyana in South America? Can he make a statement about that? Is he prepared to take any steps in relation to the debts owed to the World Bank and the International Monetary Fund?

Mr. Patten: It is important to distinguish between the poorest and the most indebted countries and those which are rather better off. It is also important to distinguish between debts that are owed to Governments and international organisations and those which are owed to commercial banks. Whatever happens, I would not endorse the transfer of risks from banks to taxpayers.

We have announced that we have committed support to the programme, which we hope will get off the ground, to encourage economic reforms in Guyana. Canada has led the exercise, but we have said that we will support an agreed IMF-World Bank programme in Guyana. I hope that we can start one very soon.

International Development Association

74. **Mr. Welsh:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current progress in negotiations for the replenishment of the International Development Association.

Mr. Patten: Negotiations will start in Washington later this month. We hope that they will be successfully concluded by the autumn.

Mr. Welsh: I wish the Minister all success in the negotiations and hope that they are successful for the association. Is the Minister aware that, in 1979, we contributed 10 per cent. of this fund and that, in the early 1980s, we reduced that contribution to 6·7 per cent. because we had a weak economy? Now, the Chancellor of the Exchequer says that the economy is the strongest it has ever been. Does the Minister agree with the Chancellor? If so, will he renegotiate a 10 per cent. contribution in the next round of negotiations?

Mr. Patten: Of course I agree with my right hon. Friend the Chancellor of the Exchequer about the strength of the economy. I also agree with what he told the IMF-World Bank development committee recently. He said that we

"believe a substantial replenishment is justified to maintain the Bank's concessional lending to its very poorest members, especially in Africa".

I strongly agree with my right hon. Friend. We shall certainly play our traditional part in accomplishing such a replenishment.

Point of Order

3.31 pm

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Speaker. You will recall that, some weeks ago, the hon. Member for Thanet, South (Mr. Aitken) raised the issue of the six Conservative Members who have been identified as a security risk by the Security Service. You will recall also that I have raised this matter repeatedly—at column 866 on 24 January, column 1041 on 25 January, columns 1185 and 1204 on 26 January and column 122 on 30 January. You have given me rulings on this matter several times. The first time you advised me to go to the Leader of the House. He told me that he could not answer questions on matters of security. I accept the answer that he gave me. You then ruled on a further point of order which I raised with you, and said that I should take the matter to the Procedure Committee. I went to the Procedure Committee, and I have to advise you of its reply. It said:

"It was the unanimous view of the Procedure Committee that in no way could consideration of this, or any matters concerned with security, fall under the normal interpretation of the terms of reference of our Committee."

You will understand, Mr. Speaker, that my case has always been that if Members of Parliament are not fit to be Ministers because they cannot be trusted with classified material, which was the effect of the statement made by the hon. Member for Thanet, South, members of Select Committees who may have been subject to the same scrutiny should not have access to classified information. I have identified in the Chamber at least two Committees to which classified material is made available. Indeed, this afternoon, in the Public Accounts Committee, we shall once again be examining classified material. May I put it to you, Mr. Speaker, that we need a ruling whereby this matter can be opened up?

As you will understand, I am not satisfied if some Members of this House whom the security services do not regard as trustworthy are to be given access to classified material. We know that at the moment there are six such Members. We know not who they are; we know only that they are Conservatives, and in saying so, I am not scoring political points—*[Interruption.]* It was the hon. Member for Thanet, South who said that these six Conservative Members had been identified by the security services.

All I want is a ruling whereby we can move forward. Will you please consider this matter, Mr. Speaker, and tell me to which Committee I can go next to have it examined further?

Mr. Speaker: I do not think I can help the hon. Member. I have given him two suggestions, but, as he well knows, it is not my role to indulge in giving advice as to tactics. I can only suggest that he might now seek to win time for a private Member's motion, which might enable him to develop the matter further. I cannot give a ruling on something over which I have no authority.

Mr. Campbell-Savours: You suggest, Mr. Speaker, that I should seek to win time for a private Member's motion in a ballot of potentially 640 Members, to deal with an urgent matter concerning Committees of this House. However, today, and over the next few weeks, classified material will be examined. Surely it is wrong for the House to have to wait for some form of adjudication on these matters. That material may fall into the hands of Members whom the security services have identified as unreliable. This is a matter for the House of Commons, not for the Government, and I ask you, Mr. Speaker, to give us a ruling as to which Committee we can go to next.

Mr. Speaker: The hon. Member must pursue this with the Leader of the House. He cannot pursue it with me; it is not a matter for me. He has taken it to the Select Committee, which has said that it is unable to deal with it. I cannot deal with it either.

Mr. Campbell-Savours: Mr. Speaker, you could advise me——

Mr. Speaker: I cannot, and there is no point in the hon. Gentleman's pursuing the matter. I have no authority to do it.

Mr. Campbell-Savours: In your reply, Mr. Speaker, you referred to the need for me to go to the Leader of the House. The Leader of the House has said:

"The hon. Gentleman knows the answer that he will get. I am not prepared to comment on matters of security, but, as the hon. Gentleman will be well aware, it is ultimately for the House to decide on membership of Select Committees."—[*Official Report*, 26 January 1989; Vol. 145, c. 1185.]

The House cannot decide upon this matter because the House does not have information as to who these six Conservative Members of Parliament are—nor, indeed, does the Committee of Selection.

We cannot just allow this matter to fall by the wayside. It is important. We are talking about classified material. We are talking about information relating to defence contracts, perhaps even contracts such as the one on which you, Mr. Speaker, had to rule a year and a half ago—the Zircon project. How do we know that those six Conservative Members of Parliament do not have access to that information? We know that they could not get it as Ministers, because, according to the hon. Member for Thanet, South, their appointments were blocked by the security services. I am trying to find out——

Mr. Speaker: Order. The hon. Member is taking up private Members' time. This matter arose in a speech made by the hon. Member for Thanet, South, (Mr. Aitken). I have no idea whether the hon. Member was right or wrong. What he said was his responsibility not mine. I have no authority to do as the hon. Gentleman wishes me to do. He must find ways of pursuing this matter other than through the Chair.

Mr. Campbell-Savours: There is another way that I can pursue the matter, but the problem is that because I do not have a name and therefore cannot approach one of the Members, perhaps privately, to make a complaint to the Select Committee on Privileges, I am not in a position to press the matter. You could advise the Select Committee on Privileges to examine this matter in a general sense without any Member having to lodge a complaint.

Mr. Speaker: Order. The hon. Gentleman knows the rules about that. If he maintains that it is a matter of privilege, he should raise it in the appropriate manner, which is to write to me about it. Before he does so, however, I have to say to him that I cannot be held responsible for what hon. Members may allege in the Chamber, provided that what they say is in order. The hon. Gentleman is being very unfair to his colleagues by

[Mr. Speaker]

taking time out of private business. *[Interruption.]* There may come a day when he finds himself in a similar position.

Mr. Campbell-Savours: You say that the hon. Member for Thanet, South made a statement that perhaps was unsubstantiated. He said:

"Just in case Labour Members think that these kinds of mistakes are totally confined to their side of the House and to Labour Prime Ministers, they may perhaps be interested to know that I was told . . . reliably".—[*Official Report*, 17 January 1989; Vol. 145 c. 190.]

The hon. Gentleman said "reliably," so it was not a question of conjecture. He made a specific allegation.

Mr. Speaker: Order. Very frequently hon. Members allege that they have reliable information and very frequently it turns out to be highly unreliable.

Mr. Campbell-Savours *rose*——

Mr. Speaker: Order. I do not intend to hear any more about this matter.

Mr. Campbell-Savours *rose*——

Mr. Speaker: I have already told the hon. Gentleman that I do not intend to hear any more about this matter.

Mr. Campbell-Savours *rose*——

Mr. Speaker: I have already dealt with the matter.

Mr. Campbell-Savours: I am dealing with classified material.

Mr. Speaker: Order. I ask the hon. Gentleman to resume his seat.

Mr. Campbell-Savours: I am dealing with classified material.

Mr. Speaker: Again I ask the hon. Gentleman to resume his seat.

Mr. Campbell-Savours *rose*——

Mr. Speaker: If the hon. Gentleman will not resume his seat, I shall have to ask him to leave the Chamber for the rest of this day's sitting.

Mr. Campbell-Savours *rose*——

Mr. Speaker: Order. I order the hon. Member to leave the House for the remainder of this day's sitting.

Mr. Campbell-Savours: Am I being asked to leave the Chamber?

Mr. Speaker: Yes.

Mr. Campbell-Savours: I shall be back.

The hon. Member then withdrew.

Moral Values

3.41 pm

Sir Hal Miller (Bromsgrove): I beg to move,

That this House recognises the different but complementary roles of the Church and State in our society; and calls on all sections of the Church, including that by law established, to fulfil their leading role in the promotion of moral values.

I move this motion with some diffidence, as I have no wish, nor is it any part of my purpose, to give offence. I am conscious that I am one of the frailer vessels on the Ecclesiastical Committee and I am most grateful that other hon. Members are to take part in the debate. I very much regret the absence of the Ecclesiastical Committee members. The Committee is to meet the archbishops later today. In particular I regret the absence of my right hon. Friend the Member for Selby (Mr. Alison) who has provided me with much help, encouragement and information, and who, I know, wished to take part in the debate. I acknowledge also my debt to the Earl of Lauderdale and my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer). None of them wishes, of course, to take any responsibility for my remarks.

All four of us are members of an organisation called Church In Danger, but the debate purposely goes wider than the Church of England, as is recognised by the presence of the Minister of State, Home Office, my hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) who I am sure will lend wit, wisdom and a wider perspective to our deliberations. Despite the advice and fears of many of my hon. Friends about my temerity in raising the subject, I felt that I should take this opportunity to air matters that have been giving me cause for much concern.

Dame Elaine Kellet-Bowman (Lancaster): And many others, too.

Sir Hal Miller: The origin of the concern in my own case is the growing perception that Church spokesmen are speaking with a great deal of certainty in the realm of politics but with increasing uncertainty in the realm of things of the spirit. Thus, in the past year one diocesan newsletter in my diocese was headed "Tax Cuts are Immoral". Another was devoted to a consideration of our nuclear defence policy. Other bishops have attacked the deregulation of buses and the proposals that schools should opt out of local authority control and, most recently, I heard one bishop looking forward to attacking the proposals in the White Paper on health.

I am not, of course, objecting to the clergy's right to have political views or to express them, but they should not express those political views in their guise as clergymen or bishops, with the sacred authority thus implied. In other words, I do not believe that they have the right to speak on such matters from the pulpit or the throne. I find it odd and offensive that clerical spokesmen can, apparently, deny the basic beliefs of the creed, contemplate the ordination of divorced people—I speak as a divorced person—and purport to celebrate homosexual marriages.

It seems that the church is becoming a battleground —I nearly said playground—for activists with distinctively minority views. Labour Members are only too painfully aware, as reselection looms, of what that involves, and the Synod of the Church of England is in danger of attempting to give some of those views an elective authority that

cannot stand comparison with the authority of this House. We ceded authority to the Synod to manage Church affairs without interference from the House, not to run political campaigns, however sincerely felt. I shall come back to the question of establishment later.

I have been a Member of Parliament for 15 years, during which time I have seen at least three political theories in action. I ask myself how the Church can safely abandon the eternal for the obviously temporal.

Mr. William Powell (Corby): Will my hon. Friend give way?

Sir Hall Miller: No, as I am still in my introductory phase.

This apparent increase in the Church's concern about the political has been accompanied, in a curious transposition of roles, by an increase in state concern for the moral, such as state insistence on religious education in schools, which was questioned in the House of Lords by one of the Lord bishops. There has also been state insistence on the responsibility of the individual in a variety of spheres, in which my hon. Friend the Minister of State has played a part.

Mr. William Powell: Is it my hon. Friend's experience that those churches where the strongest spiritual message comes from the leadership are the fullest and those where the political message is most enhanced are the emptiest?

Sir Hall Miller: My hon. Friend has made his point. My understanding is that the churches where there are enthusiastic beliefs have full attendances.

I want shortly to turn to where I see the solution lies to the seeming contradictions, but I want first to deal with the moral basis of our present system of democratic capitalism. I speak as one who was originally reared on the Christian Socialism of F. D. Maurice and R. H. Tawney, supplemented—almost redeemed, I might add—by William Temple. We are now seeing the worldwide realisation that Socialist centralised planning and Socialist management have not only failed to deliver the economic goods and the means of ministering to the poor, but that the price in terms of human rights has been too high to pay for illusory equality.

In Russia, we see a move to provide greater rights, but political freedom may give rise to more demands than the still shackled economy can meet, while in China, economic processes are being freed first, giving rise to greater political demands than the state can perhaps meet. Therefore, we should be thankful that we and other advanced economies are living under a system of democratic capitalism. A free economy is a necessary, if not sufficient, condition for a free society. By itself, a free economy is not a sufficient condition for a free society. Just as I have departed from Socialism in advocating a free economy, so I am departing from libertarianism.

The individual in the free economy needs to recognise his responsibilities as well as his rights. Here we see the field of play for moral values. The Socialist will seek to impose such values, but the libertarian will deny them. History ruefully records that states are no more moral than individuals' actions. I speak as a former civil servant. There is no greater morality in public rather than private expenditure, and state monopolies are no more admirable and no more conscious of their customers than are private monopolies. We are up against the problem of self-will. As William Temple reminded us

> "There is no Christian solution to the problem of self-will."

It is what distinguishes us from the rest of creation. If we seek to deny it, we deny our creation. We have therefore to inform and guide it. That is the supreme role of the Church.

Too often, we politicians are presented with imperatives —for example, on abortion. I do not believe in abortion, and I hope that I would be able to sustain that belief in my own family life. But, as a politician, I must recognise not only that there is a minority of Church believers in this country but, more important, that there must be a policy to deal with situations in which abortions would otherwise be carried out in back streets, at high cost and with even greater danger to health.

Surely the Church can recognise original sin and self-will. How can the Church want us to legislate it away? We know that individuals have the potential for good and evil. Surely we should aim to increase the field of action of the good. Is it not our experience that individuals and small units—small groupings of people—when giving rein to the good, gain added strength? Should we not welcome possibilities for the provision of more flexible, more local bus services, for example, or return to schools more control over their own destinies? Should we not try to do the same thing in the Health Service? There should be more funding, certainly, but there should also be more say to those providing the service and more tapping of local enthusiasm, initiative and loyalty. Again, if tax cuts yield more revenue for more such expenditure, as has already happened, what is immoral about that?

As we achieve more economic freedom and more choice, the Church needs to remind us more of our responsibilities—our individual responsibilities. In our diversity of callings, we need the light of faith and the standards which the Church can provide.

So I come finally to the position of the Church of England, by law established. It is in a unique position to understand and minister to our needs, embedded as it is in our national life, being the result of the Act of Settlement 1700. As such it has a wider role than any other Church and in a real sense belongs to more people than merely to its members. Of course, it may, in effect, opt out of that position and responsibility. However, its schism would contain the potential for greater rifts. Therefore, I very much hope that its leaders will pull back from the merely partisan and the temporal and continue to promote the beliefs to which they gave express assent, as well as continuing to minister to us who have such need of them.

3.55 pm

Mr. Eric S. Heffer (Liverpool, Walton): I welcome the fact that we are discussing this matter today. Although the hon. Member for Bromsgrove (Sir H. Miller) has been moderate—I appreciate the fact that he says that he comes from a Christian Socialist background—unfortunately some of his colleagues, including some of his hon. Friends, still consider the Church of England to be the Tory party at prayer. They believe that politics should be left to Tory politicians and that only they have the right to be concerned with such matters. They believe that the Church of England should be concerned only with the saving of individual souls.

[Mr. Eric S. Heffer]

Their objective is either to maintain the status quo—as long as that equates with the present economic capitalist system—or, if changes are to take place, to remove the welfare state, trade union rights, the National Health Service, council house building and local authority rights in the interests of business, especially big business.

As somebody who was born into the Church—I am sure that I will die a member of the Church—I am passionately concerned with the interests of my Church. I believe that the Church has a right to involve itself in politics. Indeed, it has a duty to do so. The politics of the Church should be the politics of the early Christians. As Bishop Sheppard of Liverpool said in his book, there should be a "Bias to the Poor".

The hon. Member for Bromsgrove referred to Archbishop William Temple who said—I agree with him—that Christianity must

"criticise actual institutions in the light of its own social principles, because it aims, not at the salvation of individuals one by one, but at that perfect individual and social welfare, which is called the Kingdom of God or the Holy City".

The arguments that we shall hear today against the bishops—we hear them regularly from Conservative Members—were used against Archbishop Temple in the past. I would like to draw the attention of the House to the fact that in 1934 William Temple wrote to *The Times* urging Neville Chamberlain, then Chancellor of the Exchequer, not to decrease income tax but to restore cuts which had been made in unemployment benefit. Neville Chamberlain was furious. That is perhaps a mild word to use. He was absolutely mad. He wrote to *The Times:*

"When I read that letter I thought it was a pity that the Archbishop should suggest, as it seems to me he did by implication, that MPs require to be reminded of humanitarian feelings which otherwise would not occur to them."

The archbishop was right to send his letter. Members of Parliament, certainly some in the House today, have to be reminded of humanitarian feelings. If Christians are not genuinely concerned with the spiritual welfare of people, they must be concerned with the material needs of people. There is no contradiction in that.

Let me recall again the words of the Magnificat. It is much more revolutionary in some senses than the Communist manifesto. The Magnificat reads:

"He hath shewed strength with his arm; he hath scattered the proud in the imagination of their hearts.

He hath put down the mighty from their seats, and exalted them of low degree.

He hath filled the hungry with good things; and the rich he hath sent empty away."

That does not fit in with some of the concepts which Tory Members may accept.

There was an interesting and great Roman Catholic professor of political economy of the university of Naples in 1890 who said in his book on Christian Socialism:

"According to St. Jerome, opulence is always the result of theft, if not committed by the actual possessor, then by his predecessors.

That is not much different from what many Socialists have said in the past. I believe that to be true.

We should also remember that Acts 4, 32 states that the members of the first Christian communities were

"of one heart and of one soul, neither said any of them that aught of the things he possessed was his own, but they had all things in common."

St. Cyprea in "Of Works and Arms" said:

"When at the first beginnings of the Church the mind flourished with great virtues, when the soul of the believers burned with a glow of faith yet new, then they had all things common, they initiated the divine law, the equality of God the Father."

I believe that. That was why I am both a Christian and a Socialist. I do not find that the concepts I hold as a Socialist are any different from the beliefs I was brought up with.

Many Tory Members have got away from the basic concepts of the Christian Church. They have forgotten how it started and what it is about. It is true that at some stage it became the state religion, so turned into its opposite, like Marxism in Russia. It, too, became the opposite of what it began as. That is not new—unfortunately, it happens too often—but that does not mean that those who began the process—the early Christians and early Socialists—were wrong. It means that those who came afterwards distorted what those who began the process believed. That is what I have always thought. I see no difference between the two, and I find it difficult to understand the arguments of some Tory Members.

I do not disagree with what the Church has been doing recently. In the past I have been a critic of our bishops. Their report on the bomb was excellent. I am only sad that the Synod has overturned it. Fair enough, that is a democratic decision. I fully agree with chapter 3 of "Faith in the City" which deals with theological priorities. Paragraph 3.3 states:

"In this country we are confronted by an acute form of relative poverty—officially recognised as 'multiple deprivation'—that is particularly concentrated in the Urban Priority Areas, and that is caused to a great extent by circumstances beyond the control of those affected by it. There is a clear Christian duty to respond to this situation and 'remember the poor' in our urban priority areas."

Can anybody disagree with that?

The report continues:

"It is against the background of the excessive individualism of much Christian thinking in the nineteenth century that we must place Marx's perception that evil is to be found, not just in the human heart, but in the very structures of economic and social relationships. This perception is also found to a notable degree in the Old Testament [from which . . . Marx may have derived it] where there is explicit recognition of the inevitable tendency of the rich to get richer and the poor poorer unless some constraint is imposed to limit the freedom of individuals to profit without restraint from a market economy."

That is the right approach for my Church.

Today in Latin America, Asia and Africa there is a growth is what is called liberation theology. "Faith in the City" states:

"To all of us, the example of Liberation Theology opens up the possibility that new priorities, as well as new methods, can restore to us a theology, that is truly relevant to the needs and aspirations of people today. Therefore we have to apply the new theology to the situation that exists in Britain today."

I accept that. We cannot talk about liberation theology only in Latin America. Hon. Members who saw last night's programme about the Sudan will have been made ill. Everyone who is a genuine Christian must have felt sick, seeing the poverty and misery that exists in the Sudan, Ethiopia, Latin America and various parts of Asia.

What about our poverty? We cannot act to solve the problem too quickly. We are a rich nation. What about our poverty? We have to do something about it. Therefore, I agree with "Faith in the City" that we must concern ourselves equally with what is happening in our own country.

One example is housing. When I think of the Government's record and policy on housing, and of the needs of our people, I remember what the report says about housing. In the section headed "Public Housing: the Way Forward", paragraph 10.72 on page 250 states:

"The great importance of the public housing ideal was that it broke the link between poverty and living conditions. The poor did not have to live in poor housing. But this link is now being re-established . . . Net capital spending was cut by 44 per cent. in volume terms between 1975-76 and 1979-80 and by 52 per cent. in cash terms between 1979-80 and 1984-85. The result is that the number of new homes started in the public sector has dropped over the last decade from 174,000 in 1975 to 38,000 in 1984. At the same time there has been a shift in expenditure away from the metropolitan districts and London in favour of the shire districts."

In the conclusion to the chapter on housing, the report states:

"What is beyond dispute we believe is that a continuing emphasis upon home ownership alone will not solve the housing problems of the urban priority areas."

That is liberation theology as argued by the Church in Britain, and I believe that it is absolutely right.

Mr. Ian Gow (Eastbourne): The passage which the hon. Gentleman, perfectly understandably, has just read to the House is the best illustration that one could find of where the Church—the best motives—is commenting upon matters that are very much within the judgment and responsibility of politicians, whether at local or at national level. Some of us would have been much happier if "Faith in the City" had directed its attention to saving the souls of the people rather than making political judgments on how housing might be improved.

Mr. Heffer: I am delighted that the hon. Gentleman said that, because he has made my point for me. If they want to save souls, they had better house the people properly. If they want to save souls, that had better give the people decent jobs and full employment. If they want to save souls, they had better become concerned with personal relationships and what is happening at home. That is what Christianity and Socialism are about. The hon. Gentleman has attacked the report, just as some of his hon Friends have attacked the bishops, precisely because they have asked vital questions that are apposite to the needs of the people. I believe that the Church has come down, rightly, on the side of doing something about the problems.

In his book "Essays on Christian Politics and Kindred Subjects", William Temple said:

"It is not possible to limit Christianity to the individual alone. Christianity appeared in the world as a society. It was not indeed a society with a finished constitution presenting what officers it should have, or what its specific aims should be."

I agree with that.

Unlike some people in Moslem and other countries, I do not believe that Christians want to have a theocratic state. I do not agree with the Christian Democrats in Europe, who wish to involve themselves in political affairs and say, "This is what we shall impose on society." The hon. Member for Eastbourne (Mr. Gow) is as good a Christian as I am. I accept that people who have different political views are sincere Christians. We may argue about our interpretation of Christianity, but I do not want us as Christians to say that we shall impose our views on other people. I am sure that most other hon. Members will accept that. It is a question of our basic ideals of Christianity.

Dame Elaine Kellett-Bowman: Does the hon. Gentleman agree that one of the basic ideals of Christianity is that there should be one man and one woman for life?

Mr. Heffer: I do not argue with that. I have done rather well in that regard. But I believe that Christians should have compassion and understanding for people who may move in different directions from ourselves. When Conservative Members have strayed, I have been asked by the press for my views. I have said that it is a matter for them, not for me to sit in judgment. I am not God and I do not pretend to have Godlike powers. I look to Him to help me to come to my views on issues, but I do not sit easily in judgment on other people. One great problem is with people who suddenly find morality. That does not relate to the basic concepts of Christianity.

The Church has gone through many evolutionary phases. At times, it has become the opposite of what was intended. It began as the society of the poor. Later, it was transformed into the religion of the state, and it became all-powerful. A powerful universal state within states was defined by those who wanted to get back to its original principles. During the middle ages, a feeling developed that Christianity should be the poor man's charter. That feeling became the chief contributory cause of the rise of all the movements, whether they were Catholic or supposedly heretical, Franciscan or Waldensian, which were in being from the 13th century onwards. In Britain they were embodied in the ideas of Wycliffe and, in a practical way, in the Peasants' Revolt of 1381. Troelsch, who studied these movements, was led to describe the period of the later Middle Ages as the "Laiechristentum" —the time of the common man's Christianity.

Political struggles and involvement have been endemic in Christianity from the very beginning, and whether some like it or not, that is still the case today. The rise of Protestantism was part of the struggle for political freedom, for democracy and for the right to speak freely, which is now accepted by most Christians, no matter to which branch of the faith they belong.

The Church has a number of currents within it, the basic concept being the creation of God's kingdom on earth and need to create a society where things are owned in common and where people act together for the commonweal. At the same time, individuals have rights and minds of their own, and they must be given every facility to use them. That is the important point about Christianity. We were given free will. We must use that free will for the benefit of the mass of the ordinary people in society—the poor and the oppressed. I believe that the individual's rights must be part of the collective whole. Those rights, together with the obligations, must be accepted by all.

I shall read extracts from two poems which I believe are essential in understanding why the church and christianity must be involved in politics. George Lovelace, the leader of the Tolpuddle martyrs, was a Methodist preacher. I have never been a methodist, although my mother-in-law is one. After seven years transportation, which was, as it were, given to him by the State at that time, he responded with a poem, "God is Our Guide":

"God is our guide, from field, from wave,
From plough, from anvil, and from loom;
We came, our country's rights to save,
And speak a tyrant factor's doom;
We raise the watchword liberty;

[Mr. Heffer]

We will, we will, we will be free.

God is our guide! No swords we draw.
We kindle not war's battle fires.
By reason, union, justice, law,
We claim the birthright of our sires;
We raise the watchword, liberty,
We will, we will, we will be free!"

George Lovelace was concerned about the morals of his children. He wrote to his wife Betsy:

"Be satisfied, my dear Betsy, on my account. Depend on it, it will work together for good and we shall yet rejoice together. I hope you will pay particular attention to the morals and spiritual interest of the children. Don't send me any money to distress yourself. I shall do well, for He who is the Lord of the winds and waves will be my support in life and death."

I shall now read from the hymn or poem, however one looks at it, "Jerusalem" by Blake. It is something which we all sing with fervour in our churches and in our meetings. We must think about what it means:

"And did those feet in ancient time
Walk upon England's mountains green?
And was the Holy Lamb of God
On England's pleasant pastures seen?
And did the countenance divine
Shine forth upon our clouded hills?
And was Jerusalem builded here
Among these dark satanic mills?

Bring me my bow of burning gold!
Bring me my arrows of desire!
Bring me my spear! O clouds, unfold!
Bring me my chariot of fire!
I will not cease from mental fight,
Nor shall my sword sleep in my hand,
Till we have built Jerusalem
In England's green and pleasant land."

That is what I believe. I believe that Christianity is about transforming society to make it better. The Church must be involved in politics. It must concern itself with what is happening around us. It must become up to date. If it has to decide on such issues as whether there should be women priests and whether those who are divorced should hold positions in the Church, it is because it must live in modern society. It does not mean that the basic concept is wrong, but that we must accept that the Church must be involved. If it is not involved, it cannot make the contribution that it should in building a new society—in building that Jerusalem—and creating a new world. That is what I believe, and that is why I became involved in this debate.

4.24 pm

Sir John Stokes (Halesowen and Stourbridge): I know what a good Christian and Englishman the hon. Member for Liverpool, Walton (Mr. Heffer) is, and I share his love of history. However, in all our history we are usually two sides—he would have been a Roundhead and I would have been a Cavalier, but still part of English history. I was much moved by what he said about "Jerusalem". Conservative Members sing that hymn, too.

I congratulate my hon. Friend and neighbour the Member for Bromsgrove (Sir H. Miller) on thinking of this motion and on introducing it so well. We rarely debate these important matters, but I have occasionally done so on Adjournment debates. This subject is vital to our health as a nation and it is good that we should spend this afternoon considering it in detail.

When we consider today the condition of England on the one hand, we see a nation that has never been so prosperous, but, on the other, a society bedevilled by crime —much of it violent—drug-taking, drunkenness, vandalism, thuggery and gross dirt and untidiness in our streets and many other public places. Apart from other grave moral failings which have not been mentioned, there is divorce, which is increasing alarmingly, the break-up of families and also, I am afraid, some dishonesty, whether in high places or in low. We appear to have lost in our national life a lot of that cohesion in our towns and villages, which I remember as a boy before the war. We are not as neighbourly as we used to be, perhaps because of modern means of transport and the fact that people move house so often.

It is not, of course, all bad. For example, more is given to charity than ever before in our history. If there has been a falling-off in standards of behaviour and in our manners, why is that so? I believe that it must be because of the failure of parents in the home to bring up their children in the Christian virtues and with the appropriate moral standards.

The Church clearly has a great responsibility. Unfortunately, not only has the number attending services been falling for years, but the number of baptisms and confirmations has too. Although poll after poll shows that most people still believe in God, the Church is irrelevant in their lives.

I have always loved the Church. It supported me in the various crises of my life. I believe that in the end religion is a personal matter, although it has its social side. Ordinary people want to know about fundamentals—why they were born, what they are doing on this earth and how they can cope with tragedies if they come along. They want to know, too, how to deal with sin and evil and to know the means of salvation. Those are the essential matters about which they want to hear from the clergy. But do we hear about those things from our bishops and the clergy? Do they, for instance, denounce the rising divorce rate, fornication or selfishness, or do they hesitate to condemn such matters because it is, perhaps, not fashionable to do so?

I often feel that the Church tries to compromise too much with the liberal and progressive thinking of the modern age, and hopes by that means that it can fill its churches. I am sure that that is not the right approach. The Pope certainly does not take that route. Perhaps we need among our bishops more John the Baptists.

I believe strongly in the establishment of the Church of England. To dismantle it would be enormously costly and complicated. It would do damage to those occasional churchgoers who in the last resort still depend upon the Church. The Church of England is a marvellous institution. It has a network of parishes covering the entire land and it is available to everyone who wishes to avail himself of it.

I am glad that the bishops are still in the other place, as that reminds us of our Christian heritage as a nation. That does not mean that I agree with everything that they say. There is something wrong with our present system of appointing bishops. Many committees are involved and there is the baleful influence of the General Synod. The old system of the Prime Minister's ecclesiastical secretary

taking soundings from all quarters was much better and ensured that all sections of the Church had a fair share and not only the modern section, as now. It is hard, for example, for a Prayer Book man or a man opposed to the ordination of women to be made a bishop or a dean. I was surprised and delighted the other day when I saw that the chaplain of the fleet had been appointed Bishop of Sodor and Man. The chaplains in the services know about life and death; they are familiar with real life. I am glad to see that one of them has been promoted.

We hear that not enough priests are coming forward for ordination and that the standard generally is not high enough. Pay has been much improved but it is still too low when compared with that which is received by many affluent factory workers.

We have heard much today about the Church and politics. Many of the clergy, including the higher clergy, seem obsessed with politics, to the detriment, I believe, of the spiritual. I accept that religion must cover all aspects of life, including politics, but politics alone is not enough and can be harmful. When an all too absorbing interest in politics is compounded by a lack of traditional Christian belief in a Church leader, we have a recipe for disaster. Some time ago there was a meeting between business men and the bishops and clergy. The churchmen asked, "What do you want of us?" The business men replied, quite simply, "Preach the gospel." That sums up my criticism of the present Church leaders.

What is called the Thatcher revolution of the past 10 years is liberating the energies of individuals who give of their best in their careers for themselves and their families on this earth. Why is the Church not making a similar appeal to individuals in spiritual terms? The Church still seems to cling to collectivist solutions, usually meaning more taxpayers' money being directed to every problem, although this has failed so often in the past and notably, and unfortunately, in Scotland. What ecclesiastical leader has there been in the past 10 years to have anything like the influence that my right hon. Friend the Prime Minister has had in the secular sphere, from the shop floor upwards? Would that we could have a leader in the Church as we have in politics.

Our schools bear a heavy responsibility for bringing up people in the Christian traditions. Church schools are vital, but all schools in England should teach Christianity and Christian morals. Unfortunately, that does not happen everywhere nowadays. I know that my right hon. Friend the Secretary of State for Education and Science is trying hard in that regard.

Unfortunately, the prestige of the clergy has declined since I was born in a country rectory over 70 years ago. Equally unfortunately, the prestige of the teaching profession has declined also. We need our best people in these two professions. We must do all that we can to raise their standing and the respect in which they are held by the public, and above all by the parents of our children.

What about we politicians? What example are we setting? Is it an inspiring example in faith and morals? I shall spare my colleagues any further remarks on that difficult and delicate subject. In recent years, relations between the Church and the House have deteriorated. The Church of England has appeared soft on certain moral issues such as homosexuality among the clergy. A dangerous conflict is arising about the ordination of divorcees while their former spouses are still alive. I have often felt that the ordinary Back Bencher appears more rigorous in these matters than some members of the clergy. That is a sad state of affairs.

Hon. Members may not realise that in some senses they are more representative of the man in the pew than members of the General Synod. I remember how hard some of us fought to try to save the Book of Common Prayer. We prophesied that it would disappear. It has now done so in about four out of every five of our churches, to the irreparable loss of the whole of England.

If bishops did their job properly, there would be no need for the General Synod. The laity could make their views known at parish level. I joined the Synod some years ago on the basis of, "If you can't beat them, join them." I have been somewhat disappointed. The Synod meets too often, it seldom discusses basic issues and it is frightfully expensive for the parishes to maintain. Moreover, it is building up a bureaucracy which poses dangers to the well-being of the Church. The Synod takes up too much time of the bishops and the higher clergy. Preferment often seems tied to performance in the Synod instead of in the field. I once asked a chaplain on the Falkland Islands what he thought of the Synod—I hesitate to quote his reply.

I cannot end on an altogether sad note. In spite of the secular and materialistic age in which we live, there is still a longing for religion among many people. Somehow the Church has to appeal more to the hearts and minds of men and women. It must concentrate on essentials. A great evangelical crusade is required in many parts of our land where religion has almost vanished.

I believe that we are still at heart a Christian nation. Christianity has helped to shape our national character and there is still a haze of Christianity over this island. We must all of us in this place help the Churches all that we can to return to historic Christian roots; otherwise, our future will be bleak indeed.

4.38 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I am glad that the hon. Member for Bromsgrove (Sir H. Miller) has placed this matter before us for debate this afternoon. As the debate unfolds, we will hear a variety and diversity of Christian views ranging from Christian Socialist to High Tory. There is a great diversity of Christianity in the United Kingdom. There are the established Churches in England and Scotland—the one Episcopal, the other Presbyterian; there is no established Church in Wales or Northern Ireland and in all four nations there is a great diversity of Christian views and denominations increasingly working together.

I speak as a nonconformist, a dissenter, a Free Churchman. I do not have the hang-up about bishops which Conservative Members seem to have. Conservative Members seem to attribute an authority to bishops which causes them to react with increasing violence to anything which a bishop might say with which they disagree. The most vivid example of that must be the comments that surrounded "Faith in the City".

The hon. Member for Luton, North (Mr. Carlisle) said in response to "Faith in the City" that The Church of England was now being

"run by a load of Communist clerics."

A Cabinet Minister was quoted as saying that "Faith in the City" was "pure Marxist theology."

The Minister of State, Home Office (Mr. John Patten): Who was the Minister concerned?

Mr. Beith: I am sorry to say that he was not identified. I hope eventually to discover who it was. However, I can identify the hon. Member for Christchurch (Mr. Adley), who questioned whether bishops, although decorative, were any longer entitled to be taken seriously as political commentators with a built-in right to sit in the House of Lords. I often think that it will not be the radical dissenters who disestablish the Church of England, but the Tory party as it discovers increasing disagreement between itself and a body which it somehow expects to support it. It is strange that Tory Members seem to believe that the Church of England exists to support them and give succour to their views.

There is a necessary diversity of Christian views on political solutions. It is inevitable that Christians applying their belief to politics will come up with different solutions and views.

There is also a diversity of religions in the nation, not all of which are Christian. I do not accept the view of those who claim that in an increasingly multicultural Britain Christian values have no relevance. That is a fallacy based on a mistaken notion about multiculturalism in Britain.

One of the products of multicultural Britain is a very large and strong West Indian-based Christianity which is vibrant and sees Christian values as highly relevant to modern society. There are also many Moslems who have much common ground with Christians in their belief about the importance of moral values. The Christian Churches should not go into retreat on moral issues simply because we now have a more diverse nation with Christians of other traditions and others with non-Christian religious views.

When the Prime Minister addressed the General Assembly of the Church of Scotland, I saw evidence of this Tory desire to claim the support of the Church. I feel compelled to remind Tory Members that the Christian gospel is about challenge. It is about challenging individuals in personal responsibility, behaviour and spirituality. It is also about challenging those in authority to assess what they are doing in the light of very different claims to those which now seem to dominate them.

The hon. Member for Bromsgrove said that he did not question the right of clergy to hold political views—well, there is a concession for a start—but they should not express them in their clerical capacity. I wonder what the hon. Gentleman would have said to the Old Testament prophets. What would he have said as they railed against the evils of the societies in which they found themselves?

Perhaps he would have said, "You are not entitled to express these views in your capacity as a prophet. You may hold them privately, but you may not express them." What would the hon. Gentleman say to the priests in Poland who have supported Solidarity? I suppose he would say, "Of course they are entitled to hold those views, but they should not express them." Surely not. The Prime Minister has often welcomed the way in which the Church in Poland has supported Solidarity and she has welcomed the great alliance between Christianity and the desire for self-expression and democratic rights in Poland.

What would the hon. Member for Bromsgrove and his Friends say to Mother Teresa because she poses a challenge to our society on homelessness and abortion? She demands that we think again about those issues. Would Tory Members say that she has no right to say those things in public because she is a member of a religious order and should therefore keep those things to herself? Surely not. Prophetic words uttered by a remarkable Christian like Mother Teresa or by people whose prophetic voices have an authentic ring are where we are most likely to find the authenticity of the gospel.

The hon. Member for Corby (Mr. Powell) suggested earlier that most Churches were most full where Christianity was not considered to be relevant to politics or having a message about politics. I attended the remarkable and vast gatherings of the Spring Harvest evangelical organisation where many people feel very deeply about current moral and political issues.

Dame Elaine Kellett-Bowman: Does the hon. Gentleman accept that the point was that the emptiest Churches were those where the doctrine of Christianity was not preached, in other words where secular doctrines were preached to the exclusion of Church doctrine?

Mr. Beith: That was not the point as I understand it. Perhaps the hon. Lady is thinking of the remarks made by the hon. Member for Halesowen and Stourbridge (Sir J. Stokes). I was referring to a point made earlier by the hon. Member for Corby which seemed to carry the import which I have attributed to it.

Petitions are pouring in at the moment from active Christian Churches all over the country about people in South Africa who have dissented from military service in the South African defence forces because of their disagreement with the system in that country. They are coming from active congregations who believe that there is a relationship between the gospel and political issues.

Mr. Heffer: The hon. Gentleman should be aware that I was invited to visit a parish church in Lancaster to give a sermon. That church was packed to the gunwales.

Mr. Beith: I am not at all surprised and quite delighted about that. Having co-authored a book with the hon. Gentleman on those issues, I would have expected a crowd to gather to hear him.

Dave Elaine Kellett-Bowman: Will the hon. Gentleman give way?

Mr. Beith: I do not think that this point requires a sequence of interventions.

The note of challenge is bound to be seen as a challenge to this Government. It would be a challenge to any Government, but there are particular challenges for this Government. The most powerful challenge is that the Government appear to have adopted the concept of "passing by on the other side" as an objective of public policy. They believe that that is desirable, but that concept threatens many areas of public policy.

The Government's attitude to apartheid in South Africa and the desirability of acting with other nations to bring pressure to bear on South Africa is that they should leave well alone and stand well back from it. The Government's attitude to many aspects of homelessness is one in which they say, "Well, we'll see what the private sector can do and leave it to them to solve the problem." That attitude is very obvious today in the battle over the funds for hostels which provide for people with special housing needs—for example, women with children who have had to leave home or who have been turned out

because of domestic violence and young people with nowhere else to go. Those hostels are unable to meet their commitments on the proposed level of Government funding.

There is a similar willingness to "pass by on the other side" in relation to poverty and the Health Service. I sometimes think that the Prime Minister would have said to the victim in the Good Samaritan story, "Why haven't you got private health insurance? You wouldn't have had to worry."

Mr. John Patten: That is cheap.

Mr. Beith: No. The Prime Minister has given her own interpretation of the Good Samaritan story. She said that the main point is that the Good Samaritan could only provide help because he had prospered, had the means to put the victim in a hotel and could provide for him to stay there for a few days.

There is another side to the story. The dominant aspect in the New Testament is that if we see someone suffering, we must do something about it.

The criticism we make of the Government is that, while we recognise the desirability of helpng people to look after themselves to the greatest possible extent, if there is deprivation, suffering, homelessness and ill-health, for the state to stand by and not take the action that it could is a form of passing by on the other side.

The Gospel imperatives ask the question:

"Lord, when saw we thee hungred, or athirst, or a stranger, or naked, or sick, or in prison, and did not minister unto thee: Then shall he answer them, saying, Verily I say unto you, Inasmuch as ye did *it* not to one of the least of these, ye did *it* not to me."

The imperative is very clear, and the state cannot stand back and say, "We do not intend to do very much, because we believe that the private sector will solve the problems for us—even though there is no proof of that."

Mr. David Martin (Portsmouth, South): Between 1974 and 1979, we saw examples of the state attempting to take on certain responsibilities, and to solve problems that had been with us for some time. I sympathise with the hon. Gentleman's remarks about those problems, but a successful way of managing them could not be found in the years between 1974 and 1979. The Prime Minister herself said that for the state to operate, individuals within it must carry out their responsibilities in conjunction with the state. What is wrong with that?

Mr. Beith: As a general proposition, I do not dissent from it, but between 1974 and 1979, the Health Service was, in some respects, in a better state than it is today. If the current Health Service proposals are implemented in full, its deterioration will be much worse.

The hon. Gentleman was seeking some common ground with me, and I wish to establish that common ground. I believe that individuals should be given the greatest possible opportunity to look after their own affairs. I believe that in respect of individual rights, for example, individuals should be protected from an overbearing state. I regret the fact that Conservative Members do not join us in safeguarding individual rights through a Bill of Rights.

I believe also that the tax system should be reformed, so that those having the lowest incomes are given an opportunity to look after themselves, and do not find that they are bearing the heaviest relative burdens that the tax system imposes, so that they too may exercise more responsibility and self-reliance. Getting the balance right, and ensuring that people can behave responsibly—and are given the opportunity to do so—without the state passing by on the other side, is difficult. The criticism that many in the Churches are making of the Government is that they have got the balance wrong: they do appear to be passing by on the other side.

Mr. Nicholas Bennett (Pembroke): The hon. Gentleman says that under the last Labour Government—which his party actively supported during that Government's last two years—the National Health Service was in better shape. That comes as a surprise, given that the Health Service was then funded by 40 per cent. less in real terms than it is today, with 60,000 fewer doctors and nurses, and with a 30 per cent. cut in its hospitals' capital growth—compared with a 30 per cent. increase in spending on the capital programme under the present Government. How does the hon. Gentleman explain that?

Mr. Beith: I suggest that the hon. Gentleman goes round the hospitals of this country and asks those who work in them whether they think that the Health Service is better now than it was a decade ago. He will find a degree of anxiety verging on despair.

Mr. Nicholas Baker (Dorset, North): On a point of order, Madam Deputy Speaker. You will be aware that a large number of right hon. and hon. Members wish to debate the second motion on the Order Paper. Without seeking in any way to tell you, Madam Deputy Speaker, how to do your job, I shall be grateful if you will ensure, in view of the important debate on town and country planning that many right hon. and hon. Members wish to reach, that discussion of the Health Service does not take up too much time.

Madam Deputy Speaker (Miss Betty Boothroyd): I take the hon. Gentleman's point, but the motion now before the House is all-embracing. If there are fewer interventions, the hon. Member for Berwick-upon-Tweed (Mr. Beith) could proceed more speedily.

Mr. Beith: I will take the hon. Gentleman's hint and not give way for a while. In the interests of lively debate I gave way extensively.

The question of passing by on the other side is not the only one on which many Christians wish to take issue with the Government. There is also the matter of general moral values and the belief that the state, while not legislating on moral values, can to a large extent uphold them. There is much anxiety among Christians about a get-rich-quick morality that seems to supplant older values that one thought had a place, even in the philosophies of Conservative Members. A whole series of incidents emphasises that fear.

Today's newspapers report yet another stage in the saga of the sale of cemeteries by Westminster city council. The idea that it is proper for a public body to sell off its cemeteries for 15p, see £1 million profit made out of them, and then try to silence the official who could reveal much of the truth of what went on and who has been critical of the councillors involved shows that a different kind of morality prevails than many Christians feel is appropriate.

On Sunday trading, we see the Government's apparent determination to bring about a state of affairs where Sunday will be like all other days, with those working in

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the retail trade having no protection for their family life. That is seen by many Christians as an assault on basic Christian values and on a basic aspect of our society.

In saying that such matters pose a challenge to a Conservative Government, I am not saying or suggesting that Christianity poses no challenge to people who hold other political views. I would have been more impressed if Conservative Members had shown more awareness of that. I see a challenge to my own political beliefs. There is also in the Christian gospel a challenge to Socialist beliefs. If either of our parties were in government, we would expect the Churches to be critical of some of the things we were doing—perhaps because we were not doing enough of something or underestimating important values.

There is criticism also of Parliament as a whole. For an issue of such moral importance as abortion, affecting whether or not life can proceed, to be one that Parliament is unable to decide because its own procedures fail to allow a widely supported private Member's Bill to be decided upon is an indictment of this House. Many Christians find that intolerable and impossible to comprehend. If the House does not take action to ensure that it can legislate —it was only able to do in 1967 because the Government provided time—that will be an affront to many Christians.

The Churches promote moral values and spirituality, and will continue doing so. However, in doing so they are bound to come into conflict with the Government of the day. They are bound to come into conflict with the present Government and with future Governments. When I hear suggestions that the Churches are wrong to come into conflict with the Government, and are wrong to speak out when they do, I am very fearful. That is not the way we should speak to the Churches of this country.

4.56 pm

Miss Emma Nicholson (Torridge and Devon, West): One of my ancestors killed Thomas à Becket. Others left France in 1698, on the repeal of the edict of Nantes, to save themselves from the vengance of the French king against the huguenots. Therefore, in my blood I have always been conscious of 700 years or more of conflict between Church and state. Perhaps that is why I am wholly unable to support the motion of my hon. Friend the Member for Bromsgrove (Sir H. Miller)—although I welcome his courage and determination in presenting for debate a subject that can never be explored too often.

As a communicant member of the Church of England, I cannot see any good reason for continuing the long-established tie between Church and state. I rest my case on the Magna Carta which, right hon. and hon. Members will recall, states that the English Church shall be free. Is the Church honestly free, when No. 10 Downing street appoints its bishops? If No. 10 does not appoint the bishops, can somebody tell me who does? No. 10 is meant to do so.

Recently, as a member of the House of Commons prayer group, I was fortunate, with other hon. Members, to be part of the national prayer breakfast group in Washington. There were 134 Christian churches represented there, among the Christian-based prayer groups of 134 Parliaments. I dare swear that not one of them, other than the British Church, is subservient to its state.

Last summer, the matter was brought home strongly to me when the Copyright Bill, on which we all laboured so mightily, went to the House of Lords. It had come from there in a terribly tattered state, and was returned there by this House in a much better one. My interest is computer software, and I went to the House of Lords to check that nothing dreadful happened to any of our precious amendments to the Bill. I looked over from my stance as a Member of the House of Commons to see a pair of muslin sleeves and a billowing cloud of red silk leaning back on the Benches, gently snoring as if "Barchester Towers" were still in the writing.

Mr. Robert Key (Salisbury): It is.

Miss Nicholson: I hope not—I would be appalled.

I believe most strongly that the time is long past when the Church of England should have been disestablished from the state.

I also disagree with the motion because we live in a multi-faith society. The year 1871 was a splendid year, when one of my great-grandfathers crossed the Floor of the House from the dying Liberal party to the reviving, thriving Conservative party, to join another two of my great-grandfathers, who had so rightly tempted him over.

My fourth great-grandfather took the cloth and became a curate in London. I bought my house in London because it was at the end of the street where he had been curate. When I went to church and told the vicar, he looked down his nose and firmly said, "Which curate? In 1871 we had six." My goodness, how the Church of England has tumbled since then. I want a stronger Church of England, not a weaker one.

Today, we live in a multi-faith society. Many faiths with many glorious writings, preachings and teachings form that society. For that reason, the motion is too narrow. It talks about the Church's leading role in the promotion of moral values. What morals? Morals are only customs. Today, the young most certainly will not listen to talk from Parliament—a Parliament that includes the Church —on their sexual behaviour, and nor should they. That is a matter for the individual.

What matters are the laws that we pass, which should ensure, in my view as a practising Christian, that the state gives the best possible credence to the values that we place on each other. As many people say—and I believe it to be true—our society's values are derived from many wider sources than mere Christianity. I am tempted to ask, "Why on earth involve the Church in the promotion of moral values?"—if that is the aim.

The Church is riddled with faults. The Christian Church has long been known as the combative Church which created violence, war and assaults. We need only look at St. Paul's Gospel to see that, according to him, all men and women are not equal before God, as they are in Christianity. The Church has been notably untruthful. It has been involved in creative accounting of the most amusing sort. In the 15th century—not that I was there then, I hasten to say, but I have read my history books —the Christian Church in France sought and obtained deliverance from fish on Wednesdays and Fridays in Lent, on the ground that anything shot within 15 miles of the sea shore counted as fish.

We have to agree that the Church is made up of very ordinary people, and people are often wrong. They are sometimes wrong in simple ways—even in their translation

of the Bible. For example, Joseph's "coat of many colours" did not contain many colours but it had long sleeves, which at last makes sense of that chapter of the Bible. Joseph had been promoted over his brother: workmen had short sleeves, the overseers had long ones. It was a case of "jobs for the boys".

The Church should, and must, be involved for a much deeper and more valid reason, which is that it is the embodiment of Christianity. Therefore, to me as a Christian—I shall not go into why, because it would take too long—the twin leading roles of the Church are not those in the motion, but to teach us the worship and love of God, who is all around us in every possible way, and to love our neighbours as ourselves.

Those must be the reasons for involving the Church in our lives in any way, shape or form, be it in politics or any other aspect of our public or private lives. From those two New Testament commandments from Christ spring the practice and principles of public and private morality.

The concept of the public good surely comes from the notion of "Love thy neighbour". It makes us sensitive to our neighbours' needs and it gives us the determination of will to do everything that we can for the good of our neighbours.

It is sometimes difficult to believe that we in Parliament have any Christian principles at all. At my Sunday school I was taught certain concepts of behaviour that fell within the Christian pattern: for example, the lack of hatred of other people and the lack of screaming, noisiness and horribleness to each other. I have to say that I have been in Parliament for 20 months and such behaviour, almost more than anything else, has been the order of the day. Yet we pretend that we are following Christian principles. Is it really too late to reform Parliament and to make us be just a little more Christian towards each other? I do not think so—I think we could well achieve that.

I am glad that we do not have the Ecclesiastical Committee with us today. We can speak as perfectly ordinary Christians, with our weaknesses. We might have felt hampered if we were before an Ecclesiastical Committee with its firm role of putting forward goodness. I am delighted that it is away on synodical business. The only weakness of my proposal to disestablish the Church is that it will fall into the clutches of that dull body, the Synod. I would that more Back-Bench Members from both sides of the House belonged to the Synod, because that would make it a more interesting, cheerful and spicy place.

Christianity also gives people the strength to be bold. The hon. Member for Berwick-upon-Tweed (Mr. Beith) mentioned the Church in Poland. I was fortunate enough to meet the elected President of Poland in Washington. It is marvellous that such a post exists. The man is a strong Christian. He told me, for about half an hour, how his Christian principles gave him the strength to return to Poland to debate with Solidarity and the non-elected Government.

Christianity gave the head of the Methodist Church in Japan, whom I also met in Washington, the strength to write the most bold and challenging letters to Japan's Prime Minister complaining desperately that Shintoism appeared to be part of the Emperor Hirohito's funeral rites. Shintoism is the worship of the Emperor that was outlawed after the second world war. That brave man had also written to the White House. The first visitor to the new order of President Bush at the White House was Japan's Prime Minister 10 days ago.

Christianity has given the nuns in southern Africa whom I know so well the strength to continue their missionary activities. Church of England missionary activities are long outdated, and as a Christian, I deeply regret that. If we believe in Christianity, we should certainly want to convert people to our faith. If we do not, why bother to pretend that we are Christians? It gives those nuns the strength to try to convert people from their sometimes miserable behaviour, in terms of what they believe and whom they worship. It also gives the nuns the strength to combat that worst of all evils, apartheid, and to do it with courtesy, dignity and Christian morality. Christianity gives us great strength to help other people.

Let me return to my theme of the disestablishment. Once before, the Church of England can, with far greater power and much louder voice, help to set the political agenda. In my view, the eradication of poverty has to be at the top of that agenda. I believe strongly that we have at last, through the exercise of, dare I say it, Conservative principles, been able to make this country much wealthier. Now, we can and must turn to the eradication of poverty, not just in the United Kingdom but in the developing countries as well.

The difference between the two sides of the House is not in the eradication of poverty but in how we achieve it. I still detect in the Opposition a delightful but outdated and irrelevant paternalistic concept of giving to others to try to help them in their poverty. But we cannot buy off poverty. If that were possible, it would have been bought off years ago. We have to be far cleverer than that. With our determination to help others and our Christian principles at the fundament of what we do, we must devise ways of helping people to conquer their own poverty, giving them the dignity of looking after their own affairs and helping them to reach that most splendid and proper position—the true dignity of being a human being.

Therefore, I have to oppose the motion, although I applaud the sentiments and concern of my hon. Friend the Member for Bromsgrove. I particularly applaud his goodness and integrity as a human being, which are based on his fundamental Christian ideals. But for me, the primary task of Christianity must be the love of God, and the living out of Psalm 104:

"Bless thou the Lord, O my soul. Praise ye the Lord."

To do that I believe that the Church of England should be cast adrift from the state so that it can once more help people in the United Kingdom come to God, worship God and help us all love our neighbours and ourselves, and in this place through the proper discharge of our political responsibilities.

5.11 pm

Mr. Tony Benn (Chesterfield): This is the first debate in 40 years that covers the relationship between Church and state. We have had various discussions about Church Measures and about individual questions, but the hon. Member for Bromsgrove (Sir H. Miller) has done us a service by opening up the possibility for a very wide-ranging debate, which in most countries would be taken for granted.

The idea that we should discuss religion only every 40 years—I have been a Member of Parliament for 39 years—is strange when we consider the enormous political

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power of religion in other parts of the world. The Vatican has always been powerful. It sent an army here to deal with Pelagius, the first heretic, and to put down Pelagianism. The born-again Christians in America are supposed to have been behind President Reagan and the born-again Moslems in Iran now support the Ayatollah Khomeini. The fundamentalists are burning Salman Rushdie's book because they believe that the blasphemy laws should protect the reputation of Mohammed. The argument between the Sunnis and the Shi'ites is mostly unknown here and not understood in Britain although they each represent a very powerful political force. Although the conflict in Northern Ireland is not primarily about religion there is certainly a theological dimension.

Socialism is a faith too. The hon. Member for Bromsgrove said that he started as Christian Socialist. My definition of a faith is something for which people will die, while a doctrine is what they will kill for; there is all the difference in the world between a doctrine and a faith. People will kill other people because they will not accept their doctrines, but they will die for their faith. I have never heard that anyone has been prepared to die because they held a particular view about the size of the public sector borrowing requirement or what should be the basis on which economic policy was formed.

This debate involves high political argument at a rather more fundamental level. I was brought up to believe that the whole story of the Old Testament was that the kings exercised power and the prophets preached righteousness. That conflict has annoyed some speakers. We are discussing the relations between Church and state, between politics and faith and of each with each other. Although I make no complaint about it, the hon. Member for Bromsgrove made a very strong attack on the Church because Church leaders ventured to have a view on atomic weapons which could obliterate mankind if wrongly used; and on inner cities, where terrible suffering is experienced in this so-called rich society. The archbishop was criticised for preaching reconciliation in the service at the end of the Falklands war. Although the matter has hardly been touched upon, there has been savage anger that a woman should have been ordained as a bishop in the United States of America, and there has been criticism of the social message of Christianity.

The debate takes us back to the reason why the Church of England was established. I have introduced a Bill to disestablish the Church, and I hope that the hon. Member for Torridge and Devon, West (Miss Nicholson) will be a signatory to it when I reintroduce it this Session. I know that it has widespread support. Henry VIII nationalised the Church of England because he was not prepared to have a power outside his own control with command over the hearts and minds of his subjects. There had to be a priest in every pulpit telling the faithful that God wanted them to do what the king wanted them to do. The Church of England was established for exactly the same reason as the Conservative Government nationalised the BBC—it was not a Labour Government that did that. The Conservative Government wanted a pundit on every channel telling people that there was no alternative to what the Chancellor of the Exchequer wanted them to do.

I listen to the economic commentaries every night. At first I was puzzled. Dominic Harrod tells us every night what has happened to the pound sterling to three decimal points against a basket of European currencies. I have never seen a basket of European currencies, but I shall take one next time I go on holiday. Dominic Harrod tells us that every night, and in the morning we see pensioners hurrying to the post office to sell their deutschmarks and buy their yen. It is witchcraft from those who believe that capitalism, Christianity and democracy are indivisible. I say that not as a criticism solely of the Government Front Bench because I see that political infection coming into the policy reviews of the Labour party, so I hope that no one will think that I am making a party political point.

The Dow Jones industrial average exercises greater influence than the Ten Commandments. It is a choice for Mammon against God. Christian Socialists might wish to make that point. We are told about the Bible. My favourite picture in St. Stephen's Hall, of which I have many copies at home, is of Wycliffe's Bible. The House would not allow the Bible to be made available to the public until the middle of the 16th century. When the New Testament was first translated, Tyndall's Bible was smuggled in in bales of hay. Only one copy remains in the Baptists' college in Bristol. One of my proudest possessions is a reproduction of it. It was a Marxist, Allende in Chile, who first made the Bible available to the people there; the bishops did not want the faithful to have a chance to go back to the text. That is why I have never been able to take episcopacy into my system, and I believe in the priesthood of all believers.

Ultimately, politics, debates and legislation always reflect the guiding principles upon which society wishes to rest. Policies may change with circumstances, and no one is more disposable than a politician. Democratic institutions are more fundamental, but ultimately everything will reflect the principles on which society bases itself. A society is either a community or a jungle. We are now in the process of telling people that they have no responsibility for one another. Society has been encouraged for a variety of reasons to abandon that sense of responsibility.

There was a little discussion about the Prime Minister complimenting the Good Samaritan on his wealth: if he had not been rich he would not have been able to help. I am awaiting her comment on the widow's mite for she had no wealth to give but gave all that she had. It cannot be morally right for any Member of Parliament, Churchman or citizen to see a world and society which puts the accumulation of wealth above the most pressing human need.

I was in New York before Christmas. It was the coldest 12 December on record. It is the richest city in the richest country in the world. Homeless people were living on the streets in cardboard boxes.

Mr. Heffer: It happens here.

Mr. Benn: Indeed it does. I am giving the New York example first because the police were arresting homeless people and putting them in warehouses. Some drug addicts attacked each other, so the poor resisted arrest. In the *New York Times* that day were identical pictures, but they were of homeless people in Armenia—a much poorer country —after an earthquake.

I do not know how society can accept homelessness or the plight of the poor and dispossessed. How can we justify expenditure of enormous sums of money on nuclear

weapons when 15 million babies die every year for lack of a vaccine to prevent diarrhoea? What do we say to bishops who speak out against it? That must be the connection between moral values and political decisions.

There are many views of the Church. One is that its task is only to invite people to seek personal salvation. I can understand those who think that that is all it is about, but there is an element of escape in saying, "Whatever happens to anybody else, I will be saved." There is another view —it is probably even more popular—which is that, if only the rich are kind and the poor are patient, it will be all right when we are dead. I suppose that Socialists say to that type of Christian, "We want it before we are dead. We want it now." That must mean that some of the qualities attributed to the kingdom of heaven should be brought forward to life on earth. It is out of that view that liberation theology, which is immensely powerful in the world, has drawn its strength.

My hon. Friend the Member for Liverpool, Walton (Mr. Heffer) is a scholarly man, and I thought his speech excellent. He took us back to the peasant's revolt and the reverend John Ball who asked:

"When Adam delved and Eve span,
Who was then the gentleman?"

Where in the book of Genesis is there any justification for the class system? We can carry the thread through to Don Camaro in Latin America who said:

"If I give food to the poor, I am called a saint; if I ask why the poor have no food, I am called a Communist."

There is today the most powerful alliance between Marxists and Catholic priests. There are many people who believe that Karl Marx was the last Old Testament prophet. *[Laughter.]* The House may laugh, but there are many Christians who believe that. We cannot blame Marx for what happened in Stalin's Russia, any more than we can blame Jesus for what the Inquisition did.

People with profound ideas and faith may create institutions which abuse their power. My hon. Friend the Member for Walton drew attention to that fact. Churches are human organisations. They are bureaucracies. They are like the Labour party: Churches have bishops; we have regional organisers. They both look all the time for heresies. I am not sure that the Church militant would survive with the present national executive committee of the Labour party. I have a feeling that it would be out on its ear. Some of the speeches that I hear made in my party about dissenting Socialists are not so different from what the hon. Member for Bromsgrove said about dissenting bishops. It is always a struggle to allow people to speak their minds, based upon their faith.

One of the most painful and difficult things for the House to remember is that all our liberties were won by breaking the law—by breaking laws passed by Parliament. I refer to the laws which allowed Catholics to persecute independents, or those which allowed independents to persecute Catholics. Jews were kept out of the House. All our rights were won in the name of religious freedom, so the preservation of religious freedom is of great importance.

We now have many religions. We have Catholics and Protestants, Jews and Moslems, Hindus and humanists. If we are to live in peace in a very small world, I believe that we have to teach all religions in all schools so that people have an opportunity to understand what moves the families from which their fellow students come. It is terrifying to me to think of the possibility—I do not know whether the hon. Member for Bromsgrove intended it—of Christianity being taught and other religions in some way lying below the line. In the world in which we live, whites and Christians are a minority. We have to learn about the religions of the world. The hon. Member for Torridge and Devon, West made that point.

Disestablishment is long overdue. Were I to come forward as a member of the hard Left and say, "Establishment has been so successful that we intend to nationalise the Catholic Church and Jews," people would say that I must be mad, and they would be right. What is wrong with establishment is that a Church which should be performing a prophetic function has its leaders appointed by the Prime Minister of the day. I know that it is dressed up in synodical conventions and committees and, as with proportional representation, she can say, "No. 1 or No. 2" on the ballot paper when it arrives at 10 Downing street through the ecclesiastical secretary. I attended the enthronement of the Bishop of Bristol—Bishop Tinsley—when I represented a Bristol constituency, and I heard them order the cathedral to elect him. The appointment is under the power of the state.

It is ludicrous that the House should decide on the liturgy, but we still have ultimate responsibility for it. It is ludicrous that we should pass Measures about the retirement of bishops. We shall have to pass a Measure to allow women to be ordained—they will be ordained—when the House is not necessarily made up of Christians or people of any religious conviction. Since I gave a lecture on disestablishment and introduced my Bill, I have had more correspondence on that subject than almost anything else that I have done because it touches on the central question of what the relationship should be between the kings and the prophets—those who make the laws and those who try to preach righteousness.

I do not suppose that there will be a Division on the motion—the hon. Member may not wish to press it to a vote—but I am grateful to him for allowing us to have this brief debate on an issue which is central to the future of society. I venture this last thought. When the history of the 20th and 21st centuries comes to be written, it will be of Christians and Marxists against capitalists and militarists, and the former will turn out to have upheld the long-term survival of humanity and the preservation of those values which are associated with the teachings in the New Testament.

5.27 pm

Mr. Alistair Burt (Bury, North): I apologise to the House for my absence from the beginning of the debate —I notified Mr. Speaker. I was giving a Lent lecture at the chaplaincy of higher education in Manchester, so perhaps I have as good an excuse as I can have.

I support the motion and the established Church. One might expect a Conservative Member to begin a speech in a debate such as today's by indignantly protesting from the very beginning:

"Church of England bishops are in danger of over-estimating their importance as spokesmen and decision-makers."

I do not intend to do that—the quotation was from John Habgood's book. "Church and Nation in a Secular World" which he wrote as a previous tenant of the mighty bishopric of Durham.

I use the quotation to illustrate that it is not just the doctrinaire Right who recognise the danger in churchmen

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overstepping the mark and to introduce my few remarks in the spirit of moderation which that gentle barb, when seen in the context of the rest of John Habgood's book, implied.

It is no surprise that the Anglican Church has from time to time been at odds with the state to which it is so uniquely attached. Like two headstrong would-be bridegrooms anxiously wooing the bride, in the shape of the English people, Church and state clash and counter-clash over the centuries with ideas and opinions. That tension should be of no surprise to the Church for it reflects a tension within itself about how it might express the work of Christ in everday life. The Church and Christians are not an exclusive body shut away from the world—we are citizens of two kingdoms, with responsibility in each.

Within Anglicanism the strands of quietism and activism can claim the classic authority of scripture, tradition and reason, as well as example. John Whale, in a section of his work "The Future of Anglicanism", contrasts the life of Charles Kingsley, the radical east-end activist at work in the appalling conditions of his time, with that of Augustus Hare, who ministered in a different way amidst rural poverty,

"his dominant concern being to urge the Christian life and the Christian hope"—

one the activist, the other the quietist, exemplifying the sort of crisis that individual Christians and the Church continually face.

To what extent should we focus on the individual gospel of redemption, Christ's great commandment to

"love the Lord thy God with all thy heart, all thy soul and all thy mind",

and to what extent do we pursue socially, communally and politically the second great commandment to

"love thy neighbour as thyself"?

I do not think there is any conflict between these two. Indeed, they were given together to us by Christ and must be taken so. There are many Christians throughout this country and throughout the world who bind the two together in their everyday lives.

But clashes there have been between Church and state, and I believe that these are healthy and inevitable if conducted properly and handled in the right spirit—that is, in His spirit. Where they are not, warning bells will sound on each side.

So far as the Church is concerned, it must be cautious not to lose its authority. In the secular world of politics the Church has a voice, but it is an amateur voice, however authoritative it believes itself to be. In recent years certain parts of the Church and certain of its spokesmen have been ensnared by the never-quite-forgotten trap of strongly favouring one form of secular solution to express certain biblical principles over another. The risk of the social gospel is that it can tend to over-estimate the importance of the collectivist approach to man's problems, relate social problems and difficulties to the economic organisation of society, and thus conclude that a different economic order is as necessary for effective action as the gospel. The worth of the individual and the transforming effect of the power of Jesus Christ in his or her life—with the consequential capacity to change the human environment around him or her—are neglected.

There is another danger, which is closely allied to the first, and it is to believe that politicians are so responsible for everything that only they should be looked to for solutions, whatever the problem may be—whether international or domestic, whether it concerns freedom from hunger or freedom from lawless, drunken behaviour. This is a dangerous view, for over-optimism about the power of politics to solve social problems leads, as a result of the experience of repeated failure, to cynicism and apathy and the consequent loss of a mature public involvement in political debate.

If these are warnings for the Church, there are also warnings for the Government of the day about being too heavy-handed in dealing with criticism from the Church. Governments have no monopoly of wisdom. They cannot do everything, nor can they see every problem. The social conscience of the Anglican Church, developed in parallel with other Christian influences of the 18th and 19th centuries, finding its finest parliamentary flowers in Wilberforce and the Clapham sect of social reformers, can still rightly tug at the cloak of defensiveness or complacency with which any establishment may clothe itself. We cannot, therefore, look back and praise the work of Wesley, Kingsley, Wilberforce, Shaftesbury, Elizabeth Fry and others for seeking to put right the social wrongs of their time through public campaigns of political activism, and claim now that all such work is done and that those who take up such crosses in the present day are either politically motivated or misguided.

Instead of concentrating on the differences between us and the arguments inevitable in any healthy family relationship, we should be looking to what we can do together. We cannot be in any doubt about the size of the task that we face. There is much materially in society that we on these Tory Benches, and possibly people in the country at large, recognise has never been at a higher ebb, much for which this Government can rightly claim credit. But there is also a tide of human spiritual degradation that has never been so low—with homeless, hopeless, drug-ridden youngsters in too many cities, and women in fear from rape and assault, not daring to catch the eye of their fellow passengers, in too many trains. This is a situation that shames nation, Church and state alike.

Starting from this point, we might do three things. First, we might recognise that we shall differ in our respective solutions, both in this House and outside, and in this recognition of diversity let us realise that our Lord glories in the diversity of His creation. We were not made the same, so it is no wonder that we do not think the same. We can argue our case in the proper spirit and seek the best source of action, respecting each other's position, and not always seeking to denigrate or ridicule any contrary political argument.

Secondly, we can both surely pursue absolute values in human society—the common creed that must be the basis for a secure civilisation. Here there is some legitimate criticism of the Anglican Church for not seeming to stand for absolute values, for ever qualifying and making relative even such matters as the wrong to be seen in lying and stealing. There are values that are classless and timeless, held and broken by families in all circumstances and in every part of the realm. It is not right to accept different standards of moral behaviour because of environmental circumstances. Violence and theft are wrong wherever they exist—not to be tolerated in Toxteth or Broadwater Farm or in the lager-swilling suburbs of the home counties, and

the more strongly the Church and the state can stand together for absolute values, the better it will be for society as a whole.

The Ten Commandments are not relative—they are the Ten Commandments, not a voluntary code of practice or a set of guidelines upon which Moses was required to report back to plenary session in the wilderness, there mandated to accept Nos. 1, 2, 3, 5 and 6 unconditionally; to negotiate on No. 8; to reject Nos. 7, 9 and 10 on the grounds that they were incompatible for a nomadic, economically deprived group; and definitely to reject No. 4—about keeping the Sabbath holy—because, with so much walking through the desert to be done, the Sabbath was the only day to get out with the family and drop down to the garden centre and the do-it-yourself tent. So, there are some absolute values to be held.

Thirdly, Church and state must find the issues of the day on which to join, for it is concerted action alone that can produce the best results. This is surely the great lesson of 19th century social legislation, which is such a pride to us now, that stopped such a number of evils in their tracks. Each can bring its own strengths to bear on modern-day problems. The state has all its formidable legislative powers built on the rock of democracy and the will of the people. The Church has the redeeming power of our Lord Jesus Christ flowing through it. Together, Church and state have achieved great things in the past. It is well to remember this when we occasionally debate the spats and fights that punctuate their great union.

I shall close, if I may, with a small passage from Job, which might be a fitting epitaph not just for politicians but for any of us, if we could possibly live up to it. Job is speaking of a previous time before his difficulties, and he says this:

"When I went to the gate of the city
and took my seat in the public square,
the young men saw me and stepped aside
and the old men rose to their feet;
the chief men refrained from speaking
and covered their mouths with their hands;
the voices of the nobles were hushed,
and their tongues stuck to the roof of their mouths.
Whoever heard me spoke well of me,
and those who saw me commended me,
because I rescued the poor who cried for help,
and the fatherless who had none to assist him.
The man who was dying blessed me;
I made the widow's heart sing.
I put on righteousness as my clothing;
justice was my robe and my turban.
I was eyes to the blind
and feet to the lame.
I was a father to the needy;
I took up the case of the stranger.
I broke the fangs of the wicked
and snatched the victims from their teeth."

If any politician in this House could go to his grave with that as an epitaph, he would have done his job. I suggest that it is a moral and a lead, not only for us in this House in respect of the way in which we do our work, but for any individual in society, to try to live up to those standards also.

5.39 pm

Mr. Robert Key (Salisbury): It is always a pleasure to follow my hon. Friend the Member for Bury, North (Mr. Burt), whose wit and lightness of touch complements so well his deep faith and commitment. His is a very difficult speech to follow. I very much enjoyed, too, the speech of the right hon. Member for Chesterfield (Mr. Benn) who, I was delighted to hear, wishes to privatise the BBC. I was just six when he entered the House. I was then a pupil at the cathedral school in the shadow of Salisbury cathedral. He spoke with the wisdom of years, which I acknowledge. I wish only that his brand of wisdom was as benevolent as his delivery.

My hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) spoke about "Barchester Towers." I commented that "Barchester Towers" is alive and well and continues to be in Salisbury. I have a letter that Charles Dickens wrote to my great-grandfather, who had the temerity to ask the great man to write a biography of Trollope. It would have been rather fun if he had, but "Barchester Towers" is still there. I have an ambition—to write a sequel that would be called "Barchester Spires", because an ex-Prime Minister would be in the plot and it would get very exciting.

I differ fundamentally from previous speakers, in that I do not claim the Church of England as my own, though it claims me. A number of speakers missed the point, including the hon. Members for Liverpool, Walton (Mr. Heffer) and for Berwick-upon-Tweed (Mr. Beith). The hon. Member for Berwick-upon-Tweed was unintentionally offensive when he referred to passing by on the other side being a Government doctrine. I believe that we are witnessing a return to a sense of personal responsibility. There can be nothing more in tune with that parable than the Government's policy of active citizenship. It was the state that crucified Christ. We have seen models of state that failed year after year.

There is no monopoly of virtue over the Westminster city council's sale of three cemeteries—not, at least, for a Methodist. There was a very sad case in my constituency. A Methodist church was sold for executive housing development. All the tombstones were removed to make a nice garden. We should be careful before we criticise each other about such issues.

I must declare my interest. I am steeped in the Church of England and I have known for a long time that it is not the Tory party at prayer. That was always obvious when I looked around the congregation in Salisbury cathedral. From Monday to Saturday we would be canvassing on the doorsteps, but on Sunday all the political parties would kneel down together in the cathedral, which was a jolly good thing. There are occasions, however, when that goes a little too far. On one occasion I was singing the creed in the Eucharist when a constituent tapped me on the shoulder because he wanted to speak to me about a particular problem.

Criticism comes in all shapes and sizes. I have been accused by the Democrats of going to church during elections for electioneering purposes. That was a bit ripe, since I have been going to Salisbury cathedral since 1946, but never mind. I was told by a wise old canon soon after I had been elected not to take on Mother Church. That was a very wise thing to say to a young politician but it begs the question, what is meant by the Church? For me, the Church is certainly not just the clergy and it is most definitely not just the Synod. It is all the people of this country who may or may not aspire to church attendance.

I take issue with my hon. Friend the Member for Halesown and Stourbridge (Sir J. Stokes) only over his reference to the decline in the number of people going to church. It is true that there are fewer committed regular churchgoers. It is also undeniably true that far more

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people are going to church for the great festivals than has happened for many years. That is the case in Salisbury and I believe it to be true elsewhere. I include in any definition of the Church all the other churches, besides the Church of England. We are not exclusively addressing the Church of England in this debate.

Synodical government is terribly unsatisfactory. There are limits to democracy, and religion does not lend itself very well to democracy. The hon. Member for Walton made that point when he referred to the book "The Church and the Bomb." My bishop was a major author of that work, in which the Church set out its position. We may disagree with it, but at least it is a clear view. Then democracy became involved in the form of the Synod, which overthrew the doctrine that had been propounded in that book. There are occasions when democracy is not the answer to all our problems.

I suspect that, as with every other walk of life, there are silly politicians and silly churchmen. There are churchmen who think that they are six feet above contradiction and there are politicians who think that they are above the electorate whom they are supposed to serve. No one is immune from criticism. That is one of the problems that we face. I do not claim a monopoly of virtue. I do not claim possession of the Church of England, and the Church of England should not claim that it alone knows the route to salvation by means of its particular social policies.

I believe also that ordination is indivisible, in the sense that once a person has a dog collar around his neck, although he may put on a collar and tie on Monday, he is still a parson and that means something. I shall return later to that point.

The clergy have a right to comment on politics. I have always argued that they have a duty to do so. I have no difficulty over that. When a new incumbent or minister arrives in the constituency, I always drop him a line, if I am made aware of the fact, and welcome him. I give him my home telephone number and ask him to get in touch with me if there are any issues that I should know about, or if he has any views on national political issues that he thinks I should know about. My father, who was a priest in the Church of England, was a rural dean in Plymouth during the war years. At the height of the blitz the local Member of Parliament toured the devastated areas and was extremely critical of my father. He wrote to the bishop and complained that my father should be a social worker, not a priest, because my father was, apparently, interfering in the housing problems of the day as a consequence of the blitz.

Parish priests are sometimes frustrated almost beyond patience not because they have too little to do but because they have too much to do. Expectations of what a parish priest can do are too great, particularly if their parishes consist of up to seven previous parishes, churches and village communities. However, I echo the opening words of my hon. Friend the Member for Bromsgrove (Sir H. Miller)—to whom we are grateful for allowing this subject to be debated—that there is great uncertainty in the Church about moral issues but enormous, overweening certainty about economic and political matters. That is a genuine problem for me. I do not mind being criticised for what I believe is the right way forward economically and politically, but I find churchmen criticising a particular Government policy difficult to take—as though their views were uniquely in parallel with Christian belief. They do not like being criticised, however, if they say it from the pulpit. Both sides must consider that point very carefully.

My diocese is very lively and has a particularly lively diocesan director of social responsibility. He is no doubt an expert on theology but he has also become, he believes, an expert on rural deprivation, housing, broadcasting, Sunday trading and anything else that one cares to mention. He sees that as his role. It may be his role to be on every demo and to have his photo in the local paper every week showing him standing outside defence and other establishments, whether they be connected with cruise missiles, chemical warfare, housing, or anything else. It does not matter, so long as he is seen to be at the forefront of publicity.

Whether he is right or wrong about the matter in question and whether he understands the argument is irrelevant. I am convinced that for most of the time he does not know what he is talking about, but that does not stop me going to church and it certainly does not solve the problems. That is fine, but please may we have more dialogue between those who hold different points of view? I am not going to be chased out of the Church or remove my bottom from the pew just because a priest tells me that he disagrees with my politics. That is the robust attitude that we should take carefully.

The media have a role in all this. Why is it that my hon. Friends so often become upset by bishops? I am used to bishops and all sorts of clerics, so they tend not to worry me too much. But the Bishop of Durham has become more than the average bishop. He has become a party political focus. He may be acting in the grand tradition of the Prince of Bishops of Durham, although in the old days they were against the Scots, not on the same side—but no doubt we could debate that issue for a long time. I know from talking to Opposition Members that the Bishop of Durham performs an extremely important function for party political debate and focus in the north of England and gives a great deal of hope in areas where there is a good deal less prosperity than there is down here in the south. That is fine, but, as ever, it is perhaps the way he says it rather than the message that annoys people. One of the reasons why I was so delighted that my hon. Friend the Member for Bromsgrove initiated this debate was that only 10 days ago, I had been surprised to see an article in my local paper, based near the south coast, headed:

"Bishop of Durham lashes Maggie."

The article said:

"The Bishop of Durham, speaking in Southampton last night, launched an attack on the Thatcher Government. Even by the controversial standards of the Right Rev. David Jenkins, it was sustained and savage criticism. He accused the government of 'intellectual and administrative thuggery' in a regime which was becoming more and more tyrannical . . . The Bishop also condemned the fact that in a country of the 'pre-dawn knock on the door and aggression towards the innocent' it took 100 policemen to remove deportee Viraj Mendis from a Manchester church sanctuary."

That is fine, if it is his view. I am not sure that it adds much to the sum total of human wisdom, but it illustrates why people become upset.

Let us consider the issue of sanctuary. We all know the historic basis of sanctuary. It went away a long time ago and was limited, at best, only to 40 days. Ironically, the

city fathers of Manchester refused to accept sanctuary when it was on offer. I was surprised to see in *The Journal* only last Thursday an article saying that students of

"Salisbury and Wells Theological College held an act of witness in The Close in support of the principles of sanctuary."

A radical lot, clearly.

"The witness was followed by a short vigil on the Guildhall steps to dedicate the Christian commitment to the cause of sanctuary, and was attended by members of churches and other sympathetic organisations in Salisbury."

I did not receive many letters on the issue when it was to the fore. I did, however, make a few comments in the House on the Monday when my right hon. Friend the Home Secretary made his announcement, and I was much heartened to see a splendid article by the Bishop of Kensington, John Hughes, in the *Evening Standard* of 20 January in which he said:

"To portray the police in the present Manchester case as acting other than on behalf of a lawful society amounts to a gross distortion. We are left wondering whether the rights of the refugee or the desire to disrupt our society and discredit its laws are those uppermost in the protestors' minds . . . The rights of a Church to speak to society depend on the respect it can generate among ordinary folk whose instinct is that the qualities of justice and mutual responsibility for peace and order are an absolute 'must' if life is to be worth living."

When I had spoken on that Monday, I was in a state of some agitation and thought that I might be flooded by letters telling me how wrong I was. Of course, I was not.

Mr. Heffer: I am fascinated by what the hon. Gentleman has said. Will he cast his mind back and consider whether Herod might have said something like that about Jesus?

Mr. Key: I cannot speak for Herod, although he might have said that. One of the problems with the Bible is that one can pick out phrases that lead down opposite avenues. That is one of the mysteries of Christianity and we should, perhaps, explore that at a later date.

I was delighted when some of the most well-known commentators on Church affairs started saying that the Church had scored an own goal in the Mendis affair. Gerald Priestland in *The Sunday Times* said:

"Certainly it is the duty of the churches to demand that human values be given more consideration than they are. But Mendis was a bad example, foolishly adopted, probably to the disadvantage of much humbler and less publicised cases. Church sanctuary was a very limited privilege in the past, and today it is a romantic myth. What is to be feared is that it will now be copied in mosques and temples, with far more inflammable consequences, reviving all the blasphemies of racism which need to fade out and be forgotten."

I could not say it better myself. There are also letters in support, including one from a canon in Dorset who said:

"I am sure you are speaking for the majority of C/E members in what you said. I am distressed to find that all the church spokesmen on this matter have supported the idea of sanctuary and that the opinion of the rest of us has been excluded—except when somebody like you speaks for us!"

An enormous body of opinion does not follow the much-publicised leadership point of view or the commentators who currently rate the headlines.

For a long time, I have felt a tremendous conflict. I am the first person to admit to being confused about where the Church is trying to go at present. I am confused in so many areas of life because my traditional education and upbringing have been not only challenged but positively blown apart. When I sit in Salisbury cathedral on Sunday —or in other churches—I look round at the tombs of crusaders and the memorial tablets to 19th century missionaries. I cannot understand why the crusaders and the missionaries have been debunked by the current trendies of the Church leadership. I would have thought that we still have a responsibility for mission. With the crusaders, the politics of the day interfered with the message of the gospel, but the disrespectful way in which hundreds of years of English history are written off by the current interpretation from Church leaders leave me somewhat gasping. No doubt someone will hear my cry and seek to educate me.

As other hon. Members have said, it is astonishing that we are now supposed to think that the Church of England has no monopoly on the right way to live and that all of us must muck in together with other religions, which are all of equal value, and that we should not, therefore, bother about missionaries. That is an extraordinary concept. I have been associated with several missions—some high Tory and others Methodist.

That issue also touches on the question of religious education. When the Education Reform Bill was in Committee, we debated religious education long into the night and I remember having several altercations with the hon. Member for Durham, North-West (Ms. Armstrong). I believe that the Bishop of London got it right. I have to admit that there are many issues on which I disagree fundamentally with him, but he was right when he argued that to understand anybody's religion we had to be able to understand our own first, and that is the prime reason why I believe that schools should have a daily act of worship and that the Church should actively promote that.

I have had many arguments with professional religious education teachers. I taught religious education in a purely amateur way for many years when I was a schoolmaster and we covered many topics, not exclusively scriptural, as most other teachers would readily admit. The problem is that so many religious education teachers today do not see it as their duty to teach Christianity. They mention it in passing and give it equal status with other great faiths of the world, but they see it as their duty not to promote Christianity over other faiths. I find that bizarre and I would expect the Church of England in church schools to be saying something different. No one has yet convinced me that they are right to be denying our children that part of their heritage and that guide for their future.

Just occasionally, I should love to see a little more understanding of what the Government are trying to do. Occasionally, it might even be possible to hope that there might be a little faint praise from Church leaders about what we are achieving in this country, but we do not get such praise now, nor do we get a fair crack in the media. I mentioned that the media have a responsibility. Every hon. Member will know that when the media get it wrong there is precious little that we can do to put it right.

Quite recently, I was a little astonished by my own local paper, with whom I have few quarrels. I attended a meeting called by an elder of the United Reformed Church to discuss broadcasting. I was delighted that over 100 people were present, and we managed to get down to the issues in the broadcasting legislation. I said quite specifically that there is nothing in current law which says that we must watch Harry Secombe on Sundays, that such programmes must be shown, but that, of course, when franchises are being considered, that sort of programming is seen as desirable and competitive. I said that, as I saw it, nothing in the broadcasting legislation would compel

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religious education or religious programming in future and asked, if we do not need it now, why should we need it in future?

That became a headline in my local paper. It said:

"MP raps"—

I do not rap anything often—

"lack of TV religion."

The article stated:

"Mr. Robert Key said he regretted the absence"—religious programmes—"of and urged members of the multi-denominational council to pressure the Government for their inclusion."

I am quoted as saying:

"'Likewise, there should be written into any future act that religious programmes must be broadcast'".

Well, I never said it, I would never say it, and I do not believe it. I have now put the record straight.

There are many issues on which we need to listen a little more carefully rather than shout at each other.

Mr. Heffer: I am fascinated by what the hon. Gentleman said about the article in his local paper. The hon. Gentleman previously read a quote about the Bishop of Durham. Was the quote about the Bishop of Durham as incorrect as the quote about the hon. Gentleman? Obviously, the press got the hon. Gentleman totally wrong. Could it have got the Bishop of Durham wrong, too?

Mr. Key: I should be delighted if his Lordship would write to me and tell me. I do not mind whether what the Bishop of Durham said was right or wrong. He has every right to make such statements. If he is wrong, no doubt he will write and tell me so. *[Interruption.]* We shall have to wait and see whether he writes to me to confirm or deny what he said. I certainly did not say what I am reported to have said.

Talking of tolerance, we must remind ourselves that different Christian denominations have quite different views on issues on which Christians do not always agree. Sunday trading is one such issue. I feel strongly about that issue. I was not able to support the Government on the last occasion when the issue came before the House. There were two reasons for that. One was that I was under great pressure from the Christian community in my constituency. Therefore, some have said that I am a wimp. I do not think that I was a wimp. It was a genuine reaction to a large body of people in my constituency who felt strongly about an issue.

The other reason was that a national chain of shops in my constituency was forcing 17 and 18-year-old employees to work on Sundays when they had not been contracted to do so. That chain of shops said, "If you do not like it, take us to court." That would have involved a civil action which the young men in question could not possibly contemplate. It was a disgraceful performance by that chain of shops, and it made up my mind. Until we have a sensible set of proposals on the table, I cannot support the issue.

I have been making my position absolutely clear. I do not hold that position on theological grounds, for the good reason that the theology is totally unclear. The rug was pulled from under my feet. Within a few weeks of that crucial vote, the dean and chapter of Salisbury cathedral admitted that, for years, they had been trading illegally on Sundays and did not know that they had to have a licence, whereupon they promptly applied to the district council for permission to open a second shop to trade in the cathedral on Sundays. I felt a little alone on the issue.

I do not think that there is a paticularly Christian argument against Sunday trading. The minority of practising Christians in this country should recognise that we will do our case no good by imposing compulsion on non-Christians or non-practising Christians, rather than seeking to convince them of the merits of our case. One has only to look across the border into Scotland to see the total deregulation which has worked for years in a Calvinistic country. It seems to work rather well. My late father-in-law, who was a priest in the Episcopal Church of Scotland, wondered what all the fuss was about here.

I do not wish to trivialise the issue, but I must point out that the Sabbath used to be Saturday, anyway. I thought that we were told:

"Six days shalt thou labour".

The Bible does not say that one must have one's day off on Sunday. Many people cannot have a day off on Sunday, and must choose another day of the week. I am prepared to listen to some sensible compromise that will put the law into repute, instead of disrepute, and will allow Christians to worship on Sundays without being forced to work. We shall see whether that will solve a problem which is so divisive among many Christians.

Mr. Nicholas Baker: My hon. Friend is obviously anxious to get into a discussion about planning and development policies. There is an opportunity to do just that a little later.

Mr. Key: I am grateful to my hon. Friend. I will oblige him.

The diocesan director of social responsibility for Salisbury has issued a long letter to the county council on the development of a rural strategy for Wiltshire. It includes planning and development. In the second section of his letter, he talks about planning and development, and the effect on housing, education, employment, agriculture, the environment, transport, personal care, leisure facilities, and so on. It is yet another example of the difficulty that I face in being told that I should think about political issues from a religious point of view.

We cannot expect a monopoly of virtue in any denomination of the Christian Church. We must be more tolerant about Church and state relations. It may be true that the number of committed members of the Church of England who go to church every Sunday has declined, but I am reliably informed that more people go to church on Sundays than go to football matches on Saturdays. No doubt, when we have the new arrangements for identity cards, there will be even fewer people at football matches and even more in church.

However, at the same time, there has been a remarkable increase in attendance at other churches and denominations and a growth in the home church movement—those who happen to believe that churches are more of a hindrance than a help and that the same goes for the priesthood. A massive number of people are now more interested in Christianity than ever before.

I draw the attention of my doubting friends to what is going on in our parish churches. In the gentlest possible way, I ask some of my hon. Friends to examine their consciences. When did they last go to church? What did they hear when they got there? A great deal of ordinary, humdrum, essential, critical, crucial religion is going on in

our parish churches. It is not as though, every Sunday, the entire Church of England launches a tirade against the Government, and against Members of Parliament in particular.

I was deeply moved by the sermon that I heard in my village church yesterday. The congregation were told that one of the great virtues about being a Christian in this country is that someone can stand at the foot of the Cross and spit in Christ's face, and He would forgive him. Someone can stand on a soap box and yell at the Prime Minister, and not be thrown into prison. That was an important message to many people. Above all, it was a lesson of tolerance.

I am tolerant of the way in which the Church of England is acting in some respects at the moment. For instance, as one whose father was a bishop, I have no difficulty in accepting the prospect of women bishops in the Church of England. Sex is a complete irrelevance in such issues. I was happy when I heard about the enthronement of a female bishop in America this weekend. I was born a member of the Church of England and will live and die a member of the Church of England. Christianity is so much greater than any individual, any Church or any Church leader. Many of us support the Church of England in spite of its current leadership, not because of it.

Finally, it would be helpful if, in the spirit of not pretending that either party in the House has a monopoly of virtue, more people outside the House could know the words that we use to start our proceedings in this Chamber every day—that is, those of us who come. In the Prayer for Parliament, we pray:

"We thine unworthy servants, here gathered together in thy Name, do most humbly beseech thee to send down thy Heavenly Wisdom from above, to direct and guide us in all our consultations: And grant that, we having thy fear always before our eyes, and laying aside all private interests, prejudices, and partial affections, the result of all our counsels may be to the glory of thy blessed Name, the maintenance of true Religion and Justice, the safety, honour, and happiness of the Queen, the publick wealth, peace and tranquillity of the Realm, and the uniting and knitting together of the hearts of all persons and estates within the same, in true Christian Love and Charity one towards another".

Amen to that.

6.10 pm

Dame Elaine Kellett-Bowman (Lancaster): I should like to make just one point at the conclusion of the debate, but it is one that I feel strongly. None of my hon. Friends has suggested—nor would they dream of suggesting—that bishops and clergy should not comment on the current state of the human condition in this and other countries. As my hon. Friend the Member for Bury, North (Mr. Burt) said in his perfectly delightful speech, we are citizens of two kingdoms; we have duties to both." I agree with absolutely every word that he said.

However, what some of us find inexplicable and distressing is that all too often the clerics appear to pay infinitely more attention to that than they do to the basics of the Christian religion. It is the duty of a university professor to create controversy, and it is the duty and privilege of bishops to strengthen the faith of their flocks and to seek to bind their members together. I pray that they will do so.

6.11 pm

Ms. Hilary Armstrong (Durham, North-West): This has been an interesting and wide-ranging debate and I should like to thank the hon. Member for Bromsgrove (Sir H. Miller) for initiating it.

Hon. Members may wonder why on earth I am speaking from the Opposition Dispatch Box. That has struck me several times this afternoon. I am not an Anglican—nor, in the words of the hon. Member for Salisbury (Mr. Key), was I born into the Anglican Church. Like the hon. Member for Berwick-upon-Tweed (Mr. Beith) I am a nonconformist. I grew up in that tradition. Therefore, I come to the Dispatch Box with some trepidation.

Much of the confusion that has surrounded such debates for centuries is reflected in the Chamber today. I was brought up in a household with straightforward views on such issues. Our household and community expected that the Church, and local and national Government would be involved in the moral issues of the day, although there was never any question or discussion about how and why. It was simply accepted; it was part of our life. The personal, political and moral were seen and experienced as part of the whole. They were interlocking relationships that could not, and cannot, be divided.

It was made clear to me from an early age in many different ways that all of us have a responsibility to be involved in public service. Our lives were seen in terms of a pattern of public service. I never experienced any arguments about whether the Church should be involved in the social order: it was simply accepted.

William Temple has been quoted many times and I shall not avoid doing the same. He stated that the

"church is bound to 'interfere', because it is by vocation the agent of God's purpose, outside the scope of which no human interest or activity can fall."

The debate should centre on that. I have often been told that we have not only a responsibility to be involved—not only does the Church have a responsibility to comment on or to be involved in the social order and the social world—but that if it does not take that responsibility it is missing the heart and core of God's purpose for it.

We have heard many of the different ways in which hon. Members regard what I see as not only a responsibility, but a duty. It will not surprise hon. Members that I disagree with some of the things said by Conservative Members. I agree with the basic premise of the hon. Member for Salisbury—he wavered from it a little, but we all do that sometimes—that there must be diversity and that none of us should be on the defensive about what the Church is saying.

I agree with the hon. Member for Berwick-upon-Tweed, that the Church should "challenge" us. Indeed, one of its prime duties is to challenge us and to make us think about the way in which we perform our duty and meet our responsibilities in society.

In preparing for the debate, I inevitably thought about what the Government have been saying about the Church. I accept and welcome the fact that this is not a Government debate, that it has been initiated from the Back Benches. I am confused by the Government's attitude. The Church has been castigated for commenting on the effect of Government policies on the citizens of this country. I do not understand that, because I believe that it

[Ms. Hilary Armstrong]

is the Church's duty to comment on that. None the less, members of the Government have been angry that the Church has commented.

The Bishop of Durham has come in for more castigation than most. Perhaps another reason why I am speaking from the Opposition Dispatch Box is that I am from the bishopric—I come from Durham. I know and have often heard the current and previous Bishop of Durham. In our county, the established Church works closely with other Churches. Indeed, the previous Member for Durham, North-West is currently running the Church of England in my village although he is a Methodist. There are strong and close links between Methodism and the Anglican Church in our tradition.

I advise hon. Members to listen, at least sometimes, to what the Bishop of Durham says. I have never heard him speak without giving a message of great faith and challenge in the deepest Christian sense. On occasions, he has incurred the wrath of the Labour movement in Durham because he does not speak for one political party only. Indeed, he makes it clear that he is never speaking for a political party. He always speaks as a man of the Church and challenges all of us who are involved mainly in the political order.

Government action is inevitably affecting the social and moral order of the day, and the Church inevitably must comment on that. I do not always agree with the Church, nor would I expect the Government always to agree. When we in the Labour party are in government, the Church will criticise some of our actions. I hope that I will have the integrity to listen to and ponder on its comments.

I have had a look at what the Government have had to say. In particular, I have scoured the speeches of the Prime Minister and the Secretary of State for Education and Science, who is the latest member of the Government to comment on moral issues and the role of the Church and the state. I have difficulty with one argument which runs through both their speeches. They say that, these days, the main imperative should be individual responsibility. In his speech to Synod, the Secretary of State outlined both the Catholic tradition of community and what he calls the Protestant tradition of defending the individual. It may be useful if I quote from William Temple on this, because he highlights what I find difficult.

For me an individual is never separate from those around him or her. What makes me what I am is not simply me, but my relationships with those around me, my responsibilities and duties to them and the way in which they mould and challenge me. William Temple says:

"Respect for the sacredness of personality"—

he speaks of personality rather than individuals—

"in all citizens will lead us to demand that no child shall be condemned to grow to maturity with faculties stunted by malnutrition or lack of opportunities for full development."

No individual is separate from the way in which those of us responsible for directing the social order do so.

Much of the Government's policy jars with what is at the centre of my Christianity and morality. I have a responsibility to those around me, whatever my needs may be. Yet time and again the Government say that it is the duty of individuals first to look to themselves, to prosper and to develop an entrepreneurial spirit or whatever. I am not saying that that of itself is immoral but, as William Temple puts it, there is a snare within it, and it is easy to fall into the snare and be trapped.

If we look first to ourselves, the imperative of public service and caring for the needs of others can be extremely difficult to meet. The Government need to listen now and again to some of us who say that the individual cannot be separated from the society in which he or she is living. Individual values cannot be separated from collective community values. The one interacts with the other. To put one aside, as the Secretary of State almost did when he emphasised the importance of the individual, jars with the core of our corporate and Christian tradition.

I find similar arguments in the Prime Minister's speech to the General Assembly of the Church of Scotland. I have pondered on these arguments and it seems that the question of individual responsibility is the basis of disagreement between hon. Members. It is also at the core of the bridling of some Tory Members at the comments of the Church, whether of the Bishop of Durham or the President of the Methodist Conference. The basic disagreement is about the nature of people and God, and the relationship between people and their God.

I have several other pages, but I know that others wish to speak. In our family everyone was involved in both politics and chapel. One never took on individual responsibility. We did not seem to suffer from that, as we were involved in everything that was going on. I remember when my father was out working with a congregation for a new church on a new estate. Some of the press turned up —we have already spoken about how the media always have a go at people in the public eye—and said to my father, "You are never at home. What about your family? You are always out here looking to the needs of everyone else."

Although I was only eight, I was there because we were taken along and became part of everything. Dad said—in a sense this has been how I have understood the interlocking relationship between the Church, the state and the moral order—"My children grow up knowing that we are all involved in public service. That does not mean that they are not important, but that they are important enough to be involved with me in the work of the Church in the wider world." William Temple said:

"The aim of a Christian social order is the fullest development of individual personality in the widest and deepest possible fellowship."

That sums up what I am trying to say tonight about these relationships.

Christianity, if it is anything, is not a series of speeches or good words, but a way of life. It is about the way we conduct ourselves. That applies not only to individuals, but to the Government. If the Government expect us to take seriously their claim to have the moral and social order of the country at heart, they cannot separate their words from their actions. They cannot preach to Synod, the General Assembly or the House about the moral imperative and at the same time carry out actions which mean that a shameful number of people are homeless.

Last week, I spoke to some young people who have just come out of care and who are not entitled to any state benefit. I do not believe that that is a matter for which they can take individual responsibility, or that we should expect them to do so. Any Government must accept that there will be challenges when their actions result in such

consequences. No one should say, "You do not have a right to speak out." Those young people have the right to expect the House to perform its duty on their behalf.

I hope that on similar issues we shall have not just preaching about the actions and responsibilities of individuals, but acceptance of the responsibility that we all have as Christians and as members of society not to forget, for political expediency, the consequences of our actions. At the end of the day, those consequences will take us forward as Christians and as members of a society that purports to be Christian.

6.31 pm

The Minister of State, Home Office (Mr. John Patten): The hon. Member for Durham, North-West (Ms. Armstrong) said that she was not sure why she was here. I am rather glad that she was here, because I enjoyed listening to her speech. I entirely agree that personal, moral, political and religious matters are interlocked. That is something that she learned at her father's knee, just as I learned at her father's knee how to conduct myself at the Dispatch Box. I held him in great affection because he never once ruled me out of order. Just as he once kept the Chamber in order, I am glad to hear that he is now keeping the Anglican Church in business in the hon. Lady's village, despite the fact that he is a Methodist.

I cannot help but reflect on how much my right hon. and noble Friend Lord St. John of Fawsley would have enjoyed replying to the debate. I cannot aspire to his standards of dress. I am sure that purple shirts would have had a good airing this afternoon.

I thank my hon. Friend the Member for Bromsgrove (Sir H. Miller) for introducing the motion and congratulate him warmly on the way in which he introduced it. I am sure that my view will be shared by hon. Members on both sides of the House. It has been a remarkable debate. It has been very moderate, with one or two exceptions—largely from among the Social and Liberal Democrats. We saw a new version of the hon. Member for Liverpool, Walton (Mr. Heffer), who made a moving speech. It was a non-ranting speech and very serious, and the whole House listened to it carefully. The only point from which I dissented was that he appeared to say that the Church of England is the Tory party at prayer. A close observation of the Anglican Church would show that to be untrue, just as it was untrue in the 19th century.

We heard a highly engaging and thought-provoking speech from the right hon. Member for Chesterfield (Mr. Benn), who introduced the novel suggestion—for me—that Karl Marx was the last great Old Testament prophet. I shall reflect on that and perhaps give him my views in writing from a personal rather than a ministerial view. I shall come to his important point about disestablishment later in my speech.

During the decade that I have known the hon. Member for Berwick-upon-Tweed (Mr. Beith), I have held him in great respect. He is one of the few members of the Social and Liberal Democrats who is a national level politician. I was all the more surprised to hear his insulting—I presume that they were designed to be insulting—remarks about my right hon. Friend the Prime Minister. If he wishes me to give way, I shall do so only so that he can apologise to my right hon. Friend. The hon. Gentleman had the extraordinary idea that the Government were erecting passing by on the other side into a form of public policy. He got into a terrible muddle. When citing housing and homelessness, he criticised the private sector, and by implication the housing association movement, for wishing to involve itself in housing the homeless. He completely forswore criticism of the councils that keep empty so many homes in the public sector.

The hon. Gentleman was deeply confused and, for once in his life, seemed to ignore the role and the contribution of the individual citizen and his active endeavour. When that very good king, Good King Wenceslas, heard rumours of starvation in the hills, he did not set up a royal commission to consider hunger in the Bohemian mountains and to report on other matters. He went out with food and kindling—an early meals-on-feet movement. It was extraordinary to hear the hon. Gentleman deplore, by implication, that sort of conduct.

We heard a most remarkable speech from my hon. Friend the Member for Halesowen and Stourbridge (Sir J. Stokes). It has often been observed in this place that he speaks for England, and he did so this afternoon. The points of greatest relevance, and the most telling to me, were those that he made about schools, Christianity and moral values. That is something that links all Conservative Members.

My hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) gave us an account of her genealogy and claimed to be an accessory after the event, by descent, of the killing of Thomas à Becket. That was an interesting chain of events. Like the right hon. Member for Chesterfield, she said that she wanted disestablishment of the Church of England. There was some cross-party agreement in that regard. I need not go into the arguments for and against disestablishment, which would be a major constitutional upheaval, but I can say that the Government would not contemplate such a step unless they were convinced that the established Church wished it.

Perhaps I may take the theme for the rest of my brief remarks from my hon. Friend the Member for Bromsgrove. The thrust of his speech was that the Church is trying to usurp the proper historial role of the state and that the clergy have come down from the pulpit to the hustings. The counterpoint of his thesis was that the Government had formed an unbecoming attachment to preaching sermons. That has been mentioned by my right hon. Friends the Home Secretary and the Secretary of State for Education and Science. The gist of my hon. Friend's message was that we the Government, as private individuals, and he as a private Member of the House should not be disqualified from commenting on Church and moral matters affecting all faiths and that, equally, churchmen have every right to comment on political and social problems.

I entirely agree with my hon. Friend, but I believe that each should be judged on the seriousness and weight of his arguments. That point was made by my hon. Friends the Members for Bury, North (Mr. Burt) and for Salisbury (Mr. Key) and—in a remarkable, and remarkably short, intervention—by my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman).

Mr. Heffer: Is the hon. Gentleman aware that I once participated in a "You the Jury" debate with his right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) in which the right hon. Gentleman was overwhelmingly defeated? It was attended by clergy and lay people and the

[Mr. Heffer]

overwhelming majority were in favour of disestablishment. I believe that many more people in the Church are prepared to agree with disestablishment than the hon. Gentleman pretends.

Mr. Patten: The hon. Gentleman has made his point. My right hon. Friend the Minister for Local Government and Member for Suffolk, Coastal (Mr. Gummer) is well able to put his own arguments here and in other places, as I have read in the public prints of Synod.

As the motion of my hon. Friend the Member for Bromsgrove implies, there is a general assumption that it is the job of Churches to provide a moral lead and of politicians to provide a lead in secular matters. However, it is not always a distinction that is clear-cut, and clearly there is a considerable overlap.

The inner cities, for example, which have long concerned the hon. Member for Walton, are an area where churchmen have shown considerable interest and which have given rise to controversy. The inner cities have also been the scene of a considerable amount of constructive work by churchmen and religious leaders of all denominations. When the Archbishop of Canterbury, the Archbishop of Liverpool or the Chief Rabbi speaks on these issues, we listen carefully.

The Church of England urban fund, launched last April, has already raised more than £6 million and given grants to more than 100 inner-city projects, which is a good thing. In 1986-87, there were about 100 projects funded by the Government's urban programme which were Church-based. We have a substantial number of Church projects and also a substantial number of Church-run but Government-funded projects in the inner cities, which show what good work can and will be done.

Mr. John Marshall (Hendon, South): My hon. Friend has referred to the Church of England inner-city urban fund. I hope that he will take the opportunity to praise, as I am sure he would wish to do, the many volunteers who, using individual responsibility, have made that scheme such a success and have certainly drawn the attention of people in my part of the world to problems which perhaps day to day they would not know about.

Mr. Patten: I pay considerable tribute to those people of all faiths and denominations who have drawn attention to local difficulties in the south of England and to the needs of the inner cities.

Some of our Government inner-city task forces are forming constructive links with some of the black-based Churches. Here I find myself in agreement with the points made about the Evangelical movement by the hon. Member for Berwick-upon-Tweed (Mr. Beith). We have some links with Evangelical Enterprise, which is an excellent body, and the West Indian Evangelical Alliance project, which is important in promoting individual enterprise and Christian development in the inner cities. Churches, therefore, have a role alongside Government.

I do not believe—I have not heard anyone say so in this Chamber—that Governments should be rigidly excluded from moral issues. Through the Government's promotion of the active citizen movement, through their support for the voluntary sector and through their involvement in and help for the charitable world—for example, the establishment of payroll giving—the Government have shown a considerable moral lead, and one which, as my hon. Friend the Member for Salisbury (Mr. Key) said, has not been recognised. It is a shame that, from time to time, that has not been recognised.

I consider that there are two historic functions which have always been there for the Churches to fulfil. The first is to propagate the essentials of faith, to assert and reassert the timeless message that there is an unchanging distinction between right and wrong—something that it is critically important for them to do—and that, knowing this, everyone has the free opportunity to choose the right. There is, therefore, an unchanging duty to respect one's fellow women and one's fellow men, to know that one cannot have everything that one wants instantly, to know that one must take personal responsibility for one's actions and, above all, to help those who are less fortunate and are weaker than oneself.

The second function can be traced back to the very origins of Christianity among the poor and oppressed, which is to look after the unfortunate, the downtrodden and the under-privileged. However, thirdly, I believe that there is an under-worked vein for the Church, of whatever faith. In historical times, the powerful and the wealthy, including many churchmen, were a tiny fraction of the country, but their duty was often—sometimes uniquely—to preach that those who were less fortunate than others should be looked after. However, in the modern world, where a large section of society is far more prosperous, there is a further missing element.

I do not believe that at the moment we have a theology coming from any of the Churches—from the Jewish faith, or the Moslems or anywhere else—which is appropriate for the climate of success that we have in Britain in the late 1980s. I do not believe that the Church has yet used a rhetoric appropriate when talking to a nation which is increasingly comfortable, but which should not be complacent. I do not believe that there is a theology, a rhetoric, to use, or a message for a successful nation. That is the third and missing element in much of the debate about the relations between the Church and the State.

The Churches remain welcome to preach generosity and compassion to those who from time to time hold power. However, I believe that spiritual guidance should in the end remain of far greater importance to any Church leader of whatever faith than any question of how to divide the national cake. In the absence of some sort of priestly theocracy running this country, such decisions remain a matter for the elected Government and Parliament to decide, and in the end for no one else.

6.46 pm

Mr. Andrew Rowe (Mid-Kent): The early Church was notable for the happiness and joy with which its adherents were filled. That happiness and individual joy spilled out into making the Christian church an attractive centre for other people who were lost, anxious or frightened. I believe that there are many Christian communities—many of them within the Church of England—about whom that can be said. It is also sadly the case that they are in relatively small supply and that what we desperately need is a reawakening of that happiness, joy and excitement which is now rare to find. One of the charges which it is perfectly proper to lay on the shoulders of bishops is that they should be bending much of their energy and effort to enable that sort of development to reappear within the

Church. If that happened, I believe that one would find that many of the areas of controversy between the Church and the State would melt away.

I am sceptical and edgy about the proposition that, because a number of my Christian friends feel strongly that their belief requires them to behave in a particular way, that should, therefore, become the way in which the State requires the rest of the people to behave. That goes right through a whole range of the controversies which at the moment appear to be heating up the relations between the Church and the state.

I believe that each one of us has within his or her power the capacity enormously to improve the relations between the Church and the state. I listened with enormous interest, as always, to the speech of my hon. Friend the Member for Halesowen and Stourbridge (Sir J. Stokes.) I detected within it a tendency—perhaps I detected it easily —that we share. I would be happy to see my bishop eating locusts and wild honey provided that he left me free to continue eating in the best restaurants that I could afford.

We all of us have the opportunity to improve relations, but many of us do not encourage within our own association a closer relationship between the local clergy and ourselves. Those who are working for most of their time with the afflicted in one form or another naturally become obseessed by that perspective. Those of us who have, perhaps, a wider range of contacts leave those workers too much to their own devices and then become unreasonably aggrieved when, out of their experience, they say things which strike us as either intolerant or intolerably naive. Mutual association would do us all a great deal of good.

I regret the increasingly rancid tone which some on both sides—if we can call them sides within the Church and within Parliament—are liable to adopt when discussing each other's behaviour. It is far better that we should build on the enormous good will and great strengths that exist. As many have said during the debate, we should not be so sensitive to criticism. If the Church wishes to speak out on political issues, those who do so on its behalf must be prepared—I think that most of them accept this—to be confronted in a political way. For some of them, however, that is a bruising experience.

When the Church does that, we who have developed skins of considerable thickness in this place should not be so sensitive. It is a curious perversity. We give the bishops —most of them are highly intelligent people— considerable authority within both Church and state, and it is curious that we should become so resentful if some of them, entirely properly or sometimes intemperately or stupidly, say things of which we do not approve. I could say much more but I am aware that there are others who wish to contribute to the debate.

6.52 pm

Mr. Gerald Howarth (Cannock and Burntwood): I warmly congratulate my hon. Friend the Member for Bromsgrove (Sir H. Miller) on introducing the motion. I am sure that our discussion this afternoon has shown the timeliness of the debate as well as presenting the House of Commons in a much truer light than those who report our proceedings sometimes convey. We have had an interesting and civilised exchange of views across the Floor of the House. There are fundamental differences between hon. Members on both sides of the Chamber, but these have been expressed and thrashed out in a civilised way.

I suppose that we as politicians are on dangerous ground when we venture to comment on matters of morality. It is almost as dangerous as when the clergy enter into the political fray, as my hon. Friend the Member for Mid-Kent (Mr. Rowe) has said. It is a commentary on the state of the Church of England in particular that my hon. Friend the Member for Bromsgrove has tabled the motion and that there has been so much debate on the role of the Church and on the way in which it is performing that role.

The Church of England must give a much clearer lead than that which it is now presenting to us. Never was there a greater need for abiding Christian values to be clearly and unequivocally proclaimed. As my hon. Friend the Member for Bury, North (Mr Burt) rightly said, there must be absolute guidance without equivocation. That is what our young people especially need. They do not need to be taught that life is a vast grey area. They must be taught in terms of black and white. They will discover as adults that life is not black and white and is instead a large grey area, but without a basic grounding, what hope have they of succeeding in this world?

I am concerned especially about the pressures on young people. As the father of three children, I have been placed in the dilemma in which many other parents have found themselves. Our children watch television programmes such as "Dallas". That programme and others portray a way of life that is entirely alien to that which the Church and most parents are trying to teach their children. How can we proclaim fidelity in marriage when night after night during episodes of "Dallas" we see people leaping in and out of bed with one another?

Mr. Nicholas Baker: The answer is to turn off the television set.

Mr. Howarth: As my hon. Friend says, the answer is to turn it off. Unfortunately, the programme is shown before the watershed hour. We cannot sit constantly by the on-off switch checking what is being shown on the screen.

What are we getting from the Churches? I believe that there is a preoccupation with the transient and a flirtation with party politics instead of a concentration on the abiding issues. The Church has plenty to say about South Africa. Until last week it had much to say about black sections. The Race Relations Act 1976 was supported by the churches when it first came into operation, but then they found that it conflicted with their aspirations for black sections. They now wish to wriggle out of the law of the land to suit their own purposes. Fortunately, the General Synod thought better of that last week. My hon. Friend the Member for Salisbury (Mr. Key) mentioned the case of Viraj Mendis.

Miss Emma Nicholson: Will my hon. Friend give way?

Mr. Howarth: I shall not give way to my hon. Friend. She has had her say and I know that my hon. Friend the Member for Bromsgrove wishes to respond to the debate.

I believe that the Church is taking away our landmarks in what it is doing to our liturgy. This is not a semantic issue. In my view, the Lord's Prayer has been vandalised. That is an example of the false preoccupations of the

[Mr. Howarth]

Church. The issue of women priests is likely to divide the Church. Therefore, it is something on which the Church must embark only with the very greatest care.

This is a Christian country. A recent opinion poll revealed, following a survey, that 85 per cent. of the population regarded itself as Christian. The coin of the realm carries the letters FD—fidei defensor, defender of the faith. It is right that other religions should be referred to, but if we are to understand our country and our history we must understand our own religion.

Some Opposition Members have suggested that somehow the Government's policies are at odds with Christian morality.

Ms. Armstrong: Hear, hear.

Mr. Howarth: I contend that irrefutably the arguments lie with us. It is we who are releasing the energy and endeavour of our people. We are allowing the people to make decisions for themselves instead of leaving decision-taking to politicians. I ask the hon. Member for Durham, North-West (Ms. Armstrong) where morality is to be found in the closed shop, which terrorises those working people who do not wish to join a trade union. Where is the morality in inflation, which has destroyed the savings of pensioners? Where is the morality in punitive taxation? I contend that there is no morality in Socialism.

6.57 pm

Sir Hal Miller: I am sure that the House regrets that it was not able to hear more from my hon. Friend the Member for Cannock and Burntwood (Mr. Howarth) because of the pressure of time. He presented an extremely robust defence of the moral base of a great many of our Government's policies.

As I said when I introduced the motion to the House, I appreciate that I am in danger of being misunderstood. Indeed, I was advised by many friends that I would be. Perhaps the misunderstanding was deliberate on the part of the hon. Member for Berwick-upon-Tweed (Mr. Beith), who seems to have been sitting rather too closely to the right hon. Member for Yeovil (Mr. Ashdown). He has acquired some rather grubby characteristics as a result. I specifically did not say that priests and bishops should not speak out. I said that they should not expect to be accorded the same authority when they speak on economic or political matters as when they speak on ecclesiastical matters. I said that they could not expect to speak with the same authority from the pulpit or the throne on political matters as on religious matters

We had a wonderful trip down memory lane with the hon. Member for Liverpool, Walton (Mr. Heffer) and with the right hon. Member for Chesterfield (Mr. Benn). The right hon. Gentleman referred to liberation theology. Unfortunately time does not permit me to respond. However, hon. Members can read the second Vatican instruction on liberation which I commend as a critique of that theology.

We come to the end of this debate with the issues still unresolved about the disestablishment of the Anglican Church which has had some cross-party support. I ask those who where in favour of that to reflect most seriously on the implications as several of my colleagues have remarked. That could pave the way for much greater and more serious constitutional implications.

It being Seven o'clock, the Proceedings on the Motion lapsed, pursuant to Standing Order No. 13(8) (Arrangement of public business).

Official Secrets Bill (Allocation of time)

7 pm

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Bill:

Committee, Report and Third Reading

1.—(1) The remaining proceedings in Committee on the Bill shall be completed in two allotted days and shall be brought to a conclusion at midnight on the second of those days.

(2) The proceedings on consideration and Third Reading of the Bill shall be completed in one allotted day, and shall be brought to a conclusion at Ten o'clock on that day; and for the purposes of Standing Order No. 80 (Business Committee) this Order shall be taken to allot to the proceedings on consideration such part of that day as the Resolution of the Business Committee may determine.

Report of Business Committee

2.—(1) The Business Committee shall report to the House its Resolutions—

(a) as to the proceedings in Committee on the Bill not later than 14th February 1989; and

(b) as to the proceedings on consideration of the Bill and as to the allocation of time between those proceedings and proceedings on Third Reading not later than the third day on which the House sits after the day on which the proceedings in Committee on the Bill are concluded.

(2) The Resolutions in any Report made under Standing Order No. 80 (Business Committee) may be varied by a further Report so made, whether or not within the time specified in sub-paragraph (1) above and whether or not the Resolutions have been agreed to by the House.

Proceedings on going into Committee

3. When the Order of the Day is read for the House to resolve itself into a Committee on the Bill, Mr. Speaker shall leave the Chair without putting any Question, whether or not notice of an Instruction has been given.

Conclusion of proceedings in Committee

4. On the conclusion of the proceedings in Committee on the Bill the Chairman shall report the Bill to the House without putting any Question.

Order of proceedings

5. No Motion shall be made to alter the order in which proceedings in Committee or on consideration of the Bill are taken but the Resolutions of the Business Committee may include alterations in that order.

Dilatory Motions

6. No dilatory Motion with respect to, or in the course of proceedings on the Bill shall be made on an allotted day except by a member of the Government, and the Question on any such Motion shall be put forthwith.

Extra time on allotted days

7.—(1) On the first and second allotted days paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings on the Bill for two hours after Ten o'clock.

(2) Any period during which proceedings on the Bill may be proceeded with after Ten o'clock on either of those days under paragraph (7) of Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideraton) shall be in addition to the said period of two hours.

(3) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 20 stands over from an earlier day, paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings on the Bill for a period of time equal to the duration of the proceedings on that Motion; and on the first or second allotted day that period shall be added to the said period of two hours.

Private business

8. Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings on the Bill or, if those proceedings are concluded before Ten o'clock, for a period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Conclusion of proceedings

9.—(1) For the purpose of bringing to a conclusion any proceedings which are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee and which have not previously been brought to a conclusion, the Chairman or Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question on any amendment or Motion standing on the Order Paper in the name of any Member, if that amendment is moved or Motion is made by a member of the Government;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or Mr. Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

(3) If an allotted day is one on which a Motion for the adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) would, apart from this Order, stand over to Seven o'clock—

(a) that Motion shall stand over until the conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion at or before that time; and

(b) the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion after that time shall be postponed for a period equal to the duration of the proceedings on that Motion.

(4) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 20 stands over from an earlier day, the bringing to a conclusion of any proceedings on the Bill which under this Order or a Resolution of the Business Committee are to be brought to a conclusion on that day shall be postponed for a period equal to the duration of the proceedings on that Motion.

Supplemental orders

10.—(1) The proceedings on any Motion made in the House by a member of the Government for varying or supplementing the provisions of this Order (including anything which might have been the subject of a report of the Business Committee) shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings.

(2) If on an allotted day on which any proceedings on the Bill are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee the House is adjourned, or the sitting is suspended, before that time no notice shall be required of a Motion made at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

11. Nothing in this Order or a Resolution of the Business Committee shall—

(a) prevent any proceedings to which the Order or Resolution applies from being taken or completed earlier than is required by the Order or Resolution; or

(b) prevent any business (whether on the Bill or not) from being proceeded with on any day after the completion of all such proceedings on the Bill as are to be taken on that day.

[Mr. John Wakeham]

Recommittal

12.—(1) References in this Order to proceedings on consideration or proceedings on Third Reading include references to proceedings at those stages, respectively, for, on or in consequence of, recommittal.

(2) On an allotted day no debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

13. In this Order—

"allotted day" means any day (other than a Friday) on which the Bill is put down as first Government Order of the day, provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day, or is set down for consideration on that day;

"the Bill" means the Official Secrets Bill;

"Resolution of the Business Committee" means a Resolution of the Business Committee as agreed to by the House.

The first thing to say is that no-one can doubt that the Official Secrets Bill is an important measure that goes to the heart of the Government's responsibilities. The Bill is a radical narrowing of the scope of the criminal law. It will repeal section 2 of the Official Secrets Act 1911, replacing it with much narrower provisions aimed at protecting, and protecting effectively, official information whose unauthorised disclosure would cause a serious degree of harm to the public interest.

Mr. Andrew F. Bennett (Denton and Reddish): Does the Leader of the House accept that "effectively" means that most people will have to obey the law willingly? By shoving the Bill through the House in this way, does he accept that he is destroying much of the impact which the legislation might have? Many people outside this place will be completely disillusioned by the way in which the Bill has been pushed through. Does he accept that he should not be moving a guillotine motion like this on a constitutional matter?

Mr. Wakeham: I will make those points in my speech. I do not accept what the hon. Gentleman has said.

Mr. Tam Dalyell (Linlithgow): If I misheard the Leader of the House, I hope that he will correct me. I believe that he used the phrase "a serious degree of harm". That is what he just read from his brief. Where does that appear in the Bill?

Mr. Wakeham: I had better make my speech in my own way. The hon. Gentleman can argue his point in his own way later.

Our proposals outline six specific categories of official information that will continue to be protected by the criminal law. That is fewer than any previous Government have proposed. Within those categories we will introduce a number of tests of harm which the prosecution will have to prove. Our proposals add up to a coherent and ambitious reform which is bolder than anything attempted by any Government in this area since the war.

The House will recall that we published a White Paper in June of last year which was debated in July. My right hon. Friend the Home Secretary promised then to listen carefully to the points that were made and to take account of them as the Government prepared the Bill. He has done that. The Bill is a significant further narrowing of the scope of the criminal law from the White Paper proposals. It has proved difficult to please everyone, but I believe that we have got our proposals right and that the time has come to settle on the successor to section 2 of the Official Secrets Act 1911, as that section is generally recognised as being too wide and too weak.

Mr. Dalyell: Will the Leader of the House give way?

Mr. Wakeham: No. I will give way later.

The House has already devoted a considerable amount of time to debating our proposals. We had a debate on the White Paper last summer. Just before Christmas, the Bill had a full day's consideration on Second Reading when the House approved it by 298 votes to 221. We have now had two sittings in a Committee of the whole House which have lasted for a total of 13½ hours. However, we have not yet finished considering the first clause and in that time have debated only three groups of amendments.

Mr. David Winnick (Walsall, North): Will the right hon. Gentleman give way?

Mr. Bob Cryer (Bradford, South) *rose*——

Mr. Wakeham: I will give way in a minute.

There are another 17 or so debates in prospect on amendments already tabled. That is simply not adequate progress for a Bill which has only 16 clauses.

Mr. Winnick: Will the Leader of the House confirm that there was no element of filibustering in those debates and that there were no unduly long speeches or unnecessary interruptions? Will he confirm that, because, on all previous occasions when the right hon. Gentleman has moved a timetable motion, there has always been an accusation that the Bill's opponents have tried to drag out the proceedings? Will he confirm that that has not happened in this case?

Mr. Wakeham: In any of the guillotine motions that I have proposed—I have something of a record for this, as no doubt some hon. Member will tell me in a few moments—I do not believe that I have ever accused anyone of filibustering, not least because the other person will respond, "Oh well, what about Mr. Speaker? Why didn't he rule me out of order?" I do not accuse anyone of filibustering. There were some good speeches, but some of the actual and hypothetical examples of giving information were perhaps a little repetitive and a little wide of the mark. That was my reading of it, but I am not accusing anyone of filibustering.

Mr. Nicholas Budgen (Wolverhampton, South-West): Does my right hon. Friend believe that in every respect the information given by Ministers to the House was accurate? Some of my right hon. and hon. Friends fear that a junior Minister wasted the time of the House for about an hour because he misunderstood the nature of judicial review. I make no criticism of that, as we all make mistakes. However, is that not an inevitable consequence of the proper discussion of a complicated Bill?

Mr. Wakeham: Who is complaining about proper discussion of a complicated Bill?

Mr. Budgen: The Leader of the House is.

Mr. Wakeham: No, I certainly am not. I am trying to propose a timetable motion so that all parts of the Bill can be discussed properly. That is the purpose of the exercise.

I understand the concern felt by some hon. Members about the Bill, but that concern is certainly not shared in other quarters. At one stage during the second day's debate in Committee there were a mere 11 hon. Members on the Opposition Benches.

Mr. Winnick: So?

Mr. Wakeham: I am just going to make the point, if the hon. Gentleman can contain himself, that for three hours there were fewer than 20 Opposition Members present. It is difficult to reconcile the desires of some hon. Members for extended debate on this Bill with my duty as the Leader of the House to ensure that sufficient time is available for all the other measures that attract right hon. and hon. Members' concern to be properly considered by the House.

I believe that we now need to take steps to structure the rest of the discussion on the Bill in a sensible manner. We still have several important issues to debate, including the principles underlying the tests of harm, the category of information obtained in confidenece from other states or international organisations, the prior publication defence and allowing disclosure to hon. Members. By introducing a timetable motion at this stage, adequate time can be given to discussion of those and other measures.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I have no intention of involving myself in this debate. However, on every occasion when it is possible I listen to the debate. The fact that there are fewer hon. Members present is no indication of interest or involvement in the Bill. Hon. Members who come in to listen to the debate are exceptional because hon. Members have a great many other things to do at the same time.

Mr. Wakeham: Absolutely. That accounts for the fact that there are only about 20 hon. Members on the Opposition Benches at the moment. I understand that hon. Members are busy and that many other matters must come to the Floor of the House. That is why I must sometimes resort to a timetable motion to provide the proper allocation of time.

Mr. Teddy Taylor (Southend, East): Does my right hon. Friend agree that one of the basic problems of any guillotine from either side of the House is that sometimes issues are not discussed? Will he assure us that some time will be available to debate the amendment dealing with European papers? Will he endeavour to ensure that there will be time to discuss the important issues?

Mr. Wakeham: I have a great deal of sympathy with my hon. Friend and I shall address that point in a few moments.

Mr. Dennis Skinner (Bolsover): Will the right hon. Gentleman give way?

Mr. Wakeham: No, I want to make some progress.

Mr. Skinner: It is only a small point.

Mr. Wakeham: Before I give way to the hon. Gentleman, another important matter of principle must be considered. That is whether some Bills are of such significance that they should not be timetabled. Governments of all persuasions have guillotined Bills of great political and even constitutional importance. On the same day in November 1977, the last Labour Government guillotined the Scotland Bill and the Wales Bill, both of which would have fundamentally altered the nature of the Union. The Labour Government before that guillotined the House of Commons (Redistribution of Seats) Bill—a controversial constitutional measure if ever there was one.

I do not claim that we have never in turn imposed a timetable on important measures. My right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) guillotined the European Communities Bill in 1972, and that was followed by a guillotine on the Counter-Inflation (Temporary Provisions) Bill, which was also discussed by a Committee of the whole House.

Mr. Skinner: Earlier, the Leader of the House mentioned that only 20 right hon. and hon. Members are on the Opposition Benches. He failed to say that most right hon. and hon. Members on the Government Benches can be added to those on the Opposition Benches who oppose the guillotine. While the Leader of the House is giving a rundown of previous guillotines, can he say whether he has introduced a guillotine on any Bill, constitutional or otherwise, when as many as 18 Conservative Members were agin it?

Mr. Wakeham: I do not know which right hon. and hon. Members are against the guillotine and which are not. We shall wait for the Division, to see whether the Government win the vote.

So that the Liberal party is not left out of the pantheon, I recall the guillotine in 1911 of the Parliament Bill, which fundamentally altered the constitutional powers of another place. That is the best example I can find, because it is a long time since the Liberals had responsibility for such matters.

Last Thursday, I said that in matters of timetable motions, I bow to the knowledge of the right hon. Member for Blaenau Gwent (Mr. Foot), who said, when guillotining the Scotland Bill:

"it is constitutional Bills for which guillotines are most required . . . The House should not give the impression to anybody . . . that there is something extraordinary, improper or contrary to our traditions in the application of timetable motions to constitutional Bills."

On that occasion, the right hon. Gentleman also observed:

"to read my speeches on guillotine motions is almost a liberal education in itself."—[*Official Report*, 16 November 1977; Vol. 939, c. 585-87.]

The right hon. Gentleman supplied an impressive list of constitutional Bills that had been guillotined. Among the more interesting were the Members of Parliament (Charges and Allegations) Bill 1888, which the right hon. Gentleman thought might have been a constitutional Bill, and the Military Training Bill in 1938-39, which he was sure involved "important questions". I recommend the right hon. Gentleman's speech to hon. and right hon. Members interested in such matters.

Mr. Jeff Rooker (Birmingham, Perry Barr): Will the right hon. Gentleman tell the House whether, during the passage of any of the Bills to which he refers, the Government of the day had an overall majority in this House of more than 100?

Mr. Wakeham: What does that have to do with it?

Mr. Rooker: The answer to the right hon. Gentleman's question is simple. So far, the Government have not moved a closure on a single debate. They can carry any

[Mr. Rooker]

closure they want. The Government could impose a guillotine as the Bill proceeds, but they choose not to do so, because they do not want the Bill debated.

Mr. Wakeham: That would not necessarily be the best way to proceed. The best way to proceed is by agreement, if we can. If we cannot get agreement, we must introduce a timetable.

Mr. Rooker: The Government do not want to reach any agreement.

Mr. Wakeham: That is absolutely untrue.

I accept that the Official Secrets Bill deals with the interests of the state, as do many bills. It goes to the heart of the Government's responsibilities, and that is why it is being considered by a Committee of the whole House. However, it appears from the precedents that I have cited that there is no Bill, however profoundly it affects the constitution or even the sovereignty of this country, that may not be timetabled. Having established that, it is a matter of whether the proposed timetable is reasonable. I believe that it is.

The motion before the House will allow about another 17 hours for Committee stage on the Floor of the House, making about 30 hours in all. For a Bill of 16 clauses, that is a generous amount of time. There will be a further full day for Report and Third Reading. By the time that the Bill goes to another place, it will have been considered in this Chamber for about 42 hours.

Mr. John Gorst (Hendon, North): Can my right hon. Friend say, from his knowledge of precedents, whether any Bill has been guillotined after 13½ hours of debate, and when the majority of time has been taken up by the speeches of Privy Councillors—as opposed to the contributions of ordinary Back Benchers such as myself?

Mr. Wakeham: If any right hon. or hon. Member struggles hard enough, he or she can probably find a precedent. There are certainly precedents for guillotining Bills even earlier. I cite as an example the 1972 anti-inflation Bill of my right hon. Friend the Member for Old Sidcup and Bexley, which was guillotined immediately after Second Reading. Two of the Bills of the right hon. Member for Blaenau, Gwent were also guillotined immediately after Second Reading.

Mr. Jonathan Aitken (Thanet, South): Will my right hon. Friend give way?

Mr. Wakeham: No, I shall not.

While the Bill is important, it is not lengthy, and the amount of time allowed for it in Committee is more than adequate.

My right hon. Friend the Member for Shropshire, North (Mr. Biffen) and I are the first two Leaders of the House to defend the use of timetable motions against criticisms from two directions. The more recent of those criticisms is that mounted by the Select Committee on Procedure, whose recommendations in the last Parliament, if put into effect, would mean that almost every Bill of significance or controversy would have a timetable motion for its Committee and further stages.

The second, more traditional line of attack will no doubt come in the speech by the hon. Member for Holborn and St. Pancras (Mr. Dobson), criticising the number of timetable motions that I have introduced to date. But to make that criticism is to miss an important point. On several previous occasions—particularly during the debate on procedure last November—I made it clear to the House that it is now my practice to move towards the introduction of timetable motions where necessary; and, if possible, at a time that allows for properly apportioned consideration of a Bill. That is in the spirit of the Select Committee's recommendations, although it does not go quite as far as it would like—and inevitably means that timetable motions will become slightly more routine than they once were.

Mr. Aitken: Will my right hon. Friend give way now?

Mr. Wakeham: No, I must continue a little further.

The hon. Member for Holborn and St. Pancras did not oppose the principle of timetabling in the procedure debate, although he drew attention to the number of Bills that were guillotined last Session. I note that he added:

"However, the number was still only six, so we are not reduced to guillotining Bills too frequently."—[*Official Report*, 30 November 1988; Vol 142, c. 801.]

I agree, and I would like to keep it that way. I strongly believe that the best way to proceed is through discussions and agreement on the issues as they arise. I have spent a great deal of time, both as Patronage Secretary and as Leader of the House, taking matters forward in that way—as I believe is essential to preserve the flexibility that our present procedures provide.

This is an important Bill, and one that needs careful consideration, in whole rather than in part, by the House. Timetables have been imposed on politically important Bills before, and no new precedent is being set today. The motion before the House allows generous time for discussing the remaining part of the Bill.

Mr. Aitken: My right hon. Friend says that no new precedent is being set. Is he aware of the important correspondence between the Home Secretary and my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery), in which the Home Secretary repudiates an important series of assurances given on the Floor of the House of Commons by my hon. Friend the Minister of State, Home Office? Surely it is right that those repudiations should be properly debated, and that room be made in the timetable for that discussion?

Mr. Wakeham: There is plenty of time to debate everything that is relevant, and I have no doubt that my right hon. Friend the Home Secretary will deal with the points to which my hon. Friend refers when he winds up the debate. The time allowed by the motion for discussion of the Bill is adequate, and I commend it to the House.

7.17 pm

Mr. Frank Dobson (Holborn and St. Pancras): This is the third guillotine motion moved by the Leader of the House in four weeks. The first two were objectionable, but this is much worse. This latest motion is particularly objectionable because it seeks to curtail debate on proposals that go to the heart of the relationship between the citizens of this country and the state, the servants of the state, and those who, for the time being, control the apparatus of the state—usually referred to as the Government.

Tonight's debate also goes to the heart of the relationship between Government and this elected House.

The Government accept that the Official Secrets Bill is sufficiently important for its Committee stage to be debated on the Floor of the House. But now they want to curtail that debate, and one must ask why. So far, the Committee stage has taken just 13½ hours, spread over two days. As my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) pointed out, on both days the Government themselves adjourned the debate. On neither day was there any question of repetition or of unnecessarily extended debate.

Even the Home Secretary has commented favourably on what he called

"the long debate which has gone to the heart of necessary"—

I emphasise "necessary"—

"discussion of the Bill."—[*Official Report*, 2 February 1989; Vol. 146, c. 527.]

I must admit that that was generous of the right hon. Gentleman, because those speaking against the Bill have not only outnumbered its supporters but worsted them at every stage—so much so that some Conservative Members who wandered into the Chamber out of curiosity to listen to the debate stayed to speak against the Bill. No doubt some of them were as appalled as I was to hear some modern Tories abandon Winston Churchill's motto "Trust the people" and replace it with what has been the motto of the lackey since time immemorial, "Trust the people in charge". I hope that that idea is offensive even to some modern Tories.

One problem has been the inability, or unwillingness, of Ministers to answer questions raised by right hon. and hon. Members on both sides of the House or to provide anything approaching a lucid or convincing explanation of their own Bill. Ministers have been reduced at times to trying to reassure Conservative Members with soothing words from Home Office press releases. Unfortunately, the soothing words do not appear on the face of the Bill, and it is the Bill that we are being asked to enact, not Home Office press releases.

Mr. Nigel Spearing (Newham, South): Does my hon. Friend agree that, despite continual comments and requests, no Law Officer has been present to assist the Home Secretary to answer the important legal questions which, if we are to have confidence in the legislation, the Government should be only too willing to provide?

Mr. Dobson: That is certainly the case, but perhaps my hon. Friend has more faith in the lucidity of Law Officers than I have.

The Government can scarcely complain about time being taken in debate when ministerial speeches have often raised more questions than they have answered. The Minister of State might reasonably be expected to thank the dozen hon. Members who spoke briefly between 10.30 pm and 11.30 pm on Thursday 25 January and so gave him time to find out that one aspect of the Bill would be subject to judicial review. He had thrice previously asserted that it would not. If the Home Secretary wants to save time, I suggest that he ensure that his Ministers give the right answers from the start.

All in all, the Government's response to Committee stage questioning has been contradictory and unconvincing. When pressed to explain the drafting of the Bill, they fall back on the oldest cop-out of all. They say, in effect, "Something must be done about the Official Secrets Act. This is something; therefore this must be done." That is not a good enough response on a Bill of this significance.

Even if the debates had been more protracted, that would be no reason to curtail them. We are not discussing trivial matters. If passed in its present form, the Bill will be, in part, contrary to the principles of natural justice and to the fundamentals of the rule of law.

Mr. Cryer: Does my hon. Friend agree that, if there was any extension to the debate it was by the Government, who sent the Whips scurrying around to get hold of some Tory hack to speak for the Bill? The views expressed on both sides of the House were 99 per cent. against the tenets of the Bill.

Mr. Dobson: I understand that a process somewhat similar to that described by my hon. Friend took place during the debate on Thursday 2 February.

We are talking about a Bill that affects the principles of natural justice and the rule of law. Hon. Members must ask the question: if the House of Commons cannot find time to debate such matters, what do the Government suggest we should debate instead? For what business should we find more time?

Mr. Budgen: Motions congratulatory of the Government.

Mr. Dobson: They do naught else at the Cabinet table.

Since time immemorial, the laws of this land have made murder unlawful. In one way or another, they have obliged every one of us, without exception, to report murder and to ensure that it is investigated and punished. If passed, the Bill will not only relieve members of the security services of that timeless obligation but oblige them not to report murder or to see it investigated or punished. We cannot tolerate the use of an Act to breach the most fundamental rule of law, which is that all are equal before the law, be they individual citizens or public servants.

The Bill seeks to introduce a noxious innovation into the law of the land. It springs from the recently invented, proposterous notion that members of the security services have a lifelong duty of absolute silence about anything they learn in the course of their work. No one has ever suggested, even in more oppressive earlier times, that such a duty was absolute. To make that duty absolute, the House is being asked to approve a Bill that does not merely countenance the possibility of a cover-up of murder by the security services but enforces it by law. That cannot be right.

I shall give an example of what might happen. The House will recall that members of the French security service, in an unforgivable act of state terrorism, blew up the British-registered Greenpeace ship Rainbow Warrior in harbour in Auckland, New Zealand, and killed one of the crew. Let us suppose that that or similar actions were carried out by members of the British Security Service, not necessarily with authority from the top but perhaps as an act of private enterprise on the part of some Security Service oddball such as Peter Wright or his friends.

Under the Bill, a member of the Security Service could not report such a murder except to someone within, or closely associated with, the security services. Such people in the higher echelons—*[Interruption.]* The Home Secretary says, "What about the police?" The matter has been raised time and time again in Committee, and he and his colleagues have failed to come up with any convincing

[Mr. Dobson]

argument included in the Bill to show that what I am saying is wrong, and that a member of the Security Service could report such a matter to the police.

I remind the Home Secretary that, in the words of the Prime Minister, there is "a lifelong absolute duty" of silence, not one that can be varied so that someone can report matters to the police if he does not like what his bosses are doing.

If anyone among the higher echelons were informed of such a matter, they might prefer to keep it quiet, for what they would call "reasons of state". Such reasons would be not upsetting the Government and people of New Zealand, or the people of this country, by revealing the existence of some uncontrolled far-Right freaks roaming round in the Security Service. Is that the sort of country in which Conservative Members want to live?

Let us examine another crucial aspect of the Bill. Few can deny that it can be in the public interest to release official secrets without authority. A good example of this, which has been mentioned in the debates, was the information provided about the state of London's air defences before the second world war to Duncan Sandys. His use of that information was profoundly embarrassing to the then Government. As a result of his revelations, work to correct what was wrong was undertaken sooner than might otherwise have been the case. Who would now deny that that was in the public interest? Yet the Government at the time argued that it was not.

Up to now, civil servants or service personnel who disclosed a secret have been able to claim that the disclosure was in the public interest. That argument has not been used very often in the courts but, in a sense, it is not the use of the public interest defence but the existence of that defence which is so crucial. It existence both restrains Governments from mounting prosecutions and colours their attitude to secrecy. In Winston Churchill's words—and he should know, because he voted for it in 1911—the Official Secrets Act was

"intended for spies, crooks, traitors and traffickers in official information."

The Official Secrets Act was not intended to protect the Government from scandal being revealed or to prevent them from being found out when they lie, deceive or disinform, as all Governments do. Surely we as a Parliament have not sunk so low that we want to introduce new laws to protect official wrongdoing. That is what we could do tonight.

Under the Bill, if civil servants know that a wrong has been done, they must send their complaint up the hierarchy, so that ultimately if the top dogs decide to do nothing, wrongdoing will be left unpunished and unheard of. If by the Bill we remove the threat of exposure backed up by the plea of public interest, those in the higher echelons of the Civil Service will no longer feel under any pressure to do the right thing for fear of exposure, because all disclosure will become an absolute offence. All the Government's arguments against the public interest defence depend on the existence of whistleblowers at the top of the Civil Service. Is that realistic? As Shakespeare said,

"A dog's obeyed in office."

Perhaps we should call to mind the gyrations, over the Westland and "Spycatcher" affairs of Sir Robert Armstrong, at that time supreme guardian of the professional ethics of the Civil Service or, in colloquial terms, the whistleblower-in-chief. Few can doubt that sadly, by the end of his career, he had reached the stage where "his little wooden whistle wouldn't whistle."

Let us take another example. Supposing, today, a Government press officer knows that she is being asked to peddle deceptive information, or to mislead the press about something said by an apponent of the Government from the Tory or the Labour party. To whom should she turn to complain about being forced into an act contrary to the ethics of her profession? The answer is she should complain to the head of profession for Government information officers. Who is that peerless pearl of ethical rectitude, and where can he or she be found? Since last Thursday, the answer is a Mr. Bernard Ingham, and her complaint should be addressed to 10 Downing street.

Let us suppose that the press officer does not fancy complaining about her enforced deception of the public to Mr. Ingham. Who could blame her? As she is being honest and truthful, she may decide to ring up a journalist and say, "What I told you yesterday was a lot of cock and bull. The eggs have salmonella, the hospital waiting lists have been doctored, nuclear electricity costs more than that from conventional power stations." If the information that she then discloses is classified, that honest act will be an offence under the Bill, rendering press officer, journalist or broadcaster, newspaper or television or radio station liable to prosecution without being able to mount the defence that the revised information is the truth and that it was in the public interest for the truth to come out.

The Secretary of State for the Home Department (Mr. Douglas Hurd): Will the shadow Leader of the House tell us under what clause of the Bill persons could be prosecuted for that offence?

Hon. Members: Answer.

Mr. Dobson: There seems to be some hesitation among Conservative Members *[Interruption.]* If that press officer had been designated as one of the people connected with such material, and that material was classified—[HON. MEMBERS: "Where?"] As my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) pointed out, the NHS review was classified as secret, and it would have been wrong to disclose it.

Mr. Hurd: Will the hon. Gentleman say in which clause of the Bill a test of classification of documents exists? The shadow Leader of the House simply has not bothered to master the Bill which he is discussing.

Mr. Dobson: If she had been notified as such a person —I am sorry if I got the phraseology wrong—she would be committing an offence. It is no good the Secretary of State pretending that it is not the case. *[Interruption.]* A Conservative Member is suggesting that no one in the Government press service would be notified in that way. Is he really suggesting that the chief Government press officer is not likely to be notified that he deals in matters involving the Security Service? I simply do not believe that.

Unless I am utterly off the beam, it is clear that plenty of people at the Department of Energy who deal with nuclear power stations and such matters will be notified. In the dim and distant past, because of my involvement in the nuclear side of the electricity industry, I was involved in classification of material, clearances and so on. I do not

think that there is any evidence that the nuclear side of the electricity industry or matters involving the energy industry have changed in any respect.

Mr. Dalyell: Perhaps the Home Secretary could help us by telling us what would happen to Colette Bowe if by some chance someone opened her bank vault? She put her account of events in a bank vault and under clause 5(2) of the Bill——

Mr. Deputy Speaker: (Mr. Harold Walker): Order. We are not discussing that subsection or any other subsection. We are discussing the motion on the Order Paper. I do not see any reference to that subsection on the Order Paper *[Interruption.]* Order. Mr. Dobson.

Mr. Dobson: I am sure that my hon. Friend the Member for Linlithgow (Mr. Dalyell) is on the ball again. Would the bank clerk who opened the vault be guilty under that arrangement, if the Government could find out who that person was and select him as covered by the Bill?

Everyone agrees that the existing Official Secrets Act is bad, but in many respects the new Bill is worse. It infringes our civil liberties, breaches the principle of natural justice, sets some public officials above the law and makes Ministers the sole unchallengeable judges of the public interest. We are used to seeing our country slip down the economic league table.

Mr. Gorst: The hon. Gentleman has produced a catalogue of the offences that the Bill commits to society, but he has left out one important offence. Article 10 of the European convention on human rights states:

> "Everyone has the right to freedom of expression. This right shall include freedom to . . . receive and impart information . . . without interference by public authorities and regardless of frontiers."

Perhaps the hon. Gentleman should address himself to that supreme violation which the Bill will commit.

Mr. Deputy Speaker: Order. I hope that right hon. and hon. Members will address themselves to the motion before the House.

Mr. Gorst: On a point of order, Mr. Deputy Speaker. is it not germane to our discussions to consider what has to be discussed under the guillotine?

Mr. Deputy Speaker: If the hon. Gentleman can draw to my attention the relevant part of the motion before the House, I might have some consideration for what he says.

Mr. Norman Buchan (Paisley, South): Clause 5(2).

Mr. Deputy Speaker: Order. I am talking about the motion before the House, which I hope right hon. and hon. Members will address.

Mr. Gorst: Further to that point of order, Mr. Deputy Speaker. I am not disputing your ruling in any way, but my right hon. Friend the Leader of the House itemised the matters for which he was allowing sufficient time. I was pointing out that there might not be sufficient time for us to consider the question of human rights.

Mr. Deputy Speaker: Order. Can we get on? Mr. Dobson.

Mr. Budgen: Further to that point of order, Mr. Deputy Speaker. Is not the discussion of the European convention on human rights absolutely essential to the Bill——

Mr. Deputy Speaker: Order. The hon. Gentleman makes the point that it is essential to the discussion of the Bill. We are not discussing the Bill; we are discussing the allocation of time motion. Mr. Dobson.

Mr. Dobson: In earlier debates in Committee and on Second Reading, there have been references to conflicts between the European convention on human rights and the provisions of the Bill. That is one reason why my right hon. and hon. Friends and some Conservative Members want more time to debate the Bill—to have the opportunity to expose the problems which arise on the European convention on human rights. I must tell the hon. Member for Hendon, North (Mr. Gorst) that the convention is more qualified than he suggested.

Everybody agrees that the Bill infringes our civil liberties. Some of the changes infringe our civil liberties more than they have been infringed already. The hon. Member——

Mr. Skinner: Muttering, "Tony Berry, Tony Berry, Blue Arrow, Blue Arrow, what have I done?"

Mr. Dobson: I think that I had better not respond to any interventions.

The Secretary of State for Education and Science recently appointed a national curriculum working group for history. He told it:

> "The study of history in schools should help pupils come to understand how a free and democratic society has developed over the centuries".

As a schoolboy and as a student, I, like many others, studied just that—how our freedoms and democracy developed. Anybody who studies their development must conclude that it took a lot of effort. It was an uphill struggle. People at the bottom had to push democratic rights against all manner of obstruction from people at the top. When we study the development of our democracy, certain events, movements and individuals stand out, but they are not all on the same side. There are two lists. There are those who worked to extend democracy and those who worked against it.

Whatever the period being studied, one thing is fairly predictable—Home Secretaries seldom feature in the roll of honour. Home Secretaries are the ones against whom writs of habeas corpus are issued, who wrongfully arrest people, who issue general warrants, who suspend the law of habeas corpus, who nobble juries or even contrive, with their Dorset relatives, to get the Tolpuddle martyrs transported to Australia.

Mr. Patrick McLoughlin (Derbyshire, West): On a point of order, Mr. Deputy Speaker. Can you confirm that the same rules of order as apply to Back Benchers apply to Front Benchers, and that this is not a Second Reading debate?

Mr. Deputy Speaker: Mr. Dobson.

Mr. Dobson: Thank you, Mr. Deputy Speaker. Perhaps the hon. Member for Derbyshire, West (Mr. McLoughlin) will be able to follow what I am saying. With the Bill, the Home Secretary is trying to inscribe his name on the list of his rather more authoritarian predecessors. How they would have loved some aspects of the Bill—its absolute duty of silence, absolute rights for Ministers to decide what is in the public interest and absolute authority to keep their secrets above the law. Until now, the people, the

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press and Parliament have held out against the introduction of such absolutes. I like to hope that the House will hold out again tonight.

7.42 pm

Mr. Edward Heath (Old Bexley and Sidcup): I asked the Leader of the House at business questions on Thursday whether he would change his mind about tonight's motion. As he has not done so, I must again express my regret that he should introduce this motion and the guillotine on this Bill. I do not say, "on the Bill at this stage", but, "on this Bill".

The Home Secretary has himself emphasised the Bill's immense importance. At the conclusion of the debate on Thursday, he paid me the compliment of saying that some of my remarks had gone to the heart of the Bill, which is the relationship between the freedom of the individual and the overriding power of all-powerful Governments. Of course I still think that—it is the basis of the Bill and the important point in it.

There is much to be discussed in the Bill and there is much to be discussed on the amendments, which requires time. I am saddened by the fact that neither in his answer on the business statement on Thursday nor in his speech tonight has the Leader of the House set out a single reason why the guillotine should be introduced on this Bill. There has been absolutely no attempt to protract the time taken on it—when I have listened, and I have listened a great deal—by either side of the House.

At business questions, my right hon. Friend the Leader of the House attacked the Opposition for having only 11 Members here for the debate. I would not deny that, nor would I detract from the fact, if it were true, that they were paying very little attention to it, but what concerns me is the fact that the Conservative Benches were filled for most of the time, and it was only towards the end of the debate that one or two of my hon. Friends were prepared to support the Government.

It has been apparent in debate and in remarks afterwards that the Home Secretary has not succeeded in convincing Conservative Members that he has met their points about the relationship between the individual and the Government. We have paid compliments to the Home Secretary and the Government on what they have done since the White Paper, but I must tell my right hon. Friend the Leader of the House that debate on the White Paper is not the same as debate on the Bill and cannot be taken into account when considering the amount of time spent on the Bill. We have had 13½ hours of debate so far, and we are promised a total of 30.

What other arguments did my right hon. Friend the Leader of the House use? He said that he must make time for remaining legislation. With the greatest respect, that is not a justification for a guillotine. Our party has been returned to power three times in succession on the basis of our introducing less legislation, because we do not believe in it and because it does not give Parliament proper time to consider what there is. Instead, we have had more and more legislation. It has been ill prepared, half digested and not given proper consideration in the House of Commons. We are coming to rely increasingly on the upper Chamber to deal with legislation instituted by the Government, which comes from this Chamber.

I am old fashioned enough to think that that is not a good thing. I have never been in favour of abolishing the other place, but nor am I in favour of its having more power, which is what is happening automatically now. It has more time to consider legislation, and it votes boldly according to what it believes to be right. I cannot accept that we have to abbreviate consideration of this Bill to make way for more legislation.

Mr. Budgen: My right hon. Friend has often been attacked by many of our hon. Friends, who reflect that there is a certain irony here. His time as Prime Minister is now described as authoritarian, yet many of our hon. Friends use guillotines such as my right hon. Friend introduced as a precedent for being equally authoritarian. If they wish to attack my right hon. Friend, should they not learn from the mistakes of 1970-74 rather than emulate them?

Mr. Heath: I am delighted that my hon. Friend and I find ourselves together on the same side. I agree with him. I did not wish to introduce a personal element, but I intended to comment briefly on that point, because I see that some of my hon. Friends have been commenting outside the House.

My hon. Friend the Member for Tatton (Mr. Hamilton), who I think is not here this evening—he has to come from rather a long way away—referred to my "rack and thumbscrew days". I was Chief Whip of this party from 1955 to 1959. I can remember those dictatorial and authoritarian days. At that time, my hon. Friend the Member for Tatton was aged six and my hon. Friend the Member for Northampton, North (Mr. Marlow), who also, unfortunately is not here tonight, was aged 10. Obviously they too were deeply affected by the rack and the thumbscrew so extensively used on those occasions. What is more, I have had the benefit of advice from people in parliamentary offices, and I see that so extensive was our use of those powers as a whole that between 1955 and 1959, during which period I was Chief Whip, the guillotine was used, altogether, twice. I hope that we stand corrected.

Then we had the period of my premiership—1970 to 1974. Of course, in those days we still had Cabinet government, and the business was arranged by the Leader of the House and the Chief Whip, not by me. I see that the Home Secretary is frowning. In those terrible days—they had got much worse by that time—in those four years, the guillotine was used three times. That shows how monstrous my behaviour has been over the years.

Of course, there were those who criticised the action of the then Government over the European Communities Bill 1972—the accession legislation. I was delighted to see my hon. Friend the Member for Southend, East (Mr. Taylor) in the Lobby with me last Thursday night. I think it is worth reminding ourselves what happened in 1972. My right hon. Friend the Leader of the House will remember that, before the actual Bill was dealt with, we had seven days' discussion, during which we reached the final decision that led to the Bill—seven days' discussion. When the Bill was introduced we had three full days' discussion. We then had 88 hours in Committee before the guillotine was introduced, and after its introduction we had some 90 hours' further discussion. The European Communities Bill was shorter than this one—it had only 11 clauses—yet that is the amount of time we spent on it. And that was after the Opposition had announced officially, as the right hon.

Member for Blaenau, Gwent (Mr. Foot) the former leader of the Labour party will remember, that they were determined to break the Bill in any way they possibly could and to use every manoeuvre to do so.

Mr. Skinner: The Government's majority was down to eight.

Mr. Heath: Well, we got the Bill. *[Interruption.]* Yes, we hear the question about the Prices and Incomes Bill. That too was legislation that had to be dealt with at once because it was a matter of national emergency. *[Interruption.]* It was indeed, and the amount of time spent on it was vast. Nobody can say that this Bill, which reforms an Act that was put on the statute book in 1911, is of such desperate urgency that we cannot treat it properly in debate on the Floor of the Chamber.

I still believe that this guillotine is a great mistake. Let me say two things. First, the Leader of the House announced in his statement tonight that he does not accept in full the recommendation of the Committee on Procedure that every Bill should be timetabled, although he tends to adopt the attitude that most of them will be. In fact, there is no change in attitude here, because under this Government, since 1979, 47 Bills have been guillotined. That is what has been happening.

Of course, consideration of a permanent guillotine for all Bills is nothing new. It was considered in 1959, when Rab Butler was Leader of the House. At that time I was Chief Whip, and I was inclined to favour a permanent arrangement. Since then, I have thought about the matter constantly, and I have been thinking about it in the context of this Bill, and it seems to me that there are very great problems. One is the problem of getting agreement about the initial timetable and about what would happen if one did not get agreement.

Secondly, if there were a timetable in respect of every piece of legislation, a large part of the pressure on a Government to consider the views expressed in the House would be removed. Therefore, I would no longer argue that we should have a timetable for every Bill, or even for most Bills.

My hon. and learned Friend the Member for Burton (Mr. Lawrence), who is also absent tonight, spoke at the end of the debate on Thursday evening. He said that the Bill was absolutely right, that if it were changed to take public interest into account, offences would be committed, and it would be wrong to have offences committed. Now, this seems to me to be an unusual view from a member of the legal profession. However, I quite understand the consequences of it: there will no longer be any requirement for counsel for the defence; one just has counsel for the prosecution, and they are therefore sure of getting their fees. They do their job: they prosecute, they go away, and everything is settled.

Dame Elaine Kellett-Bowman (Lancaster): That is a cheap gibe.

Mr. Heath: I have an even cheaper one coming for my hon. Friend.

Dame Elaine Kellett-Bowman *rose*——

Mr. Heath: Allow me to make my double gibe, and then I will give way to my hon. Friend.

My hon. and learned Friend the Member for Burton finished by saying, "Let us have a timetable on everything and get away to bed." That is what interested him—not the freedom of the individual, not the position of the state or the Government, not the responsibilities of this House, in legislation, to our constituents and to the country. No, let us get it away and let us get to bed. The only thing that concerns him is how early he can get to bed.

That is my double gibe. I now give way to my hon. Friend.

Dame Elaine Kellett-Bowman: I was observing that it was a quite uncalled for gibe against a very good member of the legal profession. The right hon. Gentleman is very rarely here, so he gets to bed very often.

Mr. Heath: I am sorry that my hon. Friend is so annoyed because I am here.

I urge my right hon. Friend the Leader of the House to think again very carefully before working on the basis that all legislation is going to be guillotined in this way.

Mr. Hugh Dykes (Harrow, East): Will my right hon. Friend give way?

Mr. Heath: I have taken up far too much time already.

Mr. Dykes: My right hon. Friend has just referred to the danger of the Government's getting into the habit, as would happen under these arrangements, of paying less attention to what the House says and feeling that less effort is required to get a very heavy programme of legislation through—not only this Bill, but other matters. Is he aware of, and is he disturbed by, the growing reality that the Government are really rather reluctant to accept any amendments suggested in Committee on any Bill whatsoever, other than very marginal amendments involving minuscule technical matters?

Mr. Heath: My hon. Friend has made what is, of course, a very important point. The only thing I could detect from the speech of my right hon. Friend the Leader of the House this evening that justified him was that the Government have had enough of this Bill and they want to be rid of it. Indeed, he said so quite frankly. He said, "We have had enough time on it; let us get on with something else"—presumably food, since we really must find something we can eat and drink, and that now requires legislation.

Let me follow up my hon. Friend's point. I have said before that I find it unparliamentary that the Government not only take no notice of amendments or proposals but often fail to answer any questions that are put to them in debate. However, I do not want to go into that. All I want to say is that I read with astonishment the leader in *The Times* today opposing this guillotine. It is not customary for *The Times* to be out of the hands of the press office at Number 10, but with its leader today that is what happened. The significance of that leader was that it pointed out the danger to this Government of the suspicion outside of Parliament and outside this country that—to use the customary phrase—they are being economical with the truth, that the rest of the world is not being told the whole story.

Twice I have asked whether, under the new system, Irangate would become known in this country. No Minister has been prepared to give an answer to that question, because the answer is that it would not become known in this country. All that would have gone on under a Government who could hide and carry through policies

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of that kind, knowing that they were absolutely safe. That must be sorted out. We may not yet have done it; I do not believe that we have. However, just because we have not done it does not justify a guillotine.

It is fruitless, I know, to ask the Leader of the House to withdraw the motion; however, I hope that he realises the opposition to it and how basic is that opposition. I hope that he also realises that this procedure should not be followed lightly, certainly not with constitutional Bills, in the future conduct of the business of the House.

7.59 pm

Mr. Michael Foot (Blaenau Gwent): The right hon. Member for Old Bexley and Sidcup (Mr. Heath) has made, as he did on Thursday, such a speech that he has carried all before him. I cannot imagine how the Government can provide an adequate reply to such a speech as he has delivered. I have to say in parenthesis that I did not quite recognise the beneficent regime that he operated when he was Prime Minister and Chief Whip, although he was right to quote the figures about guillotines. I happened to be in the House at that time and I opposed some of his measures. The speech that the right hon. Gentleman has made today will carry great weight in the country, even if it does not carry the vote in the House—as it should.

I suppose that I ought to be slightly flattered by what the Leader of the House said at the beginning of his speech. He sought to take shelter behind what he said were my actions in order to justify what he is doing. In a roundabout way, I suppose that I could take that as a compliment—not that I think that the right hon. Gentleman wishes to pay me such a compliment. However, there are startling and sharp differences between what happened in my time and what is happening now.

My hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) was right to say that it makes a very big difference if the Government have a majority of 130 or 140. That is the kind of majority that this Government enjoy. We had a majority of only two or three. If we had not introduced guillotine motions, there would not have been the slightest chance of passing any legislation. The Government apparatus would have been utterly destroyed. That is very different from the present position. If the Leader of the House had allowed the Bill to go forward according to the normal procedure for debates, the Government's ability to pass this measure and a range of other measures would not have been destroyed.

Another factor, which is interwoven with the point that I have just made, concerns timing. There have been important occasions when guillotine motions have been introduced early in the Session. However, the five excellent measures to which the guillotine was applied in one day, for which I was criticised, were introduced towards the end of a Session. There is a big difference between the introduction of guillotines towards the end of a Session and those that are introduced right at the beginning of a Session. If a guillotine is not introduced for a measure that is being debated towards the end of a Session, the measure will be lost and the legislative programme will collapse. The Leader of the House has no right to compare what was done by the Government at that time with what he is doing now.

The right hon. Member for Old Bexley and Sidcup suggested that one of the major reasons for the introduction of the guillotine motion today is because of the huge Government majority. The Government do not care much about the House of Commons. The Prime Minister spends very little time in the House of Commons. She does not worry very much about what happens here. She just says to her Ministers, "Get the business through the House of Commons. It does not matter what kind of measure it is. You have a good majority. You know when to introduce the guillotine at the best time." There has been an appalling deterioration in the way in which legislation is dealt with.

I would bet that the pressure on parliamentary draftsmen during the last two or three years has been growing greater and greater. The drafting of Bills is a very skilled affair. People need time to do it. If parliamentary draftsmen are given only a short time in which to draft Bills, what comes to the House of Commons—or what, which is even more important, spills into the House of Lords—is in an appalling mess. More and more of the measures that the Government have introduced during the last few years have been so shoddy and illiterate and have been presented to the House in such a miserable form that the Leader of the House on a series of occasions, because of the log jam at the end of the Session, has had to introduce guillotine motions to get them through. That is another way in which the House of Commons has not been properly treated.

The prophecy was made by those who were subsequently removed from the Cabinet that the Government's huge majority would have an effect on the way that the country is governed. It has certainly had a huge effect on the way in which Parliament has been mangled and misused. That is happening at an increasing rate. When the Leader of the House introduces a guillotine on this measure, the offence is even greater—though not because it is a constitutional measure. The right hon. Gentleman was right to refer to what happened in 1911, the last time that the Liberal party had the chance to introduce a guillotine.

It is quite true that on constitutional matters—because of the clashes on great issues, both in the country and in this House—guillotine motions have to be introduced in order to ensure that the measures are passed. I am glad that the Leader of the House's education has been improved by reading all my past speeches, but I have never said that there can never be a guillotine on a constitutional measure just because it is a constitutional measure. That would be quite wrong. However, when a Government with a huge majority have nearly a whole Session ahead of them within which to get important measures through, it is wrong of them to choose this measure for a guillotine and to force it through in that way. It is a disgrace both to the House of Commons and to the Leader of the House.

I do not believe that even the Leader of the House would have done it, had he come here to listen to the debates. It was quite often my custom to come and listen to debates in which I did not even participate. It is the duty of the Leader of the House to do that. Before he introduced this motion, knowing what fury it would arouse on both sides of the House, he ought to have listened to the debate. Had he listened to the speech of the right hon. Member for Old Bexley and Sidcup last Thursday and to previous general debates, I do not believe

that he would have moved this motion, because he would have heard the demand that the Law Officers should attend the debates.

When we ask for the presence of the Government's legal representatives so that they may expound these matters, we do so not because we think that they are the only people who can help us to understand what is provided for in the Bill but because we believe that it is an important issue, particularly when there happen to be such grave differences about the way in which the Bill has been presented. We are discussing legislation that will affect the country for the next 10 or 20 years. It is a disgrace that, after all our demands, not a single Law Officer has come to listen to the debate. The Prime Minister could send her civil servants and Law Officers all over the world to defend her Government, but she did not ask them to come here to listen to what was said in the House of Commons and to give authoritative answers on these matters.

If the Leader of the House was even thinking of introducing a guillotine motion on the Bill, he ought to have taken the trouble to come here and listen to the debate. Anybody who had listened to last Thursday's debate could not honestly have come here today and said that the debate ought to be truncated. Leaders of the House whom I can recall used to listen to the debates and would not have come forward with such a proposition in the circumstances. However, we are in a new situation, thanks largely to the Government's majority, and that is why legislation that is an infringement of civil liberties goes through Parliament.

The Leader of the House or the Home Secretary may be opposed to such legislation, although I am not sure which of those two contenders is most opposed to it. The Football Spectators Bill has been introduced in the House of Lords and it is so appalling that it may be to the Government's credit that they do not have the nerve to introduce it in the House of Commons. They know how shocking that Bill is. When the Bill comes to this House, we shall have to deal with it. It is another example of the way in which the Government act. The Leader of the House must take the chief responsibility because he is the person who should tell the Prime Minister that such legislation should stop and that the House does not want any more of it. He should pluck up his courage to do that.

People used to say—even Conservatives at election times—that a Conservative Government would not have a great legislative programme like previous Labour Governments. Yet more ill-digested, shoddy legislation has been forced through in the past two years than at any time that I can recall. That is due to the fact that the legislative decisions on major matters are made not by the Select Committee on Procedure, where the Leader of the House is supposed to preside, but by the Prime Minister, perhaps on the corrupt advice of Mr. Bernard Ingham, who has now been promoted.

Certainly, the Government would never proceed without that corrupt advice being offered, either first or last. I use that word advisedly because I would not have dared to use it if it had not been so appositely employed by the right hon. Member for Old Bexley and Sidcup.

The Government, however, have made one change. I recall that in years gone by, the Government used to talk about the legislative machine of Parliament being transformed into a sausage machine. The Leader of the House has at least modernised matters. This is now a factory-farm Parliament: one privatisation measure after another has been brought in which has to eat the entrails of its predecessors, so there will be an outbreak of parliamentary salmonella. No one knows where the next outbreak of the disease will be, although it seems that on this Bill, the outbreak is among Conservative Members.

It seems that we may have an intervention in the debate by the right hon. Member for Chingford (Mr. Tebbit). He has not attended the previous debates on the Bill, so I hope that the House will give him a proper reception if he tries to give his advice on a debate that he has not heard and does not understand. He comes here merely to serve the Government's interests. I am not sure who else's interests he is serving. There are plenty of those in his subsequent moonlighting career as well.

I hope that the Leader of the House will listen to the debate, and that the Government can learn from it and take back to the Prime Minister the instructions of the House of Commons that we are not going to have any more of it.

8.13 pm

Sir Peter Emery (Honiton): No one who has attended the debate and followed, as I do, the two previous speakers, could comment that there is not some interest in the debate. Seldom have I heard my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) more humorous, even though I did not always agree with what he was saying.

The right hon. Member for Blaenau Gwent (Mr. Foot) referred to the parliamentary draftsmen. I should like him to point out any time when the parliamentary draftsmen were not under pressure. Every Government have kept them under pressure. I was the first—perhaps the only—Minister to venture into their office, just below the Scottish Office, when I had to have some amendments dealt with quickly. It is a place that Ministers are not normally meant to visit. I found then that the permanent view was that parliamentary draftsmen were always under pressure, so that is nothing new in this Parliament or any other.

Equally, that is true of what my right hon. Friend the Member for Old Bexley and Sidcup said. Every Government that I have known since I came to the House in 1959 have said that they wanted less legislation and that they would make legislation simpler and easier for everyone to comprehend. That never comes about and every Government, of whatever politics or party, fall down completely on that.

The hon. Member for Birmingham, Perry Barr (Mr. Rooker) suggested that the guillotine was not necessary because the Government could have used their majority to introduce motions to shorten the debate. But there would have been immense criticism from Labour Members that the power of a majority was being rolled in time and time again to introduce motions to shorten or to close the debate.

Over the past four years, the Select Committee on Procedure has been trying to work for orderly debate. It is wrong for my right hon. Friend to suggest that the Select Committee on Procedure has been working for every piece of legislation to be guillotined. The view of the Committee is that we should do two things. First, we should not waste large amounts of time on the first few clauses of a Bill, so ensuring that later clauses are not debated. Secondly, we should try to ensure that every clause is debated before the

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Bill goes to the House of Lords. If those two conditions could be brought about, the Committee suggests that we should have achieved something.

Mr. Buchan: I believe that the hon. Gentleman is, honourably, in error. It is not correct, as the Home Secretary and the Leader of the House have said, that we have been concentrating on clause 1. Clause 1 is connected to almost all the other clauses and we have been discussing the rest of the Bill in relation to clause 1. Some of the amendments seek to amend later clauses. Those on the Government Front Bench are misleading the House.

Sir Peter Emery: The hon. Gentleman has misunderstood me. I am saying—not only of this Bill but of all Bills—that we are concerned that time is not wasted on the earlier clauses, thus ensuring that there is not a full debate on the later clauses. It seems that if the debates on the remaining amendments to clause 1 had run as long as they had for the first three amendments in the 15 hours of debate, a guillotine would have been introduced much later and we should then not have been able to debate the later clauses.

One of the problems about the use of the timetable procedure is that every time a timetable motion is introduced, we do not debate the motion itself, but have a Second Reading debate. The speech made by the hon. Member for Holborn and St. Pancras (Mr. Dobson) was 92 per cent. criticism of the Bill and was more like a Second Reading contribution. It has nothing to do with the timetable.

It would have been better if, on the six occasions last year when we had a half-day's debate on a timetable motion, we could have worked out, from the suggestions of the Select Committee on Procedure, three days of parliamentary time—a considerable amount of time in the overall year—which could have been used for many other purposes, such as to debate European legislation. The Select Committee on European Legislation would be delighted with that. Alternatively, if extra time could be given to private Members' Bills, Private Members would be delighted. That would be much better than the arid debate tonight and on other occasions when the guillotine is introduced.

Mr. Nigel Spearing (Newham, South): I am grateful to the hon. Gentleman for pointing out the need for proper consideration of legislation that arises from the European Economic Community. However, does he agree that one of the fundamental objections to the line that he is pursuing is that, although we would all wish every clause to be given reasonable consideration, if a date has to be set as a result of that desire, the degree of certainty for any Government increases and the degree of uncertainty diminishes. That is an important factor in keeping control of any Government. It should be kept in some uncertainty until the House decides what to do.

Sir Peter Emery: Normally, I have great respect for the hon. Gentleman, but I must say that he is talking as though he were in "Alice in Wonderland". When the Chief Whip decides what legislation is to go through the House, he provisionally marks the dates on which it will come out of Committee, be considered on Report, and go to the House of Lords. If at any time the Government do not succeed with that timetable, a guillotine motion is introduced. It is wrong to think that, since 1945, the Opposition have stopped a Bill getting on to the statute book because of the time that has been used in Committee. Never has that happened. Every Government ensure that that does not happen, by introducing guillotine motions.

Mr. Gorst (Hendon): Will my right hon. Friend give way?

Sir Peter Emery: Several hon. Members wish to speak.

Mr. Gorst: It is a quick point.

Sir Peter Emery: I will give way to my hon. Friend.

Mr. Gorst: The fallacy of my hon. Friend's argument is that, on this occasion, much of the opposition to the motion comes from Conservative Members, not the Opposition.

Sir Peter Emery: When the Labour party was in power, there was certain opposition from hon. Members who are no longer below the Gangway. Guillotines were introduced to deal with any opposition. Governments do not care where opposition comes from. They will go forward with the legislation that they want. Anybody who believes the opposite does not understand what Governments are about.

The opposition to this timetable motion is a lot of nonsense. If it were serious and sincere opposition, why do I not see an amendment to it? The motion is to allow two days for debate. Why is there no amendment to allow three or four days for debate? I should have thought that that is the most obvious step to take if hon. Members were serious. If it is thought that the Government will not provide any extra time in a day, why do I not see an amendment to allow the proceedings to continue until any hour after 10 o'clock?

If the Opposition were serious—two ex-Prime Ministers have spoken about the matter—and if there had been amendments in the name of the Leader of the Opposition, it would have been difficult for the Chair not to select such amendments for debate. Hon. Members could have attracted enough support to ensure an unlimited debate all night for two nights if that would help.

Mr. Rooker: Will the hon. Gentleman give an example of what happens when amendments have been selected by the Chair, bearing in mind the Standing Orders under which we operate when the Government bring forward a guillotine motion? Hon. Members know that that is a waste of time. The amendments would never be put to a Division simply because of the guillotine and the Standing Orders under which we operate.

Sir Peter Emery: There is nothing to stop the Chair selecting any amendment to a guillotine motion. That has happened in the past. If tonight's opposition to the motion were as serious as it might be, it would not be like the froth on the top of a good pint of beer—nothing in substance and easy to blow away.

Mr. Heath: I have been listening with great interest to what my hon. Friend has been saying about the general attitude towards the motion. He says that hon. Members are not being serious. It is because the matter is so serious that we believe that a guillotine should not be applied. I hope that my hon. Friend will recognise that, because of the seriousness of the matter, we are not suggesting an

hour here or an extra half-hour there. The Home Secretary moved the adjournment on Thursday night—nobody else. We could have stayed here all night discussing the matter and going over further amendments, but the Government chose to move the adjournment, and that was that.

I object to being called froth on the top of the beer.

Sir Peter Emery: I understand that my right hon. Friend does not like being called froth on the top of the beer, but he will understand that, if there is agreement between the Opposition Front Bench and the Chief Whip about the time hon. Members want to adjourn, that is what happens. He knows better than most how such arrangements are made.

If there had been a desire to get the Bill through in reasonable time, the ex-Chief Whip would also know that there are methods by which that can be arranged through the usual channels. When that procedure falls down, Governments must resort to a timetable motion, and that is exactly what is happening today.

Before I vote tonight, I want an assurance from the Home Secretary. If the Procedure Committee approach is correct, and I believe that to be the case, I want an assurance from the Home Secretary that in the 16 hours that are available, every clause will be debated—I do not say every amendment—and that every major point will be open to debate. That does not mean a prolonged debate. During the last two days of debate on the Bill, if hon. Members had restricted themselves to 10-minute speeches we would not be in this position today.

Mr. Eric S. Heffer (Liverpool, Walton): How long has the hon. Gentleman been speaking?

Sir Peter Emery: I have been dealing with many interruptions.

May I have an assurance from the Home Secretary that every clause of the Bill will be debated? If, within the schedule that is laid down, it becomes evident that that is not possible——

Mr. Robin Corbett (Birmingham, Erdington): What does the hon. Gentleman mean? They will make sure it is not possible.

Sir Peter Emery: Will the hon. Gentleman listen?

If that is not possible, the House would then use the procedure in paragraph 7(2) of the motion, which would allow extra consideration of specific points. Therefore, there is the possibility of a let-out for the Government. If they are not able to deal with every clause, some extra time could be found. The House has a right to be assured that every clause will be debated before the Bill goes to the House of Lords. If I have that assurance, I have the right to ask all hon. Members who are interested in reasonable procedures in the House to support the Government in the Lobby tonight.

8.27 pm

Mr. Robert Maclennan (Caithness and Sutherland): The speech by the hon. Member for Honiton (Sir P. Emery) does no more than reflect that he has not been present during our debates. If he had been present, he would have understood what he plainly did not understand—that we cannot apply to a Bill of this kind, which touches upon the freedom of our citizens and the relationship between state and citizens, the kind of mechanistic framework for debate that he seeks to impose. If that is the thinking of his Procedure Committee, it does not commend itself to the House. Indeed, it casts a somewhat sinister light upon the thinking of the Leader of the House in opening the debate and suggesting that that kind of thinking lies behind the move to guillotine the Bill.

Hon. Members have sometimes thought that there is some protection in the fact that we do not have a written constitution and that, in consequence, it is possible gradually to adapt our constitutional procedures to take account of changing political realities and perceptions. I found the Leader of the House's gradual adaptation of our parliamentary constitution extremely disturbing, as I did the idea that he, as spokesman for the Government's business management, could come to the House and say, "We are going to make guillotine motions the norm. They will become regular practice. This will be the way in which we shall proceed in the future—not the way that we proceeded in the past." That appeared to be the only real justification for this motion. The Leader of the House did not say anything about dilatoriness in our consideration of the Bill. He did not try to say that it is a simple Bill that we can understand and allow through on the nod. The motion is all about the convenience of the Executive organising legislation according to a preconceived timetable.

Perhaps when he replies to the debate, the Home Secretary will give us his view about whether that is an appropriate way for the Government to proceed because that is even more sinister than the imposition of a guillotine on the Bill. It is true that this Government have been more ready to introduce guillotines than their predecessors. They have done so 47 times during this Conservative Administration.

Like the right hon. Member for Blaenau Gwent (Mr. Foot), I do not take the view that because it is a constitutional Bill and one that the Government have thought fit to debate on the Floor of the House, it is inappropriate ipso facto not to have a guillotine. There are circumstances in which it is right that when a constitutional measure is before the House, the majority in the House should be allowed to decide and the efforts of the minority to frustrate the majority should not be allowed to prevail, but that is not the case that we are considering. In all our debates on this issue, the Government have shown that they are in a position to command votes and to ensure that they have a substantial majority. It is true that a sizeable minority of Conservative Members are deeply disturbed by several important principles enshrined in the Bill and by the creation of an absolute offence in clause 1.

If the hon. Member for Honiton is surprised that we took so long to debate clause 1, he should read and understand what we said because the clause is at the heart of the issue. It is the clause that makes it impossible for what has been described as a whistleblower to stop criminality in a public service. It is the clause that provides no defence on which that exposure of wrongdoing can be invoked in the courts. It is a critical proposal and it is right that it should have taken 13½ hours to consider. Incidentally, as the hon. Member for Paisley, South (Mr. Buchan) said, that clause is closely linked to several other matters and to other clauses, especially to clause 5, which were also debated, and not in a dilatory fashion.

The reality is that the Government have introduced the Bill and have said, in terms, "We are not prepared to accept amendments. We are not prepared to listen to

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arguments. We will tell you something in answer to one debate and contradict ourselves half an hour later if we get it wrong." That is what the Minister of State said on the issue of judicial review.

In this Bill the Government are treating the legislative procedure with contempt. They are not interested in the arguments. They have made up their minds. Indeed, they are not even interested in the arguments of their hon. Friends. They are interested only in concealing their hon. Friends' arguments from the public. They do not wish the public to know the extent of the dismay on their Benches. That is why they are not allowing the debate and why they are curtailing it to three days.

Many serious issues remain to be decided. There is, for example, the question of prior publication, an issue that caused Lord Armstrong to trail off to Australia and to go through the courts there rubbing the noses of our lawyers in the mud to protect the Prime Minister, who had determined to squash the Spycatcher affair. That issue has not yet been debated in Committee. We must consider it properly, not because it is a matter of partisan dispute between the two sides, but because the issue whether, if a piece of official information has been published, that fact should not constitute a defence against a charge of criminal behaviour, possibly leading to two years imprisonment, is a matter of considerable importance. The idea that that should be squeezed into a debate in just one hour when probably 20 Conservative Members—never mind Opposition Members—want to contribute and have a right to be heard is preposterous.

That is not the only serious matter that has still to be considered. There is also the whole question whether information coming from the European Economic Community should be treated with a net of criminal sanctions. The fact is—no one knows this better than the Home Secretary—that there is little in our public life today that does not pass through one of the channels to or from the European Community. The Bill represents a blanket exception. It is something that we have every right to debate for more than one hour. Goodness me—we debated joining the European Community for 80 or 90 hours, as the right hon. Member for Blaenau Gwent knows.

This is a matter of grave seriousness, but the Home Secretary is scuttling it through in a way that is offensive to the parliamentary process. He is trying to treat the House as though it exists just to nod through what the Executive deem shall be.

Another issue of great importance still to be considered is the departure of the Bill from the clear recommendation of the Franks committee that the criminal law should be invoked only in cases where there is serious injury to the interests of the nation. However, that phrase does not appear in the Bill. There are various tests of harm, and fine distinctions can be drawn from different sides of the argument about the six different categories of information. We want to hear the Home Secretary justify those different categories. We want to hear why he has dispensed with the recommendation of the Franks report. We want to hear more on that subject than he told us on Second Reading or in the debate on the White Paper.

Mr. Dalyell: Did the hon. Gentleman hear the Leader of the House use the phrase "serious test of harm" in his opening brief? When I asked why that phrase does not appear in the Bill, I was peremptorily told that he would make his own speech. However, in a formal letter the Minister of State wrote:

> "The object of the Bill is to ensure that in future the criminal law will penalise only those unauthorised disclosures of official information which cause a serious degree of harm".

Yet that does not appear in the Bill.

Mr. Maclennan: In his opening remarks the Leader of the House gave every indication of not having read the Bill either. His complete inability to answer any intervention of substance and his reliance on the argument about the Government's convenience suggest that he is prepared to leave these little problems to his colleague to deal with later.

The Home Secretary has most responsibility for what is happening. He seeks to portray himself—I no longer understand why—as the reasonable man, l'homme moyen sensuel. His behaviour with legislation this Session suggests that he is far from being the reasonable man. He is the creature of a Prime Minister who has effectively dispensed with collective Cabinet decision-making. The only possible justification for his attitude and approach, not only to the content of the Bill but to the way in which it is being handled, must be the self-justification, "If I were not here, there would be somebody worse doing the job." I am not sure whether I would not almost prefer someone else, the colour of whose eyes one could see and whose prejudices were less masked by his behaviour. I am rather tired of seeking to defend the Home Secretary from his colleagues, of trying to draw distinctions between him and his colleagues and of making excuses for the behaviour that so ill becomes him.

The Bill merits consideration for as long as the House thinks that it merits consideration. It seems to be in violation of our international treaty obligations under the European convention on human rights. It seems probable that we shall be back before the European Court of Human Rights for infringing article 10's guarantee of freedom of information. It is extremely probable that the Bill will not do what the Government hope that it will do, which is to silence the whistleblowers. Those whistleblowers are usually men and women who are concerned about the public interest and will not be silenced by threats of this sort.

The Bill has had a rapid passage to the present position. It has had 13½ hours of debate on a serious group of amendments. I do not believe that it would take long to debate it because what has been discussed is undoubtedly the most important part. The important matters still to come would take only time which the Government could and should afford.

The Government have become contemptuous of free speech. That is implicit and almost explicit in the Bill. They are contemptuous of parliamentary and public opinion, and they are governing ever more as though Parliament does not matter. That is what is wrong with the guillotine motion.

Several Hon. Members *rose*——

Madame Deputy Speaker (Miss Betty Boothroyd): Order. Several hon. Members wish to take part in this debate. I appeal to hon. Members to impose a personal timetable on their speeches so that I may call all those seeking to speak.

8.43 pm

Mr. Julian Amery (Brighton, Pavilion): I shall come down from the eloquent diatribe we have just heard to submit two practical reasons why the guillotine is premature. The first is that the Bill may not prove to be the same Bill as the one that we passed on Second Reading. The second is that I am not sure that the House is yet aware of some of the Bill's implications for the rights and freedoms of hon. Members. Let me substantiate those points.

On Second Reading I ventured to ask about the conditions on which members or former members of the secret services could be authorised to publish their memoirs. I do not want to discuss the merits: that would be out of place in this debate. I suggested several criteria which I thought the Government might apply and which were rather more liberal than the obligation of lifelong confidentiality which they had originally suggested. When the debate came to a close and my hon. Friend the Minister of State replied, he gave me in great detail the assurances which I sought.

It was an exhilarating experience. In nearly 40 years in the House of Commons, I had never had the satisfaction of hearing a Minister accept almost everything that I had advanced earlier in the debate. I had a feeling of self-satisfaction at my persuasive powers and a genuine appreciation of the understanding which the Minister had shown. I went cheerfully into the Lobby and voted in support of Second Reading. There I was greeted by my right hon. Friend the Secretary of State and my hon. Friend the Minister who said, "If any points remain unanswered, please write to us." There were one or two, so afterwards I wrote to them and I received in reply a letter from my right hon. Friend which, as I understand it, repudiates almost wholly the assurances that I had received.

If the House will allow me, I should like to read out the relevant passages. The Minister in his reply said:

"the sole criterion for authorising publication is whether publication of a particular piece of information will jeopardise national security directly or indirectly. It is a judgment about considerations which are relevant today, not about past history or former embarrassments.

If a point of difficulty were to be identified it might still be possible through discussion to agree with the author a change in the text to overcome the problem."

A little later he added:

"If the problem is larger than just a few minor textual changes or if agreement cannot be reached, sometimes authorisation will not be given."—[*Official Report*, 21 December 1988; Vol. 144 c. 538.]

A few days later, the letter from my right hon. Friend the Secretary of State stated:

"I must emphasise that authorisation to members or former members in respect of disclosures of information about their work will be rare and given only in exceptional circumstances."

There is no easy way of reconciling those two statements. I refuse to believe that my hon. Friend the Minister said what he did to lure me into the Division Lobby. [HON. MEMBERS: "Oh, no."] I reject that wholeheartedly. Nor do I believe that he spoke beyond his brief, as sometimes happens with a junior Minister. I am satisfied that he and the Secretary of State were in agreement about what he said to me in his reply. Perhaps in the cold light of dawn they reflected that they had gone too far. Or perhaps they consulted a higher authority—though for the senior Secretary of State, there are not many higher authorities.

I can only conclude that, on reflection and after consultation, they decided that they would like to go back on what they had said. At the minimum, that shows some confusion in Government thinking about the Bill, and that alone would justify giving a little more time for them to think it out and perhaps to take into consideration the views of the House of Commons.

But I would go a little further than that. I still hope that the Secretary of State, on further reflection, will allow the assurances given by the Minister of State to stand. After all, they are engraved in the tablets of *Hansard* for all to see. That is the Government's position. That is the basis of the Bill. But if my right hon. Friend is determined, as his letter suggests, to go back on what the Minister of State said, he will have to explain himself to the House, and it will not be easy. I am sure that, if he decides to repudiate my hon. Friend, he will have to admit that he, however involuntarily, had misled the House. If he does that, we shall surely be entitled to a full day's debate on the issue, on which some of us were persuaded to support the Second Reading, and to have the matter clarified. We must be given a second chance to persuade the Government to do what I believe is the right thing.

Mr. Budgen: Has my right hon. Friend noticed the way in which the courts have been extending their power, through the mechanism of judicial review, and the way in which they are increasingly examining the way in which the legislation was passed? If there is a plain error on the record in *Hansard*, and it is not cleared up, is there not a serious risk that the legislation will be subject to frequent judicial reviews? Would it not be much better if we spent a little more time and clarified the muddles into which Ministers, for all their grandeur—they are human and fallible—may enter? It would be much better if we spent more time on the Bill now and stopped any future litigation.

Mr. Amery: I am grateful for my hon. Friend's endorsement of my views and for his further arguments in support of them.

I do not wish to over-stress the importance of the point, because I doubt whether 60 people out of nearly 60 million of Her Majesty's subjects would wish to write their memoirs on such matters. But this is what set the Peter Wright case and its subsequent folly on its way, and made a laughing stock of the Government at home and abroad.

Mr. Aitken: The House can see that the Minister of State is in his place. Would it not be appropriate for some comment to be made about this extraordinary repudiation or discrepancy? We cannot leave the matter in this embarrassing state of limbo.

Mr. Amery: I take my hon. Friend's point. Perhaps in the reply to the debate we shall have some clarification. I would not wish to embarrass either my right hon. Friend the Secretary of State or my hon. Friend the Minister of State by asking for an immediate comment on the rather awkward corner in which they find themselves.

My second point relates to the defence of public interest, on which we had an extremely interesting debate. Again, I do not wish to go into the merits of the matter, which would be inappropriate in this debate, but there was

[Mr. Amery]

an error which was frequently repeated. Some hon. Members drew attention to the information that had been given to Sir Winston Churchill between the wars. They were in error because that information was authorised, in the case of Wigram and of Desmond Morton. But there has been a convention that officials or others who speak to Privy Councillors should not be considered guilty of indiscretion.

It occurred to me to try to form a bridge between my right hon. Friend and his opponents on the defence of public interest by suggesting that it would be within the scope of the Bill if someone who wanted to make a protest, instead of speaking to the newspapers, asked his Member of Parliament to put him in touch with a Privy Councillor so that he could make his point. I do not wish to go into the merits of that line of approach, but my inquiries suggested that there was some doubt as to whether communication of such matters to Members of Parliament would be privileged, or even whether the disclosure by Members of Parliament of that information would be privileged.

My anxieties on that score were deepened when I investigated *Hansard* and found an exchange between the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and my hon. Friend the Minister of State. The right hon. Gentleman said:

"If a member of the security services tells me that my telephone is being tapped without warrant and therefore illegally or that my house has been burgled without warrant and therefore illegally, is it or is it not a criminal offence for me to make that information public?"

My hon. Friend replied.

"It would be a criminal offence for the right hon. Gentleman to make that public, and quite rightly so because he has an avenue of redress. He can go to the tribunal set up under the Security Service Bill."—[*Official Report*, 25 January 1989; Vol. 145, c. 1051.]

The waters surrounding privilege are very deep, but the Minister of State's comments seem to fly in the face of the decision taken in the Duncan Sandys case and the much more recent opinion offered by the Committee of Privileges in the Zircon case. The Strauss case may put forward arguments the other way. We wish to know how the Government interpret the Bill. Will our correspondence be privileged? Will anything that we may say in the House be privileged? It would help if we could be told that today. If we cannot be given that assurance, would it be appropriate to move a motion asking that the Committee stage and further proceedings be postponed until we have secured the opinion of the Committee of Privileges?

I want to make my position clear. I am no crusader for open government. I do not wish to have the arrangements that pertain in the United States. Executive secrets must be kept. I do not want publication without authorisation, provided that authorisation is not unreasonably withheld. I am not very strong on the defence of public interest, subject to the right of an individual to raise his grievance through his Member of Parliament.

All I have been begging my right hon. and hon. Friend is not to screw the lid down too tight. They should not make an ass of the very law that they are trying to put forward. The Wright case should have taught us all a lesson. All I ask is that the Government should give the House and themselves a bit more time to consider the legislation before us.

It is, I fear, untrue that Doctor Guillotin ended his life on the machine which he had invented, but I would not like to see my right hon. and hon. Friends guillotining themselves in the course of these proceedings.

8.59 pm

Mr. Tam Dalyell (Linlithgow): I shall follow a chain of thought which was initiated by my right hon. Friend the Member for Blaenau Gwent (Mr. Foot), when he asked about the position of the Leader of the House. I would like —I hope, politely—to ask the Leader of the House what he considers is his job in these situations. My right hon. Friend, as Leader of the House, was present almost throughout the controversial legislation—in which he may not have taken a leading part—during the Labour Government. It was the same with Dick Crossman and Iain Macleod, my first Leader of the House.

I hope that the House will forgive me if I say that, had Iain Macleod been the Leader of the House, the junior Minister at the Home Office would have been up at the Dispatch Box within 48 hours explaining what he did mean, because the Leader of the House would have required him to do so. I should have thought that—whereas one must not be absurd and say that the Leader of the House should be a universal expert on the most minor legislation—on major Bills such as as this, one really could expect the Leader of the House to be familiar with the Government's legislation, because, presumably, he is the Chairman of the Legislation Committee.

Mr. Winnick: Does my hon. Friend agree that the previous Leader of the House, the right hon. Member for Shropshire, North (Mr. Biffen), was dismissed because he showed some independence? Although, of course, he was always loyal in arguing the Government's case as a Cabinet Minister, he had a loyalty to the House. I suppose it was for that very reason that he was dismissed from office.

Mr. Dalyell: I certainly accept that. I also happen to believe that the right hon. Member for Shropshire, North (Mr. Biffen) might well have required a statement on judicial review and exactly what was involved, which was the point that the hon. Member for Wolverhampton, South-West (Mr. Budgen) sharply raised. I believe that there would have been some explanation forthcoming. Hitherto we have had none.

Time is limited and I would just like to draw attention to yet another fundamental muddle over the concept of harm tests which juries will be asked to consider under the Official Secrets act when it becomes law. The Minister of State at the Home Office told me in a letter:

"Your fourteenth Question"—

posed during the Second Reading debate—

"is based on the assumption that the object of the Bill is to stop leaks. The object of the Bill is to ensure that in future the criminal law will penalise only those unauthorised disclosures of official information which cause a serious degree of harm to the public interest, and that such disclosure will only be an offence if the discloser has good reason to know that his disclosure was likely to cause specified harm. As a result of the Bill the unauthorised disclosure of the great majority of official information will no longer be a criminal offence."

That was written in a long and serious letter. However, Ministers have consistently turned down requests from any side of the House—mostly their side—for the "serious

injury" test, which was proposed by Lord Franks, by my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) and their colleagues back in 1972.

Now, in its draft form, the Bill says that leaks of information relating to security and intelligence matters have to be "damaging" for a prosecution to succeed. The harm test for international relations leaks is that they are required to "jeopardise" United Kingdom interests abroad. The prosecution will have to prove that defence leaks "prejudice" the capability of the armed forces. Admittedly, the Home Secretary has in the past few weeks proposed that the harm test for defence leaks should be raised to "damage". However, even so, the test falls a long way short of "serious" harm or injury, or "serious degree of harm to the public interest", which were the words used by the Minister of State in his letter to me. As my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) said that is surely the situation.

It is all very well for Home Office Ministers to use the phrase "serious degree of harm to the public interest" in letters, but the courts will look at what is in the Bill. On Friday night, 10 February, in a very interesting programme on Channel 4, Lord Griffiths of Gouilon, chairman of the Security Commission and an Appeal Court judge, said that the judges do not, and should not, read *Hansard* to find out what Parliament meant and that Lord Taylor and Sir Gordon Slynn and the other judges accepted that. In fact we all know that to be true. The fact is that no serious harm test appears anywhere in the Bill. Either the Minister of State's letter must be amended by parliamentary statement or the Bill must be changed. If Ministers were to act quickly, it might be less acceptable for the guillotine procedure to be introduced. Given their record, however, there is no feeling that Ministers will quickly accept error.

There is no serious definition of "international organisation." That term is extremely wide. What about all the EEC examples? Is the EEC's research into salmonella to come within all this? Surely we are entitled to know about EEC documents, regulations and research. With such little time available to us, I leave the point there.

Then there is the power to designate. We could have a great deal of argument with any Secretary of State about that. On what grounds should there be no appeal? As you have appealed for short speeches, Madame Deputy Speaker, I shall move on.

It is being widely said in Whitehall that the Government will try to carry out their wishes by bypassing the House and operating through the Civil Service discipline regulations. I am told that the Government need not come to the House to do that. It is said that the Government, through the regulations, will say that those who have leaked documents will lose their pension rights. Is there any talk in the Home Office, or in any other Department, about punishing Civil Service leakers by the withdrawal of pension rights? As you have appealed for short speeches, Madam Deputy Speaker, I shall resume my place.

9.8 pm

Mr. Norman Tebbit (Chingford): It is some time since I have spoken from the Back Benches on a guillotine motion. The debates do not change, do they? They are always the same. They are always ritualistic. The House almost always shows itself at its worst on these occasions, with some extremely pompous speeches being made on the issue.

Mr. Richard Shepherd (Aldridge-Brownhills): Ritualistic?

Mr. Tebbit: I have been in the House a little longer than my hon. Friend.

Mr. Shepherd: Not to debate this subject.

Mr. Tebbit: I am referring to debates on timetable motions, not to general debates on the Bills. If my hon. Friend would listen, he would understand that.

These debates are ritualistic, and this one is as ritualistic as any of them. The Opposition and others who are opposed to the particular measure that is passing through the House always claim that there has been insufficient time to discuss the Bill, however much time there has been to do so. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) would know that if he could remember the passage through the House of Bills such as the Housing Finance Bill, as it then was, in 1972.

It is interesting that once we have a timetable motion —this is so on almost every occasion—those who are opposed to the Bill in question tend to speak less and less and to appear on fewer and fewer occasions. I can recollect many instances when once the timetable motion has been agreed to, following all the ritualistic objections, it has been difficult for Opposition to keep debates going. Dinner breaks in Committee have become longer and longer and the rising hour has become earlier and earlier.

What I say is particularly true of Bills that are considered in Standing Committee. I know that things are different when Bills are considered in Committee on the Floor of the House. The Opposition and others who want to seek concessions feel that they have even more ability on the Floor of the House to delay the Government's legislative programme by procrastination, if nothing more. The Government dissidents see the prospect of better leverage and better prospects of obtaining concessions to meet their point of view. There is nothing wrong with that. Nor is there anything wrong with the Government taking the view that they will not make concessions unless they think that it is right to do so, and that they want to get the business through the House. I say to some of my hon. Friends, as well as to Opposition Members, that it is conceivable that they could be mistaken and that Ministers could be right. I beg them to take that into account.

There is only a limited amount that can be said on any Bill and the major difference——

Mr. Dykes: Democracy is irritating, is it not?

Mr. Tebbit: My hon. Friend says that democracy is irritating. He knows that that is an extremely stupid and offensive remark. He does not like me saying something with which he disagrees. I fancy that that is the remark of someone who is slightly intolerant.

The great difference between Bills taken in Committee on the Floor of the House and those considered upstairs is that Privy Councillors can speak here, but not upstairs. Privy Councillors tend to take up a lot of time. They cannot speak upstairs because they are not Members of Standing Committees.

It is a great privilege, but my goodness, I sometimes wish that Privy Councillors would not be quite so keen to

[Mr. Tebbit]

speak in Committees of the whole House. We are not in Committee on a Bill now. This is a timetable motion and that is what I am speaking about.

In speaking to the timetable motion, my remarks differ from many that we have heard today. At times it would have been possible to imagine that this was a Second Reading debate. The hon. Member for Holborn and St. Pancras (Mr. Dobson) made a Second Reading speech, and a third-rate one at that.

I disagree with my right hon. Friend the Home Secretary about some aspects of the Bill. As he is aware, I believe that clause 2 is lamentably weak and should be strengthened. I shall press that view on him at some stage, but I shall do so briefly and concisely. I suspect that he will advance his reasons to the contrary.

There has been some discussion this evening about precedents for timetable motions. Everyone who brings forward a timetable motion has a perfect reason for it. My right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) made a speech which would have stuck in his throat if he had made it between 1955 and 1959 or between 1970 and 1974. He obviously takes some pride in the fact that he did not use a timetable motion on his Industrial Relations Bill in 1971 whereas I had to ask for a timetable motion on my Employment Bill in 1982. Of course there was another difference between the two, but it would be slightly impolite to my right hon. Friend, and perhaps a little boastful on my part, to mention it.

Every debate on every Bill could be extended almost interminably. However, every debate on every Bill comes to an end sooner or later. The only question is, should it be sooner or later? The question that we have to ask ourselves tonight on this motion is whether this is the time to take the decision and whether another 16 or 17 hours of debate is sufficient. I am prepared to take that decision tonight. I am perfectly prepared to support my right hon. and hon. Friends in saying that another 17 hours of discussion should be ample for this Bill.

9.13 pm

Mr. Norman Buchan (Paisley, South): I am not sure whether I am happy to follow the right hon. Member for Chingford (Mr. Tebbit). I have always thought that he was one of the most unpleasant and objectionable Members of this House.

Mr. Winnick: And odious and poisonous.

Mr. Buchan: Indeed, odious and poisonous; like a polecat, he never changes his spots.

The right hon. Member for Chingford wants clause 2 to be strengthened. I do not know what he wants to happen, whether he wants people to be shot, but from his tone I am glad that he is no longer a Minister. This Government are bad enough without him.

We know why the motion is before us tonight. It is not because time has been wasted. If the right hon. Member —what a description—for Chingford had been present, he would have known that no time has been wasted and that we were dealing seriously with combinations of amendments. We were not restricting ourselves to clause 1 alone. We were extending debate on important issue after important issue in the Bill.

The right hon. Member for Chingford does not even seem to understand the Bill's importance, especially when he speaks so casually about clause 2. The Official Secrets Bill follows the Security Service Bill, when the Government also ensured that not a single amendment could be taken, so that matters could not be further discussed on Report. And after only 13 hours of debate on the Official Secrets Bill, the Government are introducing a guillotine.

The truth is that the Bill before the House is obnoxious. It is being guillotined because the country, and the press especially, are growing increasingly aware of how bad it is. That is the same reason why the Government ensured that there will be no Report stage for the Security Service Bill. They got away with it on that occasion, but it caused so much annoyance that the Government were less sure that they could do so again in respect of the Official Secrets Bill. Consequently, they have truncated debate. Now that people are beginning to understand the Bill's implications for our freedom and liberty, the Government are introducing the guillotine.

There is another, allied, reason for the Government's action. The people who are most worried about the Official Secrets Bill, and who honourably and openly express their concern, are the Government's own right hon. and hon. Members. Every time that more Tories listen to the debate, the more they oppose the Bill. Conservative Members listening to the debate on the Bill for the first time were later to be found in the Lobby, voting against it. In only a short period, the Government would have found themselves with neither a majority of the House, nor of Conservative Members in favour of the Bill.

Mr. Rooker: As further proof of my hon. Friend's point, and leaving aside the extra two days that the Government are making available, the fact that, this week, on consecutive days, the Government are not allowing time for mature consideration of the Bill adds further weight to the argument that they never intended to allow debate on the Bill. That illustrates, as my hon. Friend points out, the bad faith with which Members on the Government Front Bench have approached the passage of the Bill, right from its Second Reading.

Mr. Buchan: What has been an extraordinary experience has been the sheer lack of understanding by Members of the Government Front Bench of their own Bill. We require time to debate the Bill because on every single point, Ministers were getting it wrong. The more they spoke about the Bill, the more contradictions we heard. We have heard another terrifying contradiction tonight. I refer to the correspondence between the Home Office and right hon. Member for Brighton, Pavilion (Mr. Amery). No answer has yet been given. The Home Secretary says that something is white, but then the right hon. Gentleman receives a letter from the Home Office saying that it is black. The Government say, "We will resolve that difficulty when we wind up the debate."

It is an appalling Bill, and for the right hon. Member for Chingford to enter the Chamber for the first time and try to defend it, and to say that it should be made stronger, is also appalling. On both Committee days, the Government moved the adjournment, which is also extraordinary. After only two days of single debates, the Government moved the adjournment. I should like to know the last occasion on which adjournment in respect of

a guillotined Bill was moved by the Government. Those of us who were prepared to debate the Bill all night were unable to do so, because on at least two occasions the Government prevented discussion. They then introduced the guillotine, on the ground that there had been sufficient discussion. It was the Government who destroyed earlier opportunities for debate.

There is no excuse for the Bill, and I do not believe that the Government themselves understand it. The Government have shown their ignorance of several issues already raised this evening. Another is the question of harm. There is nothing in the Bill to say that harm must be shown, and neither has it been defined in relation to different clauses of the Bill. I shall give another example that requires investigation. I did not put down an amendment on this point, because, until last week, I did not expect the current state of affairs to be thrown upon us. Not only is the subject of harm not mentioned, but the Government do not define examples.

Clause 2 relates to defence and raises an issue that I mentioned mildly last week. There has been no answer, no comment and no public statement on the issue, which related to what the word "harm" referred to. If there is a radiation leak from a nuclear base on the Clyde which is not disclosed by the authorities, but is disclosed by an honest whistleblower who is concerned that health precautions should be taken, the Government will claim that, in the clause, "harm" is the harm done to our defence establishments by the knowledge of its inadequacies and the truth of its function. However, we would be concerned about the harm to the health of the people in that district which would not be a defence. The whistleblower would automatically be guilty, although the harm would have been done to the health of the people nearby.

It is not right for that sort of problem to be left in the air without proper time for discussion—or even time to let the poor Minister of State, who has been thrown into the debate on this Bill, receive some answers from the Box.

I do not want to speak for too long, because many Conservative Members, as well as Opposition Members, wish to speak, but I am horrified by the decision. I have been a Member of the House for more than 20 years, and I know that not all guillotines are the same. I have never known a guillotine to be introduced with such speed after adjournments have been moved time after time by the Government; the Government have shown their own inadequacies and failed to answer questions; and the more hon. Members have listened, the more opposition has built up against the Bill. The present guillotine is unique.

The Bill is concerned with the freedoms and liberties of the people of this country. It involves their most precious freedom, that of the word and the honesty of speech—along with other Bills that truncate the same freedoms of speech in the media. The Home Secretary is a dab hand at cutting and savaging the BBC. People whose task it should be to expose the iniquities of executives and Governments, have been silenced. The Bill is in the interests of the Executive, not of Parliament or the people of this country. It preserves the secrecies of a Government who not only have too large a majority for anybody's sake, but have been in government too long for any good that they have done. They have substituted for the sovereignty of Parliament the sovereignty of the Executive.

We still need to know who will have the authority if the Home Secretary gets it wrong and backs up the Minister of State when he gets it wrong. Whose decision will be superimposed? Surely only that of No. 10, and perhaps Bernard Ingham's now that he has been relatively ennobled. That is frightening. The motion should be thrown out with contempt.

9.23 pm

Mr. Terence Higgins (Worthing): I have lost count of how many guillotine motions I have voted against when in opposition and how many I have voted for when in government. I have never previously had the opportunity or occasion to speak in such a debate, although I was recently reminded that I was a member of a Government who introduced a guillotine motion before the Committee had even begun to consider the Counter-Inflation (Temporary Provisions) Bill.

The crucial point about that measure was that it dealt with a matter of extreme urgency. I greatly regretted the situation that gave rise to it and I am glad that the policies of the present Government, under the leadership of the Prime Minister, have not resulted in any such urgent action on economic matters. However, that was an urgent matter, and the measure was only temporary in that it carried out a proposal that was to last for 90 days. That was in marked contrast with the Bill that we are considering this evening.

It is difficult to envisage a Bill less urgent than this Bill. We have been waiting and waiting for such a measure to come forward, and we have been told that the Home Secretary has spent many weeks, months and even years considering what should be in it. Yet, when the House of Commons is to consider what ought to be in the Bill, and its detailed proposals, we are told that it must be rushed through on a guillotine. The measure to which I referred a moment ago lasted merely 90 days, but in this Bill we are probably legislating for a generation or more. Therefore, not to give the House adequate time to consider the measure at this stage seems a serious mistake.

As right hon. and hon. Members have pointed out, in no sense has there been a filibuster in our debates so far. Thre has been no tendency for proceedings to be prolonged unduly by either side of the House. On the contrary, we have had a major debate on major issues and on the whole everyone has made thoughtful, cogent and reasonably short speeches. So the usual argument for a guillotine, which is that a measure is being obstructed unreasonably, most certainly does not apply.

The importance of the measure is illustrated by the fact that is being debated on the Floor of the House. We have a duty to examine the detailed proposals in the Bill. I do not accept the point made by my right hon. Friend the Leader of the House, that we have already had a day to discuss the White Paper and a day on Second Reading. This is our chance to examine the Bill in detail. Our progress so far has made it absolutely clear that there is considerable uncertainty about the detail of the Bill.

Today, we have all referred constantly to the problem of judicial review. It was very clear that the Government and Ministers were not clear about the true position. Therefore, the House has a duty to examine in detail what is proposed. My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) pointed out the real confusion which arose between Second Reading and the letter which he received. That problem should be debated on amendment or on a clause stand part debate. However, we all know that the real trouble with the guillotine is that

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it is likely that some amendments will not be debated because the chopper will fall. The same applies to clause stand part debates. We shall probably not have adequate time to discuss many points that require debate.

My right hon. Friend the Home Secretary very kindly has written to me on a couple of points about which I expressed concern to my hon. Friend the Minister of State. That is all very well, but a letter from the Minister spelling something out is not the same as the scrutiny which takes place in the House and the way in which aspects of the Bill may be revealed to Ministers. I recall that, however much time my officials and I had devoted to trying to get the drafting right on a Finance Bill, if the Opposition of which ever party were doing their job, suddenly one would see a horrible flaw in the legislation which one had not observed previously—because the House of Commons was doing its duty and looking in detail at specific proposals.

Therefore I deeply regret the fact that my right hon. Friend the Leader of the House has proposed this motion this evening. Unlike my right hon. Friend the Member for Chingford (Mr. Tebbit), I do not agree that it is all a ritual. I have a strong feeling that there is real and profound concern on both sides of the House that the measure is not being dealt with in the way in which the House of Commons should deal with it. My right hon. Friend the Leader of the House knows that I have profound respect for him and for the way in which he carries out his duties. I believe that the task of the Leader of the House is immensely difficult in defending the interests of Back Benchers while representing to the House the views of the Government, but I have to say that the guillotine on this particular Bill is premature, and it is wrong that the House should agree to it.

9.29 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook): This is the first time during almost 25 years in the House that I have taken part in a timetable motion debate, but I have listened to a great many. Working on that experience, I do not propose to make any of the extravagant claims which often characterise these debates, but some of the facts are beyond dispute.

The first is that this guillotine has no friends except the Government and their acolytes. *The Times* condemned it. *The Daily Telegraph* condemned it. If even *The Times* and *The Daily Telegraph* in their present form cannot bring themselves to support the Government, who in heaven's name can? [HON. MEMBERS: "*The Sun*."] I propose to deal later with sycophants who were wheeled in solely to support the Bill.

The second fact has been established on both sides of the House. The House accepts that nothing in the two days of Committee justifies a guillotine now. It would be wrong to say that absolutely no time was wasted. Time was wasted by the Minister of State, who could not, or would not, give answers to questions. Fearing that we should have a debate such as this, I took the precaution, two weeks ago, of writing to the Secretary of State saying that we would make speedier progress if his junior Minister was better briefed in future.

Time was also wasted by the Government when, late on each of the two sitting nights, they discovered that no hon. Member had supported the Government, so they persuaded sycophants to come in and make brief, supportive but ill-informed speeches from the Back Benches. Apart from those two examples, time has been used as sensibly as it is possible to use it in the House.

I want to say something about that to the hon. Member for Honiton (Sir P. Emery), who is not here and is therefore unable to receive my apology directly. Until this evening, I believed that he was the Chairman of the Select Committee on Procedure. I realise now that I must have been wrong to make such an assumption, for he misunderstood entirely the nature of debates in Committee stages. He talked to the House as if the debate so far concluded were concerned exclusively with the early lines of clause 1.

The debate so far concluded has been concerned with fundamental principles which underlie clause after clause. That is why many of the amendments were debated but not voted on immediately after the debate was finished. The idea that the House has spent 13 hours on two lines is palpable nonsense. It has spent two days' debating time on two fundamental principles. If the hon. Member for Honiton had understood either the Bill or the principles which govern the behaviour of a Committee stage conducted on the Floor of the House, he would not have made the gross error that he made this evening.

The hon. Gentleman also said that there had always been conversations and discussions between the two sides. I confess freely that I had conversations with the Home Secretary and, insofar as it is possible to have a conversation with the Government Chief Whip, a conversation with him. The message I conveyed, which I have no doubt was the right message to convey, was that the Bill was not suitable for a carve-up between the Opposition Front Bench and the Government. It is a matter on which the House takes a view. It is a matter on which Tory Back Benchers take a view. It would have been an impertinence—indeed, it would have been an impossibility—for us to say that we would carry with us, on specific dates, Members on both sides of the House who have independent positions and rightly want to express their opinions as free and independent Members of the House of Commons.

When I had conversations with the Home Secretary and what passes for conversation with the Government Chief Whip, I came, as early as the first evening of our consideration, to a clear conclusion—that the Government were determined to guillotine the Bill from the moment it was published. There has never been any intention to have full and free debate on it. That is the only conclusion that can be drawn from the way in which the debate has proceeded.

The debate proceeded, on the first day, on the fundamental question of lifetime secrecy. It is perfectly true that I then said to the Home Secretary that it would be intolerable for us to start late at night on the crucial question of a public interest defence. But it would have been possible to have a procedural motion to allow us to do other things at that time.

On the second day, knowing that the Home Secretary is not always quite as arcadian and palladian and superior when he is debating as when he is speaking to groups of Conservatives outside, and knowing that he would take advantage of any suggestion that we were not prepared to go on, I went out of my way to put on record in *Hansard* our willingness to continue to debate, so that there should be no suggestion that the Opposition wanted to bring

discussion to a speedy conclusion. But a fortnight ago the Home Secretary insisted that the debate should be concluded at what, for the House of Commons, was a comparatively early hour, confirming my view that from the beginning the Government have intended to guillotine this Bill.

I want to say to the hon. Member for Honiton that I understand—no one wants to be foolish about this—that Governments sometimes need to guillotine debates in order to get their business through. It is the Government's right—perhaps it is their duty—to get their business through. But there was no question of this Bill not passing into law. This guillotine is proposed not in order that the Bill shall proceed with good order and discipline, but in order that it shall proceed with the minimum of public debate.

If we had any doubts as to the need for public debate, and the consequences for the Government of public debate and their reasons for wanting to curtail public debate, we would need to do no more than look at the first two days. It was through debate in this House that we learned that, if a man's house is illegally burgled by the security services, or if a woman has her telephone illegally tapped by the security services, and if he or she is told about it by a member of the security services, it is a criminal offence to reveal that illegality—a criminal offence carrying a prison sentence.

It is clearly not in the interests of the Home Secretary, who poses as a reformer, that such facts should be prised out during the debate. It was only through the debate in this House that we discovered that the illegality I have just described could not be spoken of to the victim's laywer without the victim being subject to prosecution and possible prison sentence. Indeed, it was only through the debate that the Minister of State learned that that was the case, for initially he gave a categorically inaccurate answer, which we are still waiting for him to correct.

Again, it is not in the Government's interests, and not in the interests of a Home Secretary who, as recently as 72 hours ago, announced that he was the natural heir to Mr. R. A. Butler, that the nature of his proposals should see the light of day in the way that the debate makes possible.

Let me give another example of how the Home Secretary's behaviour shows why he and his colleagues want this debate to be curtailed. Speaking in Cambridge on Friday evening, he announced—if *The Daily Telegraph* is to be believed—that if the debate last week had resulted in a public interest defence being included in the Bill, that would have provided a defence for any member of the security services who had wanted to reveal the battle plan of the British Army of the Rhine. If the Home Secretary had said that in the House of Commons, he would have been laughed out of the Chamber, because that was given in the debate as exactly the sort of episode that could not be cited in a public interest defence. The Home Secretary finds it better to discuss these matters in front of the gullible Conservatives of Cambridge than in front of the House of Commons, where they should be debated. That is the basic reason and intention of this debate.

Yet the issues we ought to be discussing here are issues that go to the heart of the freedoms which this society should enjoy and which affect a crucial parliamentary issue —the balance of power between the courts, the Government and individuals. This Bill takes to the Government power that should reside in the courts and, as a result, it reduces the liberty—I put it not higher than this —of a substantial part of our population. The guillotine was intended to obscure the revelation of that sort of fact, and it is because of the desire to muddy the waters, not only that the guillotine is introduced at all, but that the concluding days of the Committee stage are to be rushed through on consecutive sitting days in the wholly inadequate circumstances of a Thursday and Wednesday afternoon.

There is a second reason for the introduction of the guillotine. In my view, its introduction is all the more deplorable when one considers the issues that are yet to be debated. During the next two days we are to discuss whether it is reasonable to suppress information that has already been published abroad. Many of us will want to argue that the suppression of information that is available in other countries has nothing to do with security but everything to do with Government management.

To say that the British people cannot know what is already known in the Kremlin is not something that concerns the safety of the realm. It concerns the Government's convenience. No wonder that the Government do not want the issue to be debated at length.

During the next two days we shall discuss whether information from abroad is to be suppressed simply because it comes from abroad and whether the tests of harm—about which the Home Secretary speaks so eloquently, and no doubt he will do so again—are adequate tests to protect the man or woman who feels entitled to reveal trivial or unconsequential matters or matters that the Home Secretary should not himself have the power to proscribe.

Because of the nature of the debate, it is all the more important that the House of Commons should be allowed to continue the debate, as the right hon. Member for Old Bexley and Sidcup (Mr. Heath) said, for as long as the House of Commons wishes and for as long as it continues to debate these matters in a responsible and sensible fashion. I fear, however, that the nature of the debate was only one of the reasons that prompted the Government to introduce the guillotine.

The second reason is more alarming than the first. It is the Government's impatience with the proper processes of democracy. The Prime Minister says openly—I think that she was talking about her Cabinet colleagues, but I have no doubt that she holds the House of Commons in equal contempt—that she has no time to waste on argument. Very often, democracy depends on argument continuing unchecked. To the Prime Minister, criticism is something to be suppressed. Opposition is something to be bullied or bought off.

It is the duty of a democratic Government and of a democratic Prime Minister to facilitate discussion. Were the Home Secretary to allow it, the Bill that emerged would be a great deal more satisfactory than the one we are now debating, and his reputation would be a great deal more secure than it will be if he pushes through an instrument that, time after time, will be demonstrated to be inadequate for the purposes that he claims it will serve —those purposes being an attempt to safeguard that information which it is necessary to hold secret and, on the other hand, to allow freely the exposition of facts which, if they are published, do no harm to the national interest.

The Home Secretary, however, who must know these things—or who knew them once and who once would have resented and resisted the Prime Minister's autocracy and her determination to have measures passed by Parliament

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without adequate discussion—is now prepared to act as her lapdog. I suspect that those who sit on the Benches behind the Home Secretary will provide sufficient votes for the guillotine motion to be passed. I suspect, too, that having done so they will provide sufficient votes on Wednesday and Thursday to ensure that the Bill, in more or less its present form, becomes law.

Many hon. Members—I see some of them in their places now—will be persuaded to speak at such length that the Minister of State will never be able to correct himself about the position and duties of lawyers as concern their clients, and he will never be able to get straight the issue with which he so confused the hon. Member for Hove (Mr. Sainsbury). The Home Secretary will make little, darting speeches that assert his good intentions without demonstrating them with reference to the Bill.

There will be two days of debate during which the Home Secretary will play the worst trick of all. He will describe the Bill not by referring to its clauses but by referring to the Home Office handouts which, as we know, have constantly given a false impression of what the Bill contains. I suspect that the Bill will pass into law, thanks to the supine Members who sit on the Back Benches on the other side of the House, but when it is passed into law it wil be a bad day for democracy and a contemptible day for Parliament.

9.43 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): I agree with this much of what the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said—that the Bill deals basically with the relationship between the courts, Parliament, Government and the individual.

The debate has turned, as it should, on two basic points. The first is whether there should be a timetable motion for the Bill and, and if so, whether the timetable proposed is a reasonable one. The second is whether, as the Opposition argue, this motion fits into a pattern of Government unreasonableness and arbitrariness on the subject. I shall deal with both those points.

The ground on the first point was thoroughly covered by my right hon. Friend the Leader of the House. The Bill is important and goes to the heart of the functioning of Government. With 16 clauses, it is a relatively short Bill. It severely reduces the present scope of the criminal law and within the information still to be protected by the criminal law, it ties down the prosecution, for the first time, with a number of specific tests of harm. That is a fair description of the Bill and we decided—and the whole House agreed—that the Committee stage should be held on the Floor of the House.

I listened carefully, as did the House, to my right hon. Friend the Member for Old Bexley and Sidcup, (Mr. Heath) and the right hon. Member for Blaenau Gwent (Mr. Foot). The right hon. Gentleman, like others, made a basically defensive speech about his own past and his ingenious attempt to distinguish between his passionate love affair with the guillotine, which I remember well, and my right hon. Friend's motion. He did not persuade any hon. Member—perhaps not even himself.

It is not my place to attack my right hon. Friend the Member for Old Bexley and Sidcup for authoritarian tendencies, and I do not know what my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) or my right hon. Friend the Member for Chingford (Mr. Tebbit) were referring to in that respect. I would defend him on the episodes mentioned, but although I listened carefully to the case against timetabling every Bill and agree with it, I do not think that my right hon. Friend succeeded in making the case that this Bill should not be timetabled at all.

The right hon. Member for Sparkbrook touched on this point just now. We have had two days of debate, yet we are not within clear sight of the end of clause 1. I am not complaining about that or making accusations of filibustering, any more than my right hon. Friend the Leader of the House did. However, after long and unrestricted debate, the Committee has come to a conclusion on two important matters. The first is whether there should be a special offence applying to members and former members of the intelligence and security services and others notified because of their close connection with that work. The second is whether, although there is no general right of prosecution on the ground of public interest, there should be such a right for the defence. Those were the matters discussed and dealt with in Committee.

The pace has been slow and, as the right hon. Member for Sparkbrook may confirm, there were no grounds for supposing that progress would have accelerated. On the first evening, we dealt with two groups of amendments only. The Government would have been ready, as the right hon. Gentleman knows, to continue into the public interest defence debate, but he made strong representations—which after a short time of reflection, we decided were reasonable—that we should not do so. I wonder what he would have said if we had started switching the order of business, which he now suggests as an alternative. He would have been in a state of outrage.

Mr. Hattersley: I would have thanked the Home Secretary for accepting my suggestion.

Mr. Hurd: The right hon. Gentleman would not have said anything of the kind, and he knows it.

As a result of the agreement mentioned, on the second day we had the debate on the public interest defence and that came to and end after a long discussion at a similar hour—after 11 pm but before midnight. At my suggestion, the House did not proceed further that night. There is no reason to suppose that we would have made any further substantial progress that night and the right hon. Member for Sparkbrook has simply confirmed what I am about to say. There is no reason—rather the reverse—to suppose that the informal arrangements that we all know about would have had any validity in the continuing debate. The right hon. Gentleman is plainly wrong in supposing that we started to discuss the matter believing in our hearts that there would have to be a guillotine. I had no such conviction. A guillotine was obviously a possibility, but I hope that the House will accept that it was not an aim or a conviction.

The case for a timetable motion at this stage is overwhelming. Of course, the timetable must be reasonable. A press report misled some of my right and hon. Friends. It stated that we were proposing that the House should be asked to deal with the Bill completely this week. That was never our intention. I believe that two further days in Committee, sitting late—making four days

in all—is reasonable. A provision, which will certainly be needed, for a third day on Report and Third reading is reasonable.

I now refer to some specific points that have been made. My hon. Friend the Member for Honiton (Sir P. Emery) made a particularly telling contribution. He asked me about a debate on every clause. As he knows, the Business Committee is entrusted with the task of organising the debate in accordance with the motion. Its aim should be to ensure that every clause is debated. I confirm that paragraph 7(2) of the motion, which is normally relied upon on occasions to cope with the possibility of Standing Order 20 applications, provides for extra time should that prove to be necessary.

My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) raised two important points. First, he dealt with his letter to me on the authorisation of memoirs of members of the Security Service. He did not refer—his account would have been more complete if he had—to the fact that, after my hon. Friend the Minister of State used the words on Second Reading, some of which he quoted, there was a debate on new clause 6, which was moved by my hon. Friend the Member for Torbay (Mr. Allason), to which my hon. Friend the Minister of State replied:

"It will not come as any surprise to those concerned to know that authorisation to members and former members to disclose information about their work will be rare and given only in exceptional circumstances."—[*Official Report*, 25 January 1989; Vol. 145, c. 1103.]—

[Interruption.] That was at a later stage.

I accept the importance of what my right hon. Friend has raised. There will certainly be further opportunities in our proceedings to deal with the point. It is necessary to complete—not to contradict—my hon. Friend's account of proceedings in the House.

My right hon. Friend raised a second point concerning the privileges of this House. He rightly said that that was deep water. I do not intend to enter it tonight, except to say two things. First, the privileges of the House are not and never have been in the hands of Government. They are in the hands of the House and then in the hands of the courts. That has always been the position. The Bill contains no trenching on or addition to the privileges either way. There are already on the Order Paper amendments that would enable the Committee to deal with these matters.

Mr. Amery: I am sorry to interrupt my right hon. Friend as he is short of time. Was the statement made in the Minister of State's reply to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) correct? Is that consistent with what my right hon. Friend has been saying?

Mr. Hurd: On privilege?

Mr. Amery: No. As I remember it, the right hon. Member for Sparkbrook asked whether he would be in breach of the law if he revealed that he had been told by a secret agent that his telephone had been illegally tapped. The Minister said that he would be in breach of the law. That seems to throw doubt on whether our communications or our disclosures in the House are privileged.

Mr. Hurd: I do not believe that the House, which is the master of its privileges, has ever asserted that communications to an hon. Member are privileged.—*[Interruption.]* I do not think so. That is a point on which there are amendments and new clauses, and they will certainly fall to be discussed.

The hon. Member for Caithness and Sutherland (Mr. Maclennan), with the hon. Member for Holborn and St. Pancras (Mr. Dobson), took the lead in making the second charge, which is one of——

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Mr. Speaker. As I understand it, privilege in this House's very much a matter for the Chair. Would you, Mr. Speaker, rule on whether a communication to a Member of Parliament is or is not privileged and whether the Government of the day have the right to interfere with the privilege of this House?

Mr. Speaker: I do not think that I should get involved in this debate, but as the rules stand at present a communication from someone outside the House to an hon. Member is not privileged.

Mr. Bermingham: Further to that point of order, Mr. Speaker. Is it not privilege for a Member of the House to repeat in this House information that he has known and is he not privileged in that respect?

Mr. Speaker: That is a different matter. Members of the House have freedom of speech.

Mr. Hurd: It is entirely a different matter, and I am grateful to you, Mr. Speaker.

I take on now the second blade of the attack which, in a way, goes deeper. It is the accusation of authoritarianism in our handling of such matters. I strongly rebut that. If one looks at proceedings on this matter in the past 12 months, one realises that that attack cannot be sustained. If one considers the White Paper and remembers how it contrasted vividly with the predictions made by the right hon. Member for Sparkbrook—*[Interruption.]* Well, it departed totally from ministerial certificates and left the matter to a jury. That came as a great surprise.

Let us look now at the contrast between the Bill and the White Paper and the way in which we took on board several of the criticisms expressed in the debate on the White Paper. I had been going to say that I believe that there is now a wider understanding of what is in the Bill and what is not—that is, until I heard the speech by the hon. Member for Holborn and St. Pancras. He drew examples from the public interest that could not possibly come within the scope of the Bill.

When the hon. Gentleman realised that he was in difficulty, his hon. Friends tried to help him out of the pit by suggesting that the chief press officer concerned might have been notified because her work was connected with the security services. What nonsense. She would not have been notified and even if she had been, clause 1 makes it absolutely clear that to come within the Bill, disclosure must relate to security and intelligence. The hon. Gentleman had clearly not bothered to develop the slightest acquaintance with the Bill or the timetable motion.

Mr. Dobson *rose*——

Mr. Hurd: No, I shall not give way—

Hon. Member's: Give way.

Mr. Speaker: Order.

Mr. Hurd: No, I have put paid to that argument, and I hope that we have put paid also to the argument that matters released from the criminal law by the Bill are trivial. There has been some reference to the safety of food. Is the safety of food trivial? We do not seem to hear very much about anything else at present. I do not condone the purloining or publishing of papers on matters such as public safety if they are confidential.

What I am saying in the context of the Bill is that such activity, however reprehensible, will not be a criminal offence. We have dealt with that point. My right hon. Friend the Member for Castle Point (Sir B. Braine) gave specific examples earlier, but the hon. Member for Holborn and St. Pancras did not bother to acquaint himself with that. The Government——

Mr. Dobson *rose——*

Mr. Hurd: No, I am answering a point made by the hon. Gentleman.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) was harsh on me. I respect his passion and conviction in such matters, but I have never asked him to defend or excuse me. He knows better than that. He was wrong to say that the Bill would make the Government the arbiter of what is and is not secret. There are no ministerial certificates. What we are doing in the Bill is removing——

Mr. Hattersley *rose——*

Mr. Hurd: No, I am not giving way. What we are doing is removing from the prosecuting authorities the wide discretion that they now have. We are asking Parliament to lay down the detailed framework and then——

Mr. Hattersley *rose——*

Mr. Speaker: Order.

Mr. Hurd: It will be for the jury to decide on each case.

The hon. Member for Caithness and Sutherland, whose arguments I respect, spent his whole time talking about the possible misdoings of public servants, but the safety of the citizen must surely be our chief concern. As the hon. Gentleman knows, we sometimes have to strike the balance between protecting the safety of the community as a whole and sustaining the rights of the individual in particular. The Bill shifts that balance drastically in the direction and in the favour of the individual, but it does not abandon the need to protect the citizenry as a whole.

I ask the hon. Member for Caithness and Sutherland in particular—and the House—to look at the test of harm which deals with our armed forces and the safety of our citizens. There is nothing here about the authority to prosecute because of some embarrassment to Government or vague general interest.

Mr. Maclennan: Will the Home Secretary give way?

Mr. Hurd: I am not giving way. The hon. Gentleman made an attack on the general handling of the Bill, as did his hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith).

The secrets which we have to protect effectively are needed for the protection of the citizen. They are at one remove the secrets of the citizen, and the effective protection of those secrets is the protection of the citizen against the criminal and political——

It being three hours after the commencement of proceedings on the motion, Mr. SPEAKER *proceeded to put the Question necessary to dispose of them, pursuant to Standing Order No. 81 (Allocation of time to Bills).*

The House divided: Ayes 305, Noes 213.

Division No. 91] **[10.00 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl'th's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Haselhurst, Alan
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert

Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Chris *(Bath)*
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Walters, Sir Dennis
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. David Maclean and
Mr. John Mark Taylor.

NOES

Abbott, Ms Diane
Aitken, Jonathan
Allen, Graham
Alton, David
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Benyon, W.
Bermingham, Gerald
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Budgen, Nicholas
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Critchley, Julian
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Dykes, Hugh
Eadie, Alexander
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
George, Bruce
Gilbert, Rt Hon Dr John
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Gordon, Mildred
Gorst, John
Gould, Bryan
Griffiths, Win *(Bridgend)*
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Hayhoe, Rt Hon Sir Barney
Haynes, Frank
Heath, Rt Hon Edward
Heffer, Eric S.
Henderson, Doug
Higgins, Rt Hon Terence L.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kilnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*

Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Squire, Robin
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Townsend, Cyril D. *(B'heath)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mrs. Llin Golding and
Mr. Ken Eastham.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Bill:

Committee, Report and Third Reading

1.—(1) The remaining proceedings in Committee on the Bill shall be completed in two allotted days and shall be brought to a conclusion at midnight on the second of those days.

(2) The proceedings on consideration and Third Reading of the Bill shall be completed in one allotted day, and shall be brought to a conclusion at Ten o'clock on that day; and for the purposes of Standing Order No. 80 (Business Committee) this Order shall be taken to allot to the proceedings on consideration such part of that day as the Resolution of the Business Committee may determine.

Report of Business Committee

2.—(1) The Business Committee shall report to the House its Resolutions—

(a) as to the proceedings in Committee on the Bill not later than 14th February 1989; and

(b) as to the proceedings on consideration of the Bill and as to the allocation of time between those proceedings and proceedings on Third Reading not later than the third day on which the House sits after the day on which the proceedings in Committee on the Bill are concluded.

(2) The Resolutions in any Report made under Standing Order No. 80 (Business Committee) may be varied by a further Report so made, whether or not within the time specified in sub-paragraph (1) above and whether or not the Resolutions have been agreed to by the House.

Proceedings on going into Committee

3. When the Order of the Day is read for the House to resolve itself into a Committee on the Bill, Mr. Speaker shall leave the Chair without putting any Question, whether or not notice of an Instruction has been given.

Conclusion of proceedings in Committee

4. On the conclusion of the proceedings in Committee on the Bill the Chairman shall report the Bill to the House without putting any Question.

Order of proceedings

5. No Motion shall be made to alter the order in which proceedings in Committee or on consideration of the Bill are taken but the Resolutions of the Business Committee may include alterations in that order.

Dilatory Motions

6. No dilatory Motion with respect to, or in the course of proceedings on the Bill shall be made on an allotted day except by a member of the Government, and the Question on any such Motion shall be put forthwith.

Extra time on allotted days

7.—(1) On the first and second allotted days paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings on the Bill for two hours after Ten o'clock.

(2) Any period during which proceedings on the Bill may be proceeded with after Ten o'clock on either of those days under paragraph (7) of Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideraton) shall be in addition to the said period of two hours.

(3) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 20 stands over from an earlier day, paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings on the Bill for a period of time equal to the duration of the proceedings on that Motion; and on the first or second allotted day that period shall be added to the said period of two hours.

Private business

8. Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings on the Bill or, if those proceedings are concluded before Ten o'clock, for a period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Conclusion of proceedings

9.—(1) For the purpose of bringing to a conclusion any proceedings which are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee and which have not previously been brought to a conclusion, the Chairman or Mr. Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or new Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question on any amendment or Motion standing on the Order Paper in the name of any Member, if that amendment is moved or Motion is made by a member of the Government;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or Mr. Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to the sittings of the House.

(3) If an allotted day is one on which a Motion for the adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) would, apart from this Order, stand over to Seven o'clock—

(a) that Motion shall stand over until the conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion at or before that time; and

(b) the bringing to a conclusion of any proceedings on the Bill which, under this Order or a Resolution of the Business Committee, are to be brought to a conclusion after that time shall be postponed for a period equal to the duration of the proceedings on that Motion.

(4) If an allotted day is one to which a Motion for the adjournment of the House under Standing Order No. 20 stands over from an earlier day, the bringing to a conclusion

of any proceedings on the Bill which under this Order or a Resolution of the Business Committee are to be brought to a conclusion on that day shall be postponed for a period equal to the duration of the proceedings on that Motion.

Supplemental orders

10.—(1) The proceedings on any Motion made in the House by a member of the Government for varying or supplementing the provisions of this Order (including anything which might have been the subject of a report of the Business Committee) shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to the proceedings.

(2) If on an allotted day on which any proceedings on the Bill are to be brought to a conclusion at a time appointed by this Order or a Resolution of the Business Committee the House is adjourned, or the sitting is suspended, before that time no notice shall be required of a Motion made at the next sitting by a member of the Government for varying or supplementing the provisions of this Order.

Saving

11. Nothing in this Order or a Resolution of the Business Committee shall—

(a) prevent any proceedings to which the Order or Resolution applies from being taken or completed earlier than is required by the Order or Resolution; or

(b) prevent any business (whether on the Bill or not) from being proceeded with on any day after the completion of all such proceedings on the Bill as are to be taken on that day.

Recommittal

12.—(1) References in this Order to proceedings on consideration or proceedings on Third Reading include references to proceedings at those stages, respectively, for, on or in consequence of, recommittal.

(2) On an allotted day no debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and Mr. Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Interpretation

13. In this Order—

"allotted day" means any day (other than a Friday) on which the Bill is put down as first Government Order of the day, provided that a Motion for allotting time to the proceedings on the Bill to be taken on that day either has been agreed on a previous day, or is set down for consideration on that day;

"the Bill" means the Official Secrets Bill;

"Resolution of the Business Committee" means a Resolution of the Business Committee as agreed to by the House.

Crown Court (Barrow)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Sackville.]*

10.16 pm

Mr. Cecil Franks (Barrow and Furness): I am grateful, Mr. Speaker, for the opportunity to initiate an Adjournment debate on the proposals for the future of the Barrow in Furness Crown court. I speak in a dual capacity as the Member for Barrow and Furness and as a former practising solicitor in the north-west of England.

The consultation paper proposals relate to the Crown courts of Barrow in Furness and Kendal, but I confine my remarks to the Barrow in Furness Crown court, though many of the general comments apply equally to the Kendal Crown court, which comes within the constituency of my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling).

The Barrow in Furness Crown court building was constructed in the mid-1950s and was opened by the then Home Secretary, Mr. R. A. Butler. The building and its facilities are typical of the many similar court buildings that were constructed in the 1950s and 1960s. In 1986, a scrutiny was commissioned to consider the best structure for the operation and management of the Crown court system in England and Wales, and it is to the proposals for the Crown court in Barrow in Furness that I address my right hon. and learned Friend the Attorney-General.

The consultation paper, which was issued by the Lord Chancellor's Department in October 1988, is entirely devoid of any facts or figures to support the statement and opinions that are contained within it. In a sentence, the consultation paper is a disgrace to rational debate and discussion. It bears all the hallmarks of a civil servant sitting behind his desk in Whitehall or Preston, thinking of his own administrative convenience, picking up a map of Cumbria and a ruler and measuring the distance between Barrow and Carlisle, Barrow and Kendal or Barrow and Lancaster, and reaching conclusions, while being blind to the fact that between Barrow and all those places lie mountains, lakes, rivers and estuaries, and probably the worst road system in England.

The consultation paper begins:

"The results of subsequent examination of the Crown Courts at Barrow and Kendal, which are operated from Preston and Carlisle respectively, have led to the conclusion that these satellites are inefficient, in that they lead to delays in trial, are wasteful of resources and that there is a strong case for closure."

The consultation paper's proposals for Barrow state:

"Barrow is situated on the west coast of Cumbria 48 miles from Lancaster by road and 32 miles by rail . . . Crown Court sittings are held in a Magistrates' Court alongside the police station. The courtroom is adequate, though dark and dingy. Facilities for the judge, jurors, the Bar, solicitors and witnesses are minimal. Prisoners are brought from Risley remand centre, Warrington nearly 100 miles away, and have to stay in police cells with totally inadequate provision for hygiene, catering and exercise . . . The court is administered and served from Preston, more than 60 miles distant."

When it details the disadvantages of the present system, the points in the consultation paper immediately invite questions. The document states:

"The short sitting day which can be achieved at each court, the small case load and interval between sessions leads to inefficient listings and delays."

That invites the question: why short sitting days? The document continues:

[Mr. Cecil Franks]

"A case not reached at one session must wait at least four weeks before it can be listed again."

Why?

"A case which may last two or more days is usually transferred to Lancaster for trial."

Why?

"There will continue to be an inefficient use of scarce resources in terms of judicial and staff time."

Why? It states:

"costs incurred in travel and subsistence by members of staff serving . . . Barrow from Preston will also continue."

Perhaps therein lies the nub. The document states:

"At Barrow a great deal of money would have to be spent to bring the cell accommodation up to reasonable standards. While this would improve the conditions for prisoners, the cell area would still be shared with the local police, a practice which is accepted only with great reluctance by the Prison Service."

I query that statement because there is no evidence to back it up.

The benefits listed in the Lord Chancellor's consultation paper include:

"The cessation of sittings at . . . Barrow will yield significant savings in costs to the court, prison and probation services."

However, it totally fails to take into account the increased costs that will be incurred by those who have to attend the court at Lancaster, principally witnesses, the police, solicitors, jurors, probation officers, magistrates and social service personnel.

As another benefit, the document states:

"Prisoners would be dealt with less delay and more efficiency and would not be subject to such degrading conditions as those at Barrow."

The document continues:

"It is appreciated that some witnesses may be inconvenienced in terms of the distance they will have to travel to court, but their loss of earnings, travel and subsistence expenses would be reimbursed. Some justices would be similarly affected but again their expenses would be reimbursed . . . The closure of Barrow would extend the level of disenfranchisement, but not significantly, since although the area is large, the population density is comparatively low."

In marshalling my arguments against the proposals, I can do no better than quote from some of the many representations and responses submitted which oppose the proposals in the consultation paper. Perhaps one of the most damaging criticisms is made by the chief constable of Cumbria, Mr. Leslie Sharp, who said:

"As far as Barrow is concerned I have serious reservations about the possible closure of the Crown Court. It is accepted that costs for the Judiciary and your staff would be reduced, but this would be at the expense of additional costs to the police and other witnesses. I see additional travelling, subsistence and overtime payments for police officers being far in excess of the sum you have quoted in respect of the Judiciary. Another issue directly related to this point is the loss of police time from operational duties. When cases are heard at Barrow, officers are able to deal with other tasks and duties whilst waiting for their case to be heard or immediately it finishes. If work is transferred to Lancaster, we will lose officers for a full day without the ability to use them for other purposes. As far as witnesses are concerned, whilst their expenses would be reimbursed, inevitably their costs are going to be much higher if they have to travel to Lancaster.

Another point of major concern is that many people will be reluctant to travel from Barrow-in-Furness to another court. There was a recent example of this when an appeal on behalf of Manhattan's Night Club at Barrow against the curbing of their public entertainments licensing hours, was to be held before Lancaster Crown Court. Many elderly residents who had attended the initial hearing before the local authority, and later an appeal before the Magistrates' Court, expressed reluctance to travel to Lancaster. When representations were made to your Department, it resulted in that case being transferred back to the Barrow Court. If we cannot gather and encourage community support in this type of case, and when criminal offences have been committed, there is a distinct possibility our activities in these areas of responsibilities will be seriously affected. There have also been occasions when witnesses have failed to attend the Crown Court at Barrow, and it has been a fairly simple task to locate them during the time of the Court sitting. This would not be possible if cases were held at Lancaster and could result in adjournments which would add to the Court's backlog of work."

He continues:

"I am surprised to see that the amount of time spent on Crown Court business at Barrow has decreased over the past four years at a time when there has been an increased case load. This is perhaps merely an indication that more cases are being diverted to other courts. If the Crown Court at Barrow sat more regularly, I would suggest that any backlog of work could be disposed of more quickly. There have been occasions in the recent past, for example in July this year, when Court sittings were reduced from three days to one and then in September when Court business was cancelled because of the unavailability of staff. On those occasions it would seem little consideration was given to defendants, which is one of the points you make in the Consultative Paper at paragraph 3, that the court delays adversely affect defendants held in custody and could prejudice the right to justice.

I cannot agree with the statement that the Court Room at Barrow is dark and dingy. In my opinion, the court is reasonably comfortable and provides good accommodation for officials and the public. The same cannot be said about Lancaster, which is a rather depressing and uncomfortable building."

He concludes:

"I do think it is important that every effort is made to retain the Crown Court at Barrow. I am sure you know that there are plans for a new Magistrates' Court to be constructed in that area in the early 1990s and this could present an ideal opportunity for a joint development with your Department."

That was the opinion of, and representations from, the police.

I turn to the representations made by the judges who serve the area. His Honour Judge Sir Sanderson Temple and His Honour Judge Brian Duckworth state:

"There is a long tradition of criminal jurisdiction . . . Barrow was given Quarter Sessions status after the 1939/45 war, specifically to obviate the necessity of litigation and those involved therein having to travel to Lancaster or Preston."

Barrow and Kendal are both

"active, prosperous communities in their own right, and centres for the surrounding countryside . . . entitled to enjoy Crown Court status and facilities. If the work is sent to Lancaster, it will involve substantial expense and inconvenience for parties, jurors and witnesses . . . from Barrow, the train time is similar"—

1¼ hours—

"but there is no through bus service: the train fare is £4·80 . . . For those who live in outlying areas, the problems will be greater and will involve considerable hardship . . . it is unlikely . . . that magistrates from Furness . . . will be able to play any real part in the administration of justice at Crown Court level, and . . . that jurors will not be recruited from those outlying areas to go to Lancaster or Preston; thus the inhabitants of those areas will be denied the opportunity to participate in Crown Court justice by way of jury service. By reason of the extra travelling expenses incurred by those involved any administrative savings achieved by consolidating the work at Lancaster will be largely nullified.

Unless and until the repairs at Lancaster Castle are completed and the Castle's future as a Crown Court building confirmed, the provision of Court facilities there must be considered unsatisfactory and uncertain.

Considerations of administrative convenience and economy must not overwhelm public convenience. Ever since the Statute of Westminister II (1285) the concept of the Courts

travelling the country to bring justice to the people has been well established. Thus the people of South Cumbria are entitled to have their own Crown Courts, as are the local Magistrates, and they should not have to travel further afield. It has long been a Common Law principle that a man shall be entitled to be tried in his own County; and as a matter of public relations, justice should be done and be seen to be done within the community where the litigation arises. It is hoped that these proposals... proceed no further...It is understood that their Honours Judge Edmondson and Judge Bell, who also have connections with the area have already expressed similar concern to the Circuit Administrator.

Those are the words of the judges; let us turn now to the magistrates. The clerk of the magistrates for the petty session divisions of Barrow in Furness with Bootle and Lonsdale North says:

"It was the unanimous request of Justices that I write to you deploring the taking of such a step. I am asked in particular to refer to the basic concept of criminal law that justice should be delivered on a local basis in order to maintain confidence in the justice system. Further, whilst Magistrates' personal convenience cannot be placed above the requirements of justice, the difficulties in supplying Magistrates to sit at Lancaster or Preston, as opposed to Barrow in Furness, are only too clear. It seems to the Magistrates appropriate therefore that sittings continue in Barrow in Furness to ensure the local element in sittings of the superior court."

So speak the magistrates. Let me now quote from a letter written by the chairman of the bench of North Lonsdale, Major Gordon Hudson, who says that the consultation paper is

"unduly weighted towards cutting administrative costs at the considerable inconvenience and expense to those attending courts. Reimbursement in the circumstances is an inadequate recompense. In particular the stop gap solution of only five years at Lancaster is a fresh, quite unacceptable solution."

The local Law Society branch, Furness and district, also made representations stating:

"This Society strongly opposes the closure of the Crown Court at Barrow."

Mentioning the delay mentioned in the consultation paper, it states:

"The statistics given show receipts, but not disposal rates. From the figures given, however, it is clear that the Crown Court at Barrow has increased in efficiency during the period 1984 to 1987 in that in 1984 100 cases were received in 128 hours of sitting time compared with 200 cases in 116 hours in 1987. Cases are being dealt with more quickly and this Society is convinced that the disposals rate of the Barrow Court are far better than many city courts . . . the facilities at Barrow . . . are far better than those at the Court which it is proposed will take all Barrow cases, i.e. Lancaster.

At Lancaster, there are pitifully inadequate facilities for the interviewing of witnesses, and the public waiting areas are extremely lacking in comfort. The cell accommodation is also poor. One argument put forward in support of closure is that the travelling time of remand prisoners would be reduced. The only saving in this regard would be 1 hour each way, and this must be compared to the similar travelling time of solicitors, police, and probation officers and witnesses if cases were dealt with at Lancaster.

Furthermore, there are presently plans to construct new Magistrates' and County Courts at Barrow. If the LDC is prepared to expend monies in the construction of new courts in Barrow, then it would be prudent and sensible for those plans to include new Crown Court accommodation. The present facilities would then be upgraded at little extra cost."

It also deals with expense and the purported savings outlined in the consultation paper:

"Any costs saved in administration by transferring all court business to Lancaster would be lost in the additional expense to the court in paying witnesses to appear, to the Police and Probation services, both in increased travelling and waiting time, and in time lost from other work, and to the legal aid fund in meeting the cost of solicitors travelling to Lancaster. Solicitors will also have to spend more time out of their offices, to the detriment of their other work. Administration costs are therefore only the tip of the iceberg, and it would be wrong to base a decision for closure upon this aspect alone without a full study of the additional costs to be borne by transferring all cases to Lancaster.

The consultation paper indicates that closure would not significantly extend the level of disenfranchisement of jurors. To close the Crown Court at Barow would remove approximately 80,000 adults from the list of potential jurors, and defendants would no longer be tried by their local peers with local knowledge . . .

In conclusion, this Society considers that the paper's arguments in support of closure are, at best, not fully thought out and that insufficient weight has been given to the questions of the increased costs and inconvenience to those involved."

Those are the words of Mr. David Dawson, secretary of the Furness and District Law Society.

So far, the police, the judges, the magistrates and the local law society are opposed to the proposals. Let us consider the views of someone who is not involved in the legal profession. Among the many representations that I have received was a letter from the Cumbria-Westmorland Federation of Women's Institutes. The letter, from Mrs. Rawson, is eloquent about being tried locally:

"It has hitherto been the right of defendants to be judged by their peers within their own locality. It must be obvious that the customs and conventions characteristic of a community are best known to those resident in its locale, and consequently it follows that those who contravene what are locally regarded as essentials to living there, should be judged first by those who understand them . . .

It is easy to fortell what will ultimately occur—the ratepayers in the communities in this area, who would once have been eligible for Jury Service will become disenfranchised—the argument then being that the cost to transport so many people to the seat of judgment would prove too great and selection will no longer be made from amongst them."

So far as I am aware, no single organisation or individual which has been involved in the consultation process supports the proposals for the Barrow in Furness Crown court. Two local solicitors from Barrow in Furness made representations which embodied my earlier comments to the Furness and District Law Society.

Miss Barbara Forrester, a local solicitor who specialises in criminal work in the Crown court, wrote:

"It is virtually unheard of for any defendant to criticise the facilities at Barrow. It is also far easier for relatives of defendants to visit them at Barrow than at Lancaster."

Mr. Kenneth Fisher, another local solicitor, wrote that on 15 January he was involved in a case that originated at Barrow magistrates court, and was heard at the Crown court in Blackpool, in which all the solicitors and witnesses came from Barrow. He informed me that fewer than half the cases which originate at the Barrow and Bootle or North Lonsdale magistrates' courts are now heard at the Barrow Crown court. Will my right hon. and learned Friend the Attorney-General explain why that is so?

I could quote many other cases, but time is limited. The consultation paper has caused considerable dismay in my constituency. Because of its geography, the Furness peninsula tends to be overlooked and isolated. Nevertheless, it has a long and proud record of independence, not least in the administration of justice. The catchment area for the Crown court at Barrow is large enough in size and population to warrant a Crown court being located in Barrow. There has been no change whatsoever in circumstances since Barrow was given Crown court status.

The argument of administrative convenience—the perpetual plea and excuse of all administrators—should

[Mr. Cecil Franks]

always be secondary to the interests of those the administrators are paid to serve. The administration of justice should serve the local community and the general community, the accused and the society which it is alleged he has offended against. It will be a sad day for justice when administrative convenience is allowed to be paramount and to subsume the overriding interests of the community.

I remind my right hon. and learned Friend that Furness people are taxpayers like the rest of our citizens, and they are entitled to the same administration of justice as the rest of the country.

10.39 pm

The Attorney-General (Sir Patrick Mayhew): I thank my hon. Friend the Member for Barrow and Furness (Mr. Franks) for raising this matter on the motion for the Adjournment. As he rightly said a few moments ago, time is limited. The length of his excellent speech means that I have only six minutes in which to reply to the many issues that he has raised.

I appreciate the sensitivity of the issue in my hon. Friend's constituency and the strength of the feelings that he reports and shares. He said that the proposal emanates from a review of the Crown court at Barrow, instituted by the circuit administrator, following the Lord Chancellor's Department's internal scrutiny on the court management structure, the purpose of which is to secure better management. My hon. Friend did less than justice to the local knowledge of the circuit administrator who was responsible for the review.

Sittings of the Crown court in Barrow are held in a magistrates court. The courtroom is adequate. I note the chief constable's view that it cannot justifiably be described as dark or dingy, but it lacks many of the amenities that are normally regarded as minimal requirements today. Facilities for the judge, jurors, barristers and solicitors and witnesses are sparse.

Prisoners are brought from Risley remand centre in Warrington nearly 100 miles away, and have to stay in cells with inadequate provision for hygiene, catering and exercise. The conditions for the police, prison officers and staff have been the subject of frequent complaints, especially by the prison service. Meals have to be purchased from the police canteen, and there are only very basic facilities for eating. Indeed, no tables or chairs are available in the cells.

Although the cells have integral lavatories, there is only one wash-hand basin in the corridor. There are no facilities available for visits to the cell area by solicitors or barristers. Such visits therefore have to be conducted within the cells with no seating available. Visits by relatives of defendants have to be held at the grille gate leading to the cell area, again with no seating.

There are only six cells. Inmates therefore have to share overnight if their number exceeds cell availability. The facilities for prison staff are no more acceptable, amounting to one room, measuring 10 ft. by 6 ft., which is sparsely furnished and in which prison staff spend up to 14 hours per day.

A great deal of money would have to be spent to bring the cell accommodation up to reasonable standard. While that would improve conditions for the prisoners, the cell area would still be shared with the local police, which I understand does not accord with good practice. Remand prisoners, who are of course unconvicted and may never be found guilty, would continue to be subjected to inordinately lengthy journeys to and from court.

I now come to whether there is sufficient work to justify the continued presence of a Crown court. In 1988, a total of 121 cases for trial were committed to Barrow, with 35 appeals and cases for sentence. Of those committed for trial, about 70 per cent. pleaded guilty, leaving only 35 jury trials.

That is clearly insufficient to justify other than occasional sittings, particularly since some trials cannot be accommodated at Barrow because of their estimated length of hearing. The sitting arrangements at Barrow are limited to a maximum of three days at a time because the courtroom is required thereafter for sittings of the magistrates court. That provides an answer to one of my hon. Friend's questions. Accordingly, a case which may last for two or more days is usually transferred to Lancaster for trial. More than 30 per cent. of cases committed to Barrow are tried at Preston and Lancaster. That has been the case now for several years, as I understand the situation.

Let me return to the proposal that is advanced in the light of the features I have described. It is that, as an alternative to Crown court sittings at Barrow, the work should be dealt with by the Crown court at Lancaster. The journey from Risley would be reduced by half—to 50 miles. It is contended that conditions for prisoners and prison officers would be improved, and there would be significant benefits and savings in cost to the court and to the prison and probation services.

An increase in the work load and sittings at Lancaster would make better use of available accommodation, reduce the likelihood of wasted days, reduce waiting times, and make for more effective listing of cases. Here, I think, it is relevant that the scrutiny to which I have already referred noted the difficulties that generally are faced by small Crown court centres, which are generally satellites of a larger parent court.

The length of the average sitting day at Barrow is typical of those difficulties, in that it is particularly short. In 1988 the average was 3·98 hours. Even this figure is artificially high, as it is often the case that the court is only technically sitting while awaiting a jury's verdict, there not being work available to be dealt with in court during that time.

A prime function of the court service is to facilitate the just, speedy and economical disposal of cases. The short average sitting day that can be achieved at the court at Barrow, the small case load, and the interval between sessions makes for inefficiency and delay in spite of the best efforts of all concerned—and they are very good. A case not reached at one session must wait at least four weeks before it can be listed again at that venue, which, for some defendants, means waiting in custody.

I should like, of course, to deal at greater length with the points that my hon. Friend has made, but, alas, there is insufficient time by reason of the detailed and excellently presented speech he made. I would just say, however, that, uncharacteristically, he is not accurate in saying that the responses received so far by the Lord Chancellor's Department to these proposals have been all one way. Judicial opinion is by no means unanimous, and, of those who have responded to this proposal, the probation

service, the prison service, the Crown prosecution service, and, I understand, the high sheriff also, have indicated some approval or support for the scheme—

The Motion having been made after Ten o'clock and the debate having continued for half an hour, MR. SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fourteen minutes before Eleven o'clock.

House of Commons

Tuesday 14 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

EMPLOYMENT

Labour Statistics

1. **Mr. Alton:** To ask the Secretary of State for Employment how many men and women living on Merseyside have been unemployed for longer than five years.

The Parliamentary Under-Secretary of State for Employment (Mr. John Lee): In October 1988, the latest available date, there were 15,626 men and 2,433 women in Merseyside who had been unemployed for more than five years.

Mr. Alton: In the light of those damning figures and the 98,419 people on Merseyside who are currently out of work, will the Minister promise that even if tomorrow's figures show some overall reduction in unemployment, there will be no question of complacency in areas such as Liverpool, where the Allerton road jobcentre in my constituency is advertising just 92 jobs in a city where about 24 people are chasing every vacancy? Does the Minister agree that it is vital to remove every possible barrier which might prevent people from seeking skills and training? Does he further agree that we should abolish the national insurance surcharge, which is too often a tax on jobs in areas of high unemployment? Does he also agree that it is quite wrong——

Mr. Speaker: Order. The hon. Gentleman has already asked three questions.

Mr. Lee: I will attempt to answer two of them. Of course the Government are not complacent about unemployment on Merseyside. Indeed, substantial amounts of Government money have been poured into Merseyside through a whole range of Government programmes. The hon. Gentleman should acknowledge that there has been a significant reduction in unemployment in his constituency, which has fallen by just over 21 per cent. in the past two years, and that unemployment is falling steadily in the Merseyside area. The hon. Gentleman may also recall that Liverpool city council's original attitude in not exactly welcoming employment training has not helped.

Mr. Wareing: Is that not a ridiculous end to the Minister's answer, when he knows full well that his right hon. and hon. Friends at the Department of the Environment have cut Liverpool's rate support grant so often in the past? Instead of coming up with Mickey Mouse employment training schemes which do not even cover all the young people unemployed in my constituency, he should talk to people who really know the area and then get together with his right hon. and hon. Friends to do something about the infrastructure, such as the road and rail network. Is it not time that the Government paid as much attention to the social and economic infrastructure of Merseyside as they do to the Channel tunnel?

Mr. Lee: The hon. Gentleman is being extremely churlish. The Government have pumped hundreds of millions of pounds of taxpayers' money into Merseyside, and in the past two years unemployment in the hon. Gentleman's constituency has fallen by 24·78 per cent.

Youth Training Scheme

2. **Ms. Armstrong:** To ask the Secretary of State for Employment whether he has any plans to increase the safety of YTS trainees; and if he will make a statement.

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick Nicholls): I repeat what I told the hon. Lady in the reply that I gave on 6 December, which is recorded in the *Official Report* at column 143—namely, that health and safety remains of paramount importance in YTS.

New developments currently in hand include the issue of a new health and safety training package aimed specifically at young persons and new advice for managing agents who monitor health and safety at work placements.

Ms. Armstrong: Is the Minister not horrified at the rise in accidents involving YTS trainees? Can he tell the House how enabling young YTS trainees to work longer hours —to do night and shift work and to work for up to 53 hours per week—will improve health and safety for our young people?

Mr. Nicholls: The hon. Lady seems to be working on the assumption that the YTS accident rate has increased dramatically. She should know that that is not the position. The rate of accidents and fatalities involving YTS trainees is the same as that for young people working outside the scheme.

If the hon. Lady believes that she has conclusive evidence that altering and rationalising hours of work must inevitably lead to further accidents, it would be interesting to see that evidence. I must tell the hon. Lady that there is no indication from anywhere else that such evidence exists.

Mr. Andrew MacKay: While safety measures must be enforced for YTS trainees from that for everyone else, does my hon. Friend agree that there is a great deal of nitpicking by Labour Members who are jealous because YTS is working so well?

Mr. Nicholls: Nits will pick.

Mr. Fatchett: Is the Minister aware that his answer sounds both smug and complacent? As the Government have presided over an increase of more than 100 per cent. in YTS accidents between 1984-88, is it not time that we had some real constructive action from the Minister—or is

he so insensitive to youngsters and to those on YTS courses that he is quite happy to see such carnage among young people?

Mr. Nicholls: In using words such as "smug" and "complacent", the hon. Gentleman merely illustrates that it is unwise to write one's supplementary question before hearing the answer to the main question. If the hon. Gentleman is trying to suggest that there has been a major increase in YTS accidents he and his hon. Friends should know that the bases on which accidents are recorded were changed in 1986. If one takes that into account—*[Interruption.]* The hon. Gentleman should know about that by now—he has been told often enough. If one takes that change into account, the figures are remarkably stable. The hon. Gentleman should realise that fatalities are recorded on a different basis for YTS trainees as for employees. On that basis, the figures are stable. It is not complacent or smug to try to do away with some of the scare stories that Opposition Members are constantly putting around to terrify people off YTS.

Mr. Bellingham: Does my hon. Friend agree that the key to the safety of YTS trainees is proper training? My hon. Friend will be aware of the excellent work done by the construction industry training board in that respect. Does he agree that it is crucial that that board should remain in its present form with a statutory levy?

Mr. Nicholls: That does not arise from this question, but I agree with my hon. Friend thus far—training is obviously vital and any YTS provider must have approved training organisation status. One of the key ingredients of that status is that such providers have proper safety and training arrangements for the young people in their charge.

Job Creation

3. **Mr. Boateng:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in the greater London region.

The Secretary of State for Employment (Mr. Norman Fowler): In the year to September 1988 the work force in employment increased by 25,000 in greater London. The only available information about full and part-time employment in greater London is for women employees. Those figures are provisional and show an increase of 15,000 in women full-time employees and a decrease of 1,000 in women part-time employees.

Mr. Boateng: In the same period, some 65,000 disappeared off the unemployment benefit register. What has happened to the 40,000 or so people who can no longer be found? Have they disappeared into some kind of twilight zone of fake statistics? Will the Minister give resources to organisations such as Brent Asian Professionals Association, Operation Fullemploy and others trying to provide real training for real jobs? What does he intend to do to encourage employers to provide workplace experience for young people who are currently deprived of it?

Mr. Fowler: I hope that the hon. Gentleman will also continue to support, as I take his remarks to do, the employment training programme. The figures for unemployment and employment are done on different bases. The labour force survey will show a more accurate picture of the growth in employment. That will be available in about a month. The hon. Gentleman should wait for that survey because he will find that some of his questions will be answered.

I am sure that the hon. Gentleman will welcome the fact that unemployment in London has gone down so sharply. I am also sure that he will welcome and recognise the current estimate that there are about 150,000 vacancies in London and about 250,000 unemployed people. In other words, there are opportunities for people to take on work in London.

Mr. Robert G. Hughes: Does my right hon. Friend agree that the problem in north-west London is not unemployment, but that there are not enough people to fill the vacancies? The Government have done a great deal already. Will my right hon. Friend confirm that they will continue to do as much as possible to find people to fill those vacancies and to train them?

Mr. Fowler: The figures that I gave show that there are about 150,000 vacancies in London. We estimate that 50,000—one third—of those vacancies do not require any previous training. The other vacancies require such training and it is for that reason that the employment training programme has been introduced. I am glad to tell the House that there are about 140,000 people on the employment training programme. That demonstrates its success and the big start that it has had despite opposition from Labour Members.

Mr. Leighton: Will the Secretary of State clear up a mystery? He keeps referring to 150,000 vacancies, but when the long-term unemployed go for their restart interviews fewer than 1 per cent. of them get a job. How does the Secretary of State explain that? Is he aware that the 150,000 vacancies to which he referred when he answered questions a month ago no longer exist? They generally last only a couple of weeks and go primarily to people already in employment and switching jobs, or to those who have recently become unemployed. The people still unemployed since that answer a month ago are the long-term unemployed, largely because of employer prejudice against them. What steps is the Secretary of State taking to deal with that problem?

Mr. Fowler: The hon. Gentleman is wrong on several points. First, the London labour survey that we have published shows conclusively that there are many unfilled job vacancies in London. There is no doubt about that. No one in the employment sphere doubts that. Many of the people who are unemployed require training. That is what employment training is about. I wish that the hon. Gentleman would have some influence on his Front Bench colleagues and get them to support that programme.

With regard to restart programme outcomes, the hon. Gentleman will understand that after their restart interviews many people go into employment training or to job clubs, which is one of the surest ways of finding employment.

Mr. Simon Coombs: Does my hon. Friend agree with the assessment that in 1991 the London Docklands will have created 80,000 new jobs as a result of £4 billion in private investment? Can he tell the House how far that process has gone?

Mr. Fowler: Ther is no question at all that the development of the London Docklands will bring, and is already bringing, new jobs to London. It is a great commentary in defence of our policy there that an area that was previously very much running down has been revivified by private investment for the benefit of people in London and for jobs.

Mr. Strang: How is it that in the greater London region —the centre of the so-called jobs boom—in May 1979 when the Government took office unemployment was 110,000 but now, on the basis of the Government's new method of calculation, it is 250,000 and if we used the method of calculation suggested when Labour was in power it would be 340,000, which is an increase of 200 per cent? Is it not time for a little less euphoria from Ministers and a little more action to tackle unemployment, not least in areas such as Hackney and Peckham where it is more than 20 per cent.?

Mr. Fowler: There is neither euphoria nor complacency. Unemployment has fallen dramatically in this country in the past 18 months. The most distressing aspect is the Labour party's refusal to welcome the good news that many more people are in jobs. It is about time that the Labour party came up to date and started backing a programme for training long-term unemployed people or they will have no credibility whatever.

Loan Guarantee Scheme

4. **Mr. Carrington:** To ask the Secretary of State for Employment if he will make a statement on the progress of the loan guarantee scheme.

The Minister of State, Department of Employment (Mr. John Cope): The loan guarantee scheme will continue in operation and the maximum loan under it will increase from £75,000 to £100,000. Nearly 21,000 guarantees have been issued for a total of £680 million of loans since the LGS started.

Mr. Carrington: I am grateful to my right hon. Friend for that answer. He will know how welcome is the great success of this scheme, especially the increase to 85 per cent. in the loan guarantee scheme for the inner city task force areas. Is my right hon. Friend also prepared to give an estimate of how much each job created under the scheme has cost since the start of the scheme?

Mr. Cope: We estimate that the net cost per person is about £450 per job, which compares extremely favourably with the other schemes that the Department operates.

Mr. Rowe: Does my right hon. Friend accept that that remarkable achievement is welcome to us all? Will he confirm that a substantial number of now large employers started under the loan guarantee scheme and that a great many of the firms that started under that scheme are still in business after three years?

Mr. Cope: Yes, the majority of firms which started under the loan guarantee scheme continue and are successful, although obviously not all of them. They include some of the great high street firms such as Sock Shop and Waterstone's the bookshop, which are constantly mentioned.

YTS

5. **Mr. Battle:** To ask the Secretary of State for Employment whether he has any plans to increase the non-work content in YTS; and if he will make a statement.

Mr. Cope: We have no plans to increase the non-work content in YTS. The emphasis is increasingly moving towards achieving approved vocational qualifications by the most appropriate route rather than specifying particular routes.

Mr. Battle: Is not the reality that the non-work content is being decreased and the Government are watering down the original YTS requirements as set out in the new training initiative in 1981 by reneging on the 20-week on-the-job off-the-job training promise? Are not the Government using the scheme not for real and useful long-term training, as the Minister suggested earlier, but as a means of making out to us that the unemployment figures are falling?

Mr. Cope: On the contrary, we are introducing increased flexibility into the youth training scheme in cases where it can lead to approved national vocational qualifications. We have introduced the changes to increase the number of people who achieve qualifications on the scheme. That is why we are varying the mix.

Mr. Paice: Does my right hon. Friend agree that increasing the role of vocational qualifications in the youth training scheme is warmly welcomed by employers and would-be employers who recognise qualifications as an important achievement? Does he also recognise that the training standards advisory service within the Training Agency ensures that all managing agents are constantly improving the quality of their training, which matters more than simple duration?

Mr. Cope: Yes, we have for some time been emphasising the importance of the quality of training, through the work done by the training standards advisory service, among others, but quality and qualifications are also important to the young people.

Mr. Nellist: Would not a guarantee of stability, or better still an increase in the proportion of non-work training, for people on the youth training scheme also serve to reduce accidents which have grown from 69 fatal or major accidents per 100,000 trainees in 1984 to 143 in March 1988? Should not parents who send their sons and daughters on a youth training scheme in the morning be able to have confidence that they will return home at night with the same number of limbs as they had when they left?

Mr. Cope: The hon. Gentleman should not try to frighten people in that way. In the first place, he is two questions late. Secondly, he will have heard my hon. Friend the Under-Secretary of State, the Member for Teignbridge (Mr. Nicholls), say that the reporting of accidents changed in 1986, as the hon. Gentleman should well know.

Strikes (Lost Working Days)

6. **Mr. Wood:** To ask the Secretary of State for Employment how many working days were lost through strikes in *(a)* January 1979 and *(b)* January 1989; and if he will make a statement.

Mr. Fowler: Nearly 3 million working days were lost through strikes in January 1979. The latest figure available for November 1988 shows that 175,000 working days were lost. Those figures show the very substantial improvement that has taken place in this country's industrial relations record in past 10 years.

Mr. Wood: I thank my right hon. Friend for that reply. Does he agree that the present position is an astonishing contrast with that of the 1970s and owes a great deal to the Government's step-by-step employment policies during that period? Can my right hon. Friend give further details about the average number of strikes in the 1970s compared with the figure for 1988?

Mr. Fowler: There is no question but that industrial relations in Britain have improved substantially. The Labour Government achieved in one month the number of days lost through strikes that now take a year to come by. That gives some idea of the vast improvement that has taken place. I am sure that my hon. Friend is right to say that one reason for that is the reform of industrial relations law in Britain.

Mr. Cryer: Is the Minister aware that he talks a lot of claptrap about this? Can he give us for each year the figures for days lost through strikes compared with the number lost through industrial injury and unemployment? Is it not a fact that, year by year, the number of days lost through industrial injury and unemployment far exceeds the number lost through strike action, which leads one to question the Government's position when they produce venomous and vicious legislation against the trade unions but do nothing about industrial injury and very little about unemployment?

Mr. Fowler: The hon. Gentleman has just established beyond any doubt that he is the world expert in claptrap. In the year to November 1988 there were 746 stoppages. That compares with an average in the 1970s of 2,631. As for working days lost, in the 1970s the average was almost 13 million; today it is just under 4 million. The hon. Gentleman cannot seriously argue that that is not a very substantial improvement.

Mr. John Greenway: Does my right hon. Friend accept that the Government's record on improved industrial relations is most commendable, but that two further measures could be taken? First, he could pursue with renewed vigour the arrangement to set up more no-strike agreements, beginning with our prisons. Secondly, he could abolish the closed shop.

Mr. Fowler: I entirely accept what my hon. Friend says. The step-by-step process of reform of industrial relations is not complete and the job has not yet been finished. It is still the case that in some industries no one can get a job unless he has a trade union card. That represents a barrier to employment and, as my hon. Friend will know, it is something that we are reviewing urgently and on which I shall wish to make a statement in due course.

Demolition Sites (Fatalities)

7. **Mr. Rooker:** To ask the Secretary of State for Employment how many employees have been killed on demolition sites in the past five years.

Mr. Nicholls: Between 1 January 1983 and 31 March 1987 the number of deaths associated with demolition activities of employees reported to the factory and agricultural inspectorate division of the Health and Safety Executive totalled 53. The provisional figure for deaths in the period 1 April 1987 to 31 March 1988, the latest date for which information is available, is 13.

Mr. Rooker: I thank the Minister for that answer. Does he accept that there can be a problem about employees and that in addition to the figures that he has given at least another 12 people per year are killed on demolition sites? One such is the case of Seamus Cleary, who was working on the demolition of the Ansell's brewery site in Birmingham for the notorious contractors, Doyle's. At the inquest the man's family and friends told the coroner that he was an employee, but Doyle's insisted that he was not. This is a serious issue to which I have drawn the Department's attention in the past. People on demolition sites ought to be clearly identified so that someone is accountable and responsible for their health and safety. Companies such as Doyle's should not be able to employ lump labour and then not take responsibility when tragedies of this kind occur.

Mr. Nicholls: I am not in a position to comment now on the specific case that the hon. Gentleman raises. If he wishes to raise it with me in correspondence I will of course, look at it. Perhaps I could clear up one misconception under which the hon. Gentleman seems to be labouring. With regard to fatal accidents in construction, those who are non-employed but within the ambit of a construction site are also covered. The figures do not apply simply to those working on the site.

Mr. Soames: Does my hon. Friend nevertheless agree that these are very serious figures? Is he sure that every step has been taken by the Government to ensure that safety rules are observed on demolition sites in accordance with the strict letter of the law?

Mr. Nicholls: My hon. Friend is entirely right to express concern. The point that has to be made clear time and again is that neither the Government nor the HSE can act as the industry's safety officer. The prime responsibility in preventing accidents and fatalities must rest with the work force and the employers. The black spot construction report showed that 90 per cent. of deaths between 1981 and 1985 were preventable, 70 per cent. being preventable by positive management action. I am satisfied that the HSE and the Government are doing all that they can, but so long as even one death is occurring that effort must continue.

Job Creation

8. **Dr. Moonie:** To ask the Secretary of State for Employment what was the fall in unemployment, and the number of jobs created in the United Kingdom, in the 12 months to September 1988.

Mr. Fowler: In the United Kingdom in the 12 months to September 1988, the level of unemployment fell by 526,400. Since then, there has been a further fall of 152,600. Provisional estimates of the work force in employment show that there has been a net increase of

402,000 in the 12 months to September 1988. But that last figure is subject to revision when the labour force survey is published.

Dr. Moonie: Will the Secretary of State tell the House how many of the jobs gained have been full-time jobs, and how many part-time?

Mr. Fowler: Yes, Sir. Over the past 12 months about 55 per cent. of the jobs obtained have been full-time and about 45 per cent. part-time.

Sir Michael McNair-Wilson: If my right hon. Friend compares the people in the various age groups that have found employment, will it be found that those who are aged over 50 or disabled receive a proportionate number of jobs, or do they need special assistance?

Mr. Fowler: Both groups require special help, and in terms of the employment training programme, we are trying to provide it both for the over-50s and, particularly, for the disabled. That is a continuing element in our policy, and it will continue to be a priority.

Mr. Wallace: Of the 152,600 people who have come off the unemployment register since September 1988, how many are aged between 16 and 18 who have been unable to find a YTS place, and who are no longer entitled to receive income support? Does the growing number of young people so affected give the Secretary of State cause for concern? It appears that there is a gap in the training provision, which does not cater for people unable to find a YTS place.

Mr. Fowler: I am always prepared to consider individual cases of people who have been unable to find a YTS place. At present, there are 120,000 vacancies on the YTS programme in all the regions of the country. Our information is that all who have applied for a YTS place have been able to obtain one. If the hon. Gentleman gives me an example of where that has not occurred, I am prepared to investigate it.

Mr. Favell: A man of 50 obtaining a job can often give 15 years' service to his new-found employer. Does my right hon. Friend agree that there should be advertisements stating, "No one aged under 50 need apply"?

Mr. Fowler: I wish to ensure that employment opportunities exist for people of all ages. Many people aged over 50 have the experience that enables them to take up new jobs, at a time when many more vacancies are occurring. I feel sure that employers will increasingly want to appoint older workers; that trend is already visible.

Mr. Ashley: Will the Secretary of State make a special effort to provide jobs for the disabled? The Office of Population Censuses and Surveys reveals that only 31 per cent. of disabled people of working age have jobs.

Mr. Fowler: The right hon. Gentleman makes an important point. The employment training programme already makes special provision for disabled people, and I am glad to tell the right hon. Gentleman that take-up of those places is very high.

Mr. Knapman: Does my right hon. Friend agree that employment is at a record level, that output is at a record level, and that the MacInnes report is pseudo-academic bunkum?

Mr. Fowler: The report is certainly discredited as a statistical exercise. Unemployment is falling fast, and is now below that not only of the European Community average but of a host of European countries. That is a very welcome trend.

Mr. Meacher: Will the Secretary of State confirm that the British Government are the only Government in Europe to use the benefit claimant count as a measure of unemployment, and that ours is the only country to knock people off their entitlement to unemployment benefit and then parade that as a cut in unemployment?

Will the Minister confirm also that the Government's labour force survey, which uses the same international measure of unemployment as all other countries but which, significantly, the Government have not published for the last two years, reveals that unemployment today in Britain is still over 2·6 million and that the Government's claim on Thursday that unemployment has now fallen below 2 million will be completely and utterly bogus?

Mr. Fowler: The hon. Gentleman is running a bit scared —*[Interruption.]* He is absolutely terrified that the figures next Thursday will go below 2 million, and that shows the hon. Gentleman at his contemptible worst. The comparison that I gave, which shows that the rate of unemployment in this country is below the European Community average, is on a standardised basis. There is no question about that. What the hon. Gentleman said about the labour force survey was wrong in practically every detail. I hope that by Thursday he will have done his homework.

Tourism

9. **Mr. Key:** To ask the Secretary of State for Employment if he will make a statement on his assessment of the contribution of tourism to local economies in respect of English cathedrals and cathedral cities.

Mr. Lee: Precise figures are not available. However, English cathedrals and churches are estimated to be attracting a total of 30 million visitors a year, with consequent benefits to local shops, hotels, restaurants and other businesses.

Mr. Key: My hon. Friend will join me in congratulating Lichfield on receiving £1 million of taxpayers' money from the European Community for employment creation in connection with the cathedral because it happens to be in a development area. Is he aware that that puts a number of other cathedrals, including Salisbury, at a double disadvantage, first because they cannot get European Community money and, secondly, because of the Minister's decision to suspend section 4 grant as priming for tourism? Will he look at both those points?

Mr. Lee: English Heritage is theoretically able to support cathedrals, but it tends to concentrate its resources on parish churches, for which it is more difficult to obtain outside funding. I suspected that the question of section 4 would be raised at Question Time today. Section 4 has undoubtedly helped the tourist industry to develop. But we must now look at it in terms of the present amount of construction work that is under way right across the country. We calculate that there is about £2·5 billion worth of new construction work under way throughout the country in respect of tourism and hospitality. Section 4

amounted to only about £13 million, and until the moratorium was announced by the Secretary of State, tourism was the only industry that had access to grant.

Mrs. Fyfe: Is the Minister aware that a dozen questions about tourism have been tabled today by Conservative Members? Could it be that some of them want to waste time—when we are supposed to be discussing employment matters—by going on about tourism?

Mr. Lee: Tourism is a vital industry to this country. It sustains 1·5 million jobs and is growing at the rate of nearly 1,000 net new jobs a week. It is a subject of considerable interest to my hon. Friends. When, in June of last year, we last debated tourism, only two Members of the official Opposition participated.

Tourism

10. **Mr. Adley:** To ask the Secretary of State for Employment in what form he proposes to announce his conclusions following his review of tourism.

Mr. Lee: The tourism review report is still under consideration and no decision has yet been taken on how the conclusions will be announced.

Mr. Adley: I thank my hon. Friend for that reply, and I declare my interest in the industry. Will the Minister use the period of suspension of section 4, which is causing some concern, to consult his colleagues in the Welsh and Scottish Offices to see the great success that they have made of the utilisation of grant? Does he agree that there are regions of England where investment is still needed, and might he consider concentrating section 4 on those areas which still need investment?

Mr. Lee: Section 4 has been a great success in England, and, as I have said, a huge amount of construction work is under way. The outlook for our home tourism industry in 1989 is now excellent, with overseas package tours under considerable pressure.

Ms. Short: Does the Minister's review of tourism take into account that that highly profitable industry is notorious for low pay, and that prosperity is not brought to a country if those who work in an industry do so for very low remuneration? Will the Minister consider that, and has he any proposals to improve employment conditions?

Mr. Lee: The tourism review does not specifically examine pay. The hon. Lady does no service to herself or to her constituents by harping continually on low pay in the industry, as by and large the overall remuneration package is improving considerably.

Mr. Bevan: Will the review consider value for money in relation to the non-statutory regional tourist boards? Will my hon. Friend also consider the provision of alternative finance—perhaps through the private sector—as a replacement for section 4 grants when encouraging those who wish to enter the industry or to develop within it?

Mr. Lee: I know of my hon. Friend's deep commitment to the tourism industry. We are examining the question of the regional tourist boards. Let me say again, however, that a huge amount of private sector investment is under way.

Mr. John Evans: Will the Minister reconsider his decision to cut off section 4 arbitrarily? I am particularly concerned about the north-west. Haydock park, in my constituency, was holding discussions with his Department, in the middle of which he cut off the grant. Is that not unfair?

Mr. Lee: Considerable new invesment and development work has been under way at Haydock park. As for the north-west overall, it has done extremely well in terms of new capital investment in tourism, and the tourism industry there has received substantial section 4 grants. The Granada studios tour development in Manchester, for instance, received some £750,000.

Self-employment

11. **Mr. Oppenheim:** To ask the Secretary of State for Employment how many people are currently self-employed; and how many people became self-employed during the latest year for which figures are available.

Mr. Cope: In September 1988, the latest date for which estimates are available, there were 2,956,000 self-employed people in Great Britain, a net increase of 124,000 since September 1987.

Mr. Oppenheim: Does my right hon. Friend agree that self-employment jobs are real jobs and make a good contribution to the economy? Will he confirm that those moving into self-employment will be able to find training opportunities on the education training scheme?

Mr. Cope: I agree with both parts of what my hon. Friend has said. Business skills training is certainly an important part of the employment training scheme.

Mr. Meacher: Is the Minister aware that no less than 41 per cent. of the Government's claimed increase in jobs in the past two years allegedly comes from self-employment? Is he aware that those Government figures are simply invented—[HON. MEMBERS: "No."]—that the latest known figures date from 1981 and that in any event the lifetime of self-employed small businesses is now the shortest ever, with bankruptcies at a record high?

Mr. Cope: The hon. Gentleman tries hard, because he cannot accept that the present work force is at its highest ever.

Mr. David Shaw: Is my right hon. Friend aware that self-employment provides real jobs which are not invented? Many people in my constituency and in constituencies all over the country are grateful to the Government for opportunities in self-employment, which enables some to obtain jobs for the first time.

Mr. Cope: I absolutely agree. They are real jobs, and not inventions as the hon. Member for Oldham, West (Mr. Meacher) suggested. Of course the figures are estimates, but they are accurate estimates and show that jobs that people want are being provided.

Job Creation

12. **Mr. Frank Cook:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in the northern region.

Mr. Nicholls: In the year to September 1988 the civilian work force in employment increased by 31,000 in the northern region. The only available information about full-time and part-time employment in the regions is for female employees. This shows increases of 7,000 in female full-time employees and 8,000 in female part-time employees.

Mr. Cook: Did not the Secretary of State let the cat out of the bag in an earlier answer, when he admitted—confessed, indeed—that 45 per cent. of the new jobs were casual and part-time? Does the Minister accept that in the final quarter of last year 23,000 jobs were created in the northern region, as against the stated reduction of 33,000 in the unemployment figures? Will the Minister admit that the 10,000 difference between the two figures has simply disappeared into the Government's big bass fiddle?

Mr. Nicholls: No. The only cat to be let out of the bag today is the fact that the Opposition have a vested interest in bad news. Perhaps the hon. Gentleman, in reciting his mish-mash of figures overlooked the position in his own constituency. I know that he will wish the House to know about it so I shall remind him of the figures. Unemployment in Stockton, North fell by 20 per cent. in the past year so the hon. Gentleman would have done better to have confined his remarks to saying thank you.

Mr. Janman: Is my hon. Friend aware that unemployment in my constituency has fallen by more than 50 per cent. in the past three years, a fact that has been acknowledged and welcomed by the local Labour council? Does he agree that the MacInnes report tells us nothing about employment trends, but tells us only that Glasgow university is wasting taxpayers' money by employing charlatans to produce shoddy and intellectually bankrupt work?

Mr. Nicholls: I could not begin to cap the way in which my hon. Friend expresses his views about the quality of that report. It simply makes the point, as always, that unemployment is coming down dramatically, and Labour Members absolutely loathe that.

PRIME MINISTER

Engagements

Q1. **Mr. Morgan:** To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Mr. Morgan: Did the Chancellor of the Exchequer have the January inflation figure when he leaked the 7 per cent. plus inflation figure when he spoke to his local Conservative association at Hinckley on Saturday night? Is not that an example of governmental insider trading? Did the Prime Minister sanction that leak, or will she order an inquiry into it?

The Prime Minister: No. My right hon. Friend the Chancellor has given forecasts before. On this occasion he was perfectly candid. Of course he is well aware, as I am, that our record on reducing inflation greatly excels that of the previous Government.

Middle East

Q2. **Mr. Latham:** To ask the Prime Minister what meetings she expects to have with senior representatives of middle eastern countries during the month of February regarding the peace process in the middle east.

The Prime Minister: I look forward to meeting the Israeli Foreign Minister tomorrow.

Mr. Latham: When my right hon. Friend meets Mr. Arens tomorrow, will she remind him of the wise words of Abba Eban and Ezer Weizman, supported by 54 per cent. of the Israeli voters, that it is now time to take constructive advantage of the major step forward made by Mr. Arafat in recognising Israel through United Nations resolutions Nos. 242 and 338 and to make progress from that position?

The Prime Minister: I agree with my hon. Friend that perhaps the most encouraging aspect of the present position is that everyone realises that the status quo cannot last and that there must be negotiations. I believe that those negotiations must be well prepared and I shall urge Mr. Arens to take advantage of the new opportunities that have been opened up. I also hope to be able to discuss those vitally important matters with Mr. Shamir in due course.

Mr. Bell: Will the Prime Minister convey to the Israeli Foreign Secretary that in the House the strongest supporters of the state of Israel are gravely disquieted by events in the Gaza strip and the West Bank? Will she convey to him that those supporters say that the sooner a dialogue is opened on the future of those territories the safer and more secure will be the state of Israel?

The Prime Minister: Yes. I am grateful to the hon. Gentleman. As I said, it is most encouraging that both sides now accept that the status quo cannot continue and that there is an urgent need for negotiations. The hon. Gentleman will agree that it is important that the negotiations are well prepared so that they have a chance of fulfilling the hopes of all of us for a comprehensive settlement based on United Nations resolution No. 242.

Mr. Robert Hicks: Does my right hon. Friend also agree that the response of the new American Administration is crucial to any long-term settlement in the middle east, and particularly to persuading the Israeli Government to come to the negotiating table? What action are we taking, either alone or through the European Community, to bring that about?

The Prime Minister: I agree that the response of the United States' new Adminstration is absolutely crucial, particularly in helping to bring Israel to the negotiating table. I have already had discussions about this matter, first with President Bush when he was President-elect and with the American Secretary of State, Mr. Jim Baker, over the weekend. Both countries share the view that it is important that the middle east should have near top priority in foreign matters—after that given to East-West relations—but that we should not rush to the negotiating table until full and proper preparations have been made.

Ms. Short: Does the Prime Minister agree that it is not enough merely to call on the Israelis to negotiate, when there is no sign that they will do so? Will she consider taking action to force Israel at least to abide by the Geneva convention on the treatment of people in occupied territories and to stop the annexation of land, the deportation of people, illegal detention without trial and the demolition of houses? Britain should put pressure on Israel to improve conditions in the occupied territories and to bring it to the negotiating table.

The Prime Minister: Over the years, many people have told Israel about those actions which are unacceptable. It is important, now that there is a feeling that it is time for negotiations, that we concentrate on starting them while there is the best possible chance of success. I believe that that chance is higher now than it has been for many a long year.

Mr. Dykes: Does my right hon. Friend agree that the Israelis are hearing the voices of the true friends of Israel throughout the world who feel that talks are long overdue? Further to the question asked by my hon. Friend the Member for Rutland and Melton (Mr. Latham), is she confident that the United States will not only continue the Tunis talks with the PLO but will upgrade them? Will she also consider upgrading our level of talks with PLO representatives in the future?

The Prime Minister: I see no reason to go any further immediately than we have already gone with the PLO. As my hon. Friend knows, we do not necessarily accept the PLO as the sole representative of the Palestinian people. There are other people who could well represent them. That factor—precisely who shall negotiate—needs to be addressed when preparing for the negotiations. Another fact that must be addressed is whether the negotiations will take place in the framework of the five permanent members of the Security Council, as I believe most parties would wish.

Q3. **Mr. McFall:** To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. McFall: Is the Prime Minister aware that thousands of young people have vanished from the registers of state agencies as a result of losing their automatic entitlement to social security benefit? Is she further aware of the comments of the Association of Metropolitan Authorities and the Association of Directors of Social Services, which say that this underclass of 16 to 17-year-olds are drifting into crime, homelessness and, in some cases, even prostitution?

Will the Government give a commitment that the Social Security Bill before the House will contain some concession to eliminate this scandal? If not, will the Prime Minister agree that the policies that she has pursued over the last decade are the antithesis of the sentiments she preached on the doorstep of No. 10 in May 1979, when she had the gall to quote that great prayer of St. Francis of Assisi? *[Interruption.]*

The Prime Minister: No. Social security has been withdrawn from the 16 and 17-year-olds—with the exception of those who are disabled or in very keen need—because they can stay at school, take training or take a YTS job. The number of YTS jobs available exceeds the numbers applying for them. Conservative Members think that it is far better for young people to be trained than to choose to be idle.

Sir Hugh Rossi: Will my right hon. Friend join me in congratulating Motability on the initiative that it showed in launching yesterday a campaign, with all-party support, for the promotion of unleaded petrol—not only for the disabled but for all car owners—which will benefit the nation's health and the environment?

The Prime Minister: Yes, Mr. Speaker, it was an excellent initiative and it will be received very well, I believe, throughout Britain, where more and more people are conscious of the need to convert their cars to unleaded petrol and more and more oil companies are conscious of the need to provide that petrol on the forecourts of garages. It is important to the health of children. Government cars are being gradually converted. Not all of them can be converted immediately; some of us have to wait for new cars. However, this was a splended initiative, which augurs well for the future, and I congratulate all those involved in it.

Mr. Kinnock: Bearing in mind the Prime Minister's previous answers to questions, can she tell us what she had for lunch today: was it eggs, cheese, or the Minister of Agriculture?

The Prime Minister: Cheshire cheese, and very good it was.

Mr. Kinnock: Perhaps the Prime Minister can help us further. A Cabinet Minister yesterday said, "What John has said is that he is thinking about banning cheese." John said, "There is no question of banning cheese." What does Margaret say?

The Prime Minister: I really had expected better of the right hon. Gentleman. *[Interruption.]*

Mr. Speaker: Order, order. This takes up a lot of time.

The Prime Minister: It seems to me schoolboy stuff. May I take advantage of the question that the right hon. Gentleman has asked, as there appears to be some confusion?—*[Interruption.]*

Mr. Speaker: Order, order. This takes up a lot of time.

The Prime Minister: There is a different position in Scotland from that in England and Wales, and the chief medical officer has given very, very clear and explicit advice. The position in Scotland is that there is already a ban on sales of unpasteurised liquid milk and cream to the general public. Unpasteurised milk may still be used for cheese-making, though there is a code of practice on good hygiene procedure.

In England and Wales the Ministry of Agriculture is considering whether unpasteurised liquid milk and cream for sale to the general public should also be banned, and a consultation document will be issued shortly. A code of practice for major manufacturers of soft cheeses has already been issued, and one for smaller cheese-making businesses is in draft.

On listeriosis, the chief medical officer—*[Interruption.]*

Mr. Speaker: Order, order. The Prime Minister has been asked a question and she is answering it.

The Prime Minister: It is a comprehensive answer. On listeriosis, the chief medical officer's advice is that pregnant women and certain other categories of people should not eat certain types of soft cheeses. That advice applies irrespective of the type of milk from which they are made. The chief medical officer also gave advice that these people should fully reheat cook-chill meals and ready-to-eat poultry until they are piping hot. Those are the facts and the advice.—*[Interruption.]*

Mr. Speaker: Interruptions take up a lot of time.

Mr. Haynes: On a point of order, Mr. Speaker, you criticise our Back Benchers for wasting time; what about the right hon. Lady?—*[Interruption.]*

Mr. Speaker: Order, order.—*[Interruption.]*

Sir Antony Buck: Will my right hon. Friend now turn to international matters of real significance? Will my right hon. Friend utilise the hot line between her and the White House to talk to the President about matters of international significance, and also pay tribute to the outgoing American ambassador, who has contributed so much to the special relationship which exists between our two countries?

The Prime Minister: I gladly respond to my hon. and learned Friend's advice. Yes, we still confer closely with the President of the United States and I gladly pay tribute to the services in this country of the retiring American ambassador, which have been quite outstanding and which have contributed greatly to the special relationship that we have with the United States. I pay tribute also to Mrs. Price, who has been absolutely marvellous as well.

Mr. Ashdown: Does the—*[Interruption.]*

Mr. Speaker: Order.

Mr. Ashdown: Does the Prime Minister not find it somewhat odd to be lecturing other Europeans on the safety of their cheese while at the same time refusing to accept European standards for the higher safety and quality of our water?

The Prime Minister: We are accepting European standards for the higher safety and quality of our water. I hope that some other European countries are doing as well as we are. The right hon. Gentleman will perhaps not recall that for the last four years we have deliberately increased capital expenditure on water, so all of a sudden the Opposition are complaining about the necessary increase in prices and the necessary capital expenditure. Capital expenditure on water will continue to rise both this year and next. It will go up to something like £1·4 billion to improve some of the capital equipment. We are doing it as quickly as possible. With regard to cheese and other food, the right hon. Gentleman ought to look at the World Health Organisations's working party report of last February. Other European countries have taken action on cheese, including Switzerland.

Mr. Harry Ewing: On a point of order, Mr. Speaker.

Mr. Speaker: Order. This is still Question Time.

Storm Damage (Scotland)

3.31 pm

Mr. Brian Wilson (Cunninghame, North) *(by private notice):* To ask the Secretary of State for Scotland if he will make a statement on the extent of storm damage in Scotland and what steps the Government propose to take to alleviate any damage caused.

The Secretary of State for Scotland (Mr. Malcolm Rifkind): The effect of the storms in Scotland in the course of 13 February has been very widespread. Damage has been sustained by a wide range of services and facilities, including piers, airports, roads, railways, housing, schools, hospitals, telephone links and power lines. In particular, a high proportion of consumers in the north of Scotland lost power as a result of the storms.

At dawn today, a total of some 56,000 people were without an electricity supply—39,000 in the North of Scotland Hydro-Electric Board's area and 17,000 in the area of the South of Scotland electricity board. I am glad to say that the SSEB has already reconnected about half of those affected and hopes to be able to reconnect virtually all of the remainder today. There will, however, probably still be a significant number of customers in the north of Scotland without supply tonight. The north board's transmission repair teams are fully deployed and helicopters are being used to locate faults. The SSEB hopes to be able to make available some of its engineers to help the north board tomorrow. On behalf of both boards I would like to thank the Electricity Council and the area boards in England for the offers of help which they have given.

I have received a number of reports of damage to schools and to hospitals throughout the country. For the most part, the damage is to roofing and windows and is relatively minor, although there are some reports of more serious roof damage. A number of schools have been closed because of power failures. As far as transport is concerned, a number of roads were blocked by trees, and rail services were also affected. Most of the affected roads and railway lines will be cleared in the course of today.

I would like to pay tribute to the local authorities, the electricity boards, the emergency services and the community generally for their splendid efforts both to make facilities available for those who have had to leave their homes as a result of the storms and to repair the damage.

It is of course too soon to say what is the full extent of the storm damage, and I am asking for reports from the local authorities and other public bodies involved. We stand ready to play our full part in working with those affected to repair the damage caused by last night's storms.

Mr. Wilson I am grateful to the Secretary of State for that reply. Is he aware that, when storms of comparable ferocity hit the south-east of England in 1987, the Government very quickly announced the allocation of £22·6 million in compensation to local authorities, with additional sums from the Ministry of Agriculture and the Countryside Commission? Does he accept that, once the assessment has been made, the response in Scotland must be no less prompt or adequate? Is he aware that the coastguard stations around the Scottish coast described last night as one of their busiest on record? We pay tribute to the efforts of the coastguard service, and advise the colleagues of the Secretary of State to abandon the idiotic idea of closing coastguard stations.

Is the Secretary of State aware that housing authorities throughout Scotland will face devastating repair bills as a result of last night's storm and those that we are told may be still to come? Will he ensure that special allocations are made to these hard-pressed authorities to help them to meet this act of God? Will he urgently reassess non-housing revenue account allocations to district and island councils to take account of the extensive damage that must have been done to private property already in dire need of repairs.

Is the right hon. and learned Gentleman aware that the storm damage in the Highlands comes on top of a period of severe flooding? Is he yet in a position to announce the Government's response on that front? In particular, will he assure the House today that there will be no question of railway services north and west of Inverness being lost as a result of the Ness bridge collapse? Will he recognise the particular devastation caused to the fish farming industry, and will he assure us that the non-culpable fish farmers will be compensated with at least the same generosity as the egg producers?

Will the Secretary of State enter immediately into sympathetic discussions with local authorities and health boards to identify the scale of the financial burden that these storms have visited upon them, and will he assure the House today that the Government will be just and generous in their response?

Finally, will the Secretary of State refer to the *Official Report* of 4 April 1968, where he will find that at that time the total number of unemployed slaters and felters available in Scotland to meet the housing emergency following the last great Scottish storm was 33? Will he recognise that there are an awful lot more than 33 slaters and felters available in Scotland today, and will he ensure that the local authorities have the human resources to meet this crisis?

Mr. Rifkind: First of all, obviously the response of Her Majesty's Government will be in accordance with the needs that are disclosed following these events. Well understood principles apply when there is either storm damage or other civil emergency of this kind, and I can assure the hon. Gentleman that the Government's response will be fully appropriate to the occasion.

I agree with the hon. Member in the tribute he paid to the work of the coastguards. They do indeed have a difficult task, and they have responded magnificently over the last 24 hours.

Naturally, we wait to hear from the housing authorities, and, for that matter, from the health boards and other public bodies, about the extent of the damage caused. Once we have had an opportunity to consider the reports we receive from those bodies, we will be in a position to judge what needs to be done by them, by us, or by both.

With regard to the floods in the Highlands last week, the hon. Gentleman will be aware that on Friday I communicated with the convenor of Highland region and of Inverness district council and invited them, and, indeed, any others involved, to let us have the full details of the damage done by last week's flooding. British Rail, of course, has already announced its intention to rebuild the

railway bridge at Inverness as soon as that is physically possible, and I am delighted that it was able to give such a speedy and comprehensive response.

With the health boards too, as with the local authorities, we await the details of the damage done. Apparently it is mainly the roofing of various buildings that is affected, although, of course, other damage may become apparent.

The hon. Gentleman asked also about fish farmers. I think that most fish farmers will have been insured to deal with any damage that may have been caused to their farms, as will others in that capacity, but we await further information on that.

Sir Hector Monro (Dumfries): In commiserating with all those who have borne the brunt of the very rough weather of the last couple of weeks, may I ask my right hon. and learned Friend to look sympathetically at the level of grants that are available for repairs to flood banks, fencing and farm buildings that may have been seriously affected? It is very important, in the long term, that they should be repaired or replaced as soon as possible.

Mr. Rifkind: I thank my hon. Friend for those remarks. There are forms of assistance available to help those with particular problems. The Department of Agriculture and Fisheries in Scotland is currently evaluating the damage that was done. I will take into account my hon. Friend's remarks in due course.

Mr. Norman Hogg (Cumbernauld and Kilsyth): Recognising the importance of the electricity supply industry to communities in the north of Scotland, may I ask the Secretary of State whether he agrees that the work done by the teams restoring electricity power is extremely important? Will he guarantee that these teams will continue to exist when the service motive is replaced by the profit motive, which will result from privatisation?

Mr. Rifkind: There is no question of those facilities not continuing. The regulatory nature and the provisions of the privatisation proposals will ensure that exactly the same service will continue to be available in circumstances such as we have had in the last 24 hours.

Mr. Alick Buchanan-Smith (Kincardine and Deeside): From this side of the House, may I join in the tribute to all those in the public services—particularly the linesmen of the electricity boards—and to private individuals as well who worked so hard yesterday and during the night to restore essential services? May I say also that on this side of the House we have confidence in my right hon. and learned Friend that, where help, financial or otherwise, needs to be given, it will be given, but that it is only sensible that the whole extent and the amount involved are properly and thoroughly assessed first?

Mr. Rifkind: I am grateful to my right hon. Friend. He is correct in saying that one has to get an assessment of the damage caused and the work that needs to be done to repair that damage before one can reach detailed conclusions. That is what we are doing at present.

Mrs. Ray Michie (Argyll and Bute): I should like to associate myself with the tributes paid to the emergency services, which worked so hard throughout the west and north of Scotland last night. Can the Secretary of State give any idea of when he will know the overall cost in global terms of the damage done? It must amount to millions of pounds. I am sure the Secretary of State is aware of the damage that has been done in my constituency of Argyll and Bute. He will know that Inverness is reeling for a second time from the effects of the storms, with 15 roofs blown off houses last night and extensive damage done to roads. How will people on low income and on income support find assistance to repair their houses? Will he give assistance to the relevant bodies to replant many of the mature and beautiful trees that were blown down during the storm?

Mr. Rifkind: Obviously, in the first instance, local authorities will be responsible for the repair of any damaged local authority housing. Most owner-occupiers will have insurance to cover damage caused to their housing. That ought to meet that aspect. The Government have various schemes to encourage planting to replace trees damaged as a result of storms. They may be appropriate in the circumstances referred to by the hon. Lady.

As to the time scale involved, we can get information from the health boards and from other Government bodies quickly. I hope that we will also receive information from the relevant local authorities, but that is a matter for them. I agree with the hon. Lady that there has been particular damage in parts of her constituency. I understand, for example, that there was considerable damage to one block at Oban high school. I think the same has been found in other areas.

Mr. Cranley Onslow (Woking): Will my right hon. and learned Friend accept that anyone in the south of England who experienced the damage 18 months ago will not begrudge any necessary help being given to our friends in Scotland on this occasion?

Mr. Rifkind: I am grateful to my right hon. Friend for his expression of support at this time.

Dr. John Reid (Motherwell, North): I am sure that hon. Members on this side will wish to be identified and associated with the tributes that have already been paid, not only to the emergency services for the way they responded, but also to members and staff of local authorities who have been working in some cases throughout the night.

Will the Secretary of State accept that there is a sense in which words are cheap? Will he be prepared to guarantee that his money, or rather our money, will be put where his mouth is by assuring us that financial assistance will be not only "as appropriate", in his words, but commensurate with the financial assistance given after the storms which hit the south-east on 31 October 1987?

Does the right hon. and learned Gentleman realise that this is more essential than ever for local authorities in Scotland, because their housing budgets are already sorely pressed and in many cases housing conditions are far below par? Will he accept that in my constituency, Motherwell district council had already had, as of 2 o'clock today, 1,200 emergency telephone calls, and that is an initial estimate of the cost if meeting those claims well in excess of £150,000? Will the right hon. and learned Gentleman therefore—as the Secretary of State for the Environment did in 1987—give us a guarantee that full financial assistance will be forthcoming?

Mr. Rifkind: I obviously await information from the hon. Gentleman's local authority on the circumstances in

[Mr. Rifkind]

his constituency. On the general principle, I believe that I can do no better than quote the words of the late Willie Ross, who, when Secretary of State in 1968—after severe storm damage—said:

"As to the assessment of the cost of the damage done and questions of how this burden should fall, I think that we must wait until we get a proper assessment of the damage."—[*Official Report*, 16 January 1968; Vol. 756, c. 1629.]

Mr. Allan Stewart (Eastwood): My right hon. and learned Friend is of course entirely correct in referring to the 1968 precedent and how possible compensation was handled last time. Will he undertake as far as is reasonable to follow that precedent? Does my right hon. and learned Friend agree that he should take expert advice on the damage in the north of Scotland? Is he aware that Sir Albert McQuarrie has considerable experience and expertise in this area? Will he consult Sir Albert on the best methods to deal with the problem?

Mr. Rifkind: I thank my hon. Friend. I believe that it is possible that, if I do not consult Sir Albert, he will consult me.

Dr. Norman A. Godman (Greenock and Port Glasgow): I offer my tributes to the emergency services and, in doing so, I should like to pay tribute to the work force of the Inverclyde district council, whose members responded so magificently last night. Communities in Iverclyde have suffered widespread damage because of this gale. More than 1,000 houses in the public and private sectors have suffered damage to a greater or lesser extent. In Belville street, Greenock, three rooftops of tower blocks of flats were ripped off. Will the Secretary of State assure us—based on the experience in the aftermath of recent tragedies and accidents—that financial assistance will be given quickly and generously to Inverclyde district council and others, including individuals on the lower Clyde who have suffered so grievously because of this storm?

Mr. Rifkind: I can confirm that there has indeed been some serious damage to certain houses in the Inverclyde area. I naturally hope that the Inverclyde district council will let us have as soon as it is physically able the details of the damage and the extent to which it requires help towards rectifying that damage.

Mr. Bill Walker (Tayside, North): Is my right hon. and learned Friend aware that one of the properties currently without electricity is my own home? In addition, also like some of my constituents, I have trees down in my garden. Is my right hon. and learned Friend aware that my constituency has suffered badly from floods and that, in addition, the skiing season has been almost non-existent? The problems created by the winds last night have produced the kind of economic havoc that, if it had happened in other parts of the country, would certainly have caused the newscasters last night to give it broad coverage. It was the absence of coverage last night which may have led people to think that the situation is not as serious as it is. It is very serious and requires immediate action. We are grateful to those in the emergency services, who have worked throughout the night.

Mr. Rifkind: I agree that the scale of the damage appears to have been very widespread. Fortunately, at the moment there does not appear to have been loss of life as a direct consequence, but, undoubtedly, a large number of buildings appear to have suffered some damage, especially to their roofs. The other main area of damage appears to have been cuts in electricity supplies. As I have said, the South of Scotland electricity board expects to have all the electricity lines reconnected today. The Hydro Board may take a little longer, but it is getting maximum help not only from the South of Scotland electricity board, but from the English area boards and the Electricity Council.

Mr. Andrew Welsh (Angus, East): May I also express my gratitude to the rescue services for their tremendous work to bring relief from the hardship caused by the storm? It is now up to the Secretary of State to play his part. Will he personally visit the areas affected? When a similar storm occurred in England, a ministerial statement was instantly available, whereas for Scotland information has had to be dragged out by a private notice question. Will the right hon. and learned Gentleman guarantee that new money will be placed on the table to help local authorities and other organisations on a similar basis to that in England, and preferably a better one?

Mr. Rifkind: The hon. Gentleman does himself a disservice. We were intending to make a statement today, but when the hon. Member for Cunninghame, North (Mr. Wilson) put down his private notice question, it was obviously appropriate to answer in this way. We will respond in a fair, adequate and comprehensive way, given the nature of the problem. Sadly, this is not the first time that such events have occurred in various parts of the United Kingdom. The Government will respond, as previous Governments have done, to ensure that this matter is dealt with sensitively and properly.

Mr. Robert Adley (Christchurch): Will my right hon. and learned Friend bear in mind the incongruity of the fact that the Scottish taxpayers and ratepayers will properly repair the damage to the roads, but that British Rail will have to cope with the damage to the railway, in addition to the disastrous bridge loss that was suffered in Inverness last week? On that basis, does my right hon. and learned Friend agree that ScotRail should certainly qualify for exactly the same level of assistance as all other public utilities in Scotland?

Mr. Rifkind: I pay tribute to ScotRail for the way in which it responded in the immediate aftermath of the collapse of the rail bridge at Inverness, to make it clear that it attached considerable importance to the rail connection to the north of Scotland being re-established as quickly as possible. It has said that the bridge will be reconstructed as quickly as physically possible.

In addition, I am naturally anxious that, during the period that must elapse before the bridge is reconstructed, we examine the particular requirements of those who use the railway services as passengers and for the purposes of freight, to ensure that no economic damage is done to the north of Scotland by the lact of availability of those rail services in the immediate future. Obviously, facilities have been made available to enable people to go from the south side of the River Ness to the north side to continue their railway journeys. The freight problem, however, may be more difficult to resolve.

Several Hon. Members *rose*——

Mr. Speaker: Order. As one whose own constituency suffered in the storm of 1987, I appreciate the importance of the statement. I shall call those hon. Members who have been rising, but I ask them to be brief, as we have important business to follow.

Mr. Michael J. Martin (Glasgow, Springburn): As one who had personal experience of the 1968 storm, may I say that the Secretary of State should be aware that many of the families who have been left without a roof at the moment will suffer from the rain and that their homes could be easily flooded, as mine was in 1968. Could the emergency services try to do something to ensure that at least tarpaulins are used to make the houses wind and watertight in this deplorable weather?

I mean no disrespect to a former Member of this House, but it was the proud boast of Albert McQuarrie that he made his first million in the 1968 storm. I know for a fact that a great deal of the money that was handed over to the city of Glasgow by the Government went to the insurance companies, because they claimed that they were replacing new for old. Surely the Secretary of State should have discussions with the insurance companies to ensure that they do not make a fortune out of yet another storm.

Mr. Rifkind: I note what the hon. Gentleman says. On the earlier part of his question, I agree that it will be necessary either to ensure that housing is wind and watertight or, if that is not possible in the immediate future, that emergency accommodation is available to those who are unable to live in their own homes.

Mrs. Maria Fyfe (Glasgow, Maryhill): While we appreciate that it is too early to estimate the total damage to local authority housing, will the Secretary of State at least undertake that paying for this damage will not result in poll tax increases for the already suffering poll tax payers? Will he also guarantee that local authorities will not suffer clawback for spending the necessary money to carry out repairs?

Mr. Rifkind: I can assure the hon. Lady that we would consider very sympathetically any suggestion by local authorities that they might suffer penalties as a consequence of expenditure incurred in this way. The hon. Lady knows that the penalty system is very soon to disappear. I certainly hope to be able to respond to that matter in a sympathetic way.

Mr. Dick Douglas (Dunfirmline): Will the Secretary of State give us some additional information about what happened to the Mylesmark hospital in Dunfermline, and could he tell us the position with regard to reimbursement of the Fife health board? Because of the age of that hospital, what surveys will be undertaken? Not only is the hospital old, but the patients tend to be senior citizens. Therefore, as well as thanking the hospital board, we have to thank the Fife fire brigade and others who assisted in this very difficult task. Fortunately, I understand that there were no severe injuries.

Mr. Rifkind: I understand that that is correct, and I echo the hon. Gentleman's tribute to the Health Service which was dealing with the problem. I understand that approximately 20 patients have been moved from the hospital. We shall discuss with the health board any repairs that are required to make the hospital fully available for its proper purpose.

Mr. Nigel Griffiths (Edinburgh, South): Will the Secretary of State make financial help available to those home owners in Scotland whose houses have suffered damage but who may not be insured? Will he also consult the National Trust for Scotland to obtain an assessment of damage to its properties?

Mr. Rifkind: Obviously, one will be interested in hearing from the National Trust for Scotland about the consequences for its properties. With regard to home owners, the hon. Gentleman must appreciate that the whole purpose of insurance is to anticipate these problems. Few people would be inclined to take out insurance if they knew that the taxpayer would pay for any damage when they had failed to ensure their property.

Mr. Dennis Canavan (Falkirk, West): But bearing in mind the fact that some insurance policies still classify storm damage as an act of God, will the Secretary of State assure us that he will not simply sit back and wait on divine intervention to repair the damage, but use his ministerial powers of intervention, in the same spirit of generosity as the good Lord Willie Ross did back in 1968; as the Secretary of State's own ministerial colleague the Secretary of State for the Environment did when he handed out £22·6 million to people in the south east because of their storm damage in October 1987; and as the Minister of Agriculture did when back in November 1985 he handed out £17 million to the farmers in compensation for bad weather?

Mr. Rifkind: I am sure that precedents are always of interest on these occasions. I assure the hon. Gentleman that we intend to apply the same principles as have been applied in the past to judging the contribution that should be made from the various public bodies concerned to help those affected by these events.

Mr. Charles Kennedy (Ross, Cromarty and Skye): Is the Secretary of State aware that, during the weather of the past 24 to 48 hours, in the Conon valley it has been reported by local people that the River Conon was within just a few inches of bursting its banks again and causing further severe flooding of the type that occurred last week, and that the village of Fort Augustus was also put on a flood alert? Do these events not emphasise the need for reparation of the type that the right hon. and learned Gentleman has suggested for the Highland region and Inverness district, and should there not be a full flood prevention scheme involving restoration of banks, which have given way in that valley and caused havoc no less than three times over the past 25 years?

Mr. Rifkind: Naturally, these are matters that we wish to investigate as a result of the events of last week. My hon. Friend the Minister of State has asked, for example, for a report from the Hydro Board about its facilities in the Conon area.

Mr. Norman Buchan (Paisley, South): I suppose it is appropriate that I should speak near the end of this questioning, as I was one of the Ministers involved in the 1968 clear-up and expenditure. There seem to have been two heroes then, one of whom was Albert McQuarrie and the other Willie Ross. Will the Secretary of State keep in mind Willie Ross's classic answer when he was pestered by the Opposition at that time to send Ministers up to take

[Mr. Norman Buchan]

charge: "It's no' Ministers we need in Glasgow; it's slaters." I remind the Secretary of State that that is exactly what we want now.

The other commitment that the right hon. and learned Gentleman gave was that we would be paying for it. We undertook almost all the finance to repair the damage; we were soaked for it by certain people, but it was necessary to do that.

Secondly, could the right hon. and learned Gentleman accept again from the Labour Benches and pass on, through the Scottish Office, all our thanks to the various bodies that have been involved over the past 24 hours in dealing with this emergency?

Mr. Rifkind: Yes, I appreciate what the hon. Gentleman says. We shall no doubt be receiving the reports that we require from the local authorities which will enable us, in discussion with local authorities and other public bodies, to decide how the damage can most quickly be rectified so that people may return to their homes and the various schools and hospitals carry out their necessary work without the consequences of the storms.

Mr. Harry Barnes (Derbyshire, North-East): Will full use be made of the Bellwin scheme in order to assist local authorities as occurred after the gale damage in the south of England? There are some worrying precedents, since the Bellwin scheme was not used after the flood damage in Strabane. It clearly should be used in this case, where the damage is comparable to that experienced in the south of England.

Mr. Rifkind: Yes, the hon. Gentleman is right to refer to what is often described as the Bellwin scheme. We shall certainly have regard to the general principles of that scheme in determining our approach to these matters.

Mr. Alex Salmond (Banff and Buchan): The coastguard union officials currently campaigning in the Committee Room upstairs will be pleased to hear the Secretary of State describe the work of their colleagues last night as magnificent, but will he accept that they would be even more pleased if he would intervene to stop the rationalisation of that public service which is presently being carried out?

Mr. Rifkind: This is not the occasion to discuss the proposal to which the hon. Gentleman refers, but I shall ensure that his remarks are drawn to the attention of the appropriate quarter.

Mr. Calum Macdonald (Western Isles): May I too add my tribute to the local authority employees and the emergency services who did such a terrific job during the storm? Granted that the Secretary of State cannot give a precise assessment of the cost of the damage, will he give a commitment that that cost will not fall upon the local authorities and end up being put on to the poll tax, which is already hitting the people in the north of Scotland? Will he also take into account the fact that there is moratorium in my constituency on improvement grants for people who wish to repair private housing? Will he look into that and perhaps provide some extra money to help people repair the damage that the storm caused to their private houses?

Mr. Rifkind: As the hon. Gentleman will have heard from my answer to his hon. Friend the Member for Falkirk, West (Mr. Canavan), certain principles are applied to such civil emergencies throughout the United Kingdom. We shall expect to apply the same general approach as has been applied on previous occasions. I am conscious of the fact that, quite apart from the housing damage, there has been damage to many educational buildings. For example, the Liniclate secondary school in Benbecula in the hon. Gentleman's constituency has been seriously damaged. Naturally, that is also a matter that we shall wish to discuss with the Islands council to discover the extent of the damage and what will be required to return the school to its proper use as quickly as possible.

Mr. Thomas McAvoy (Glasgow, Rutherglen): I am sure that the Secretary of State is aware of the widespread damage in my constituency. I appreciate his concern and I welcome his commitment to consider financial support for all those who have experienced loss. Is he aware that, at the height of the storm yesterday afternoon, falling masonry from Rutherglen town hall narrowly avoided killing people on the main street? When he comes to reviewing the financial arrangements, will he specifically consider the needs of Rutherglen town hall?

Mr. Rifkind: Naturally, we shall take into account any representations that we receive from the hon. Gentleman's local authority because, clearly, the town hall is among the buildings that have been damaged by the storm.

Mr. John McAllion (Dundee, East): The Minister said earlier that local authorities would be expected to take responsibility for repairing council housing, but would not that be an unfair way of dealing with a natural disaster? Surely it is unfair that local authorities should be expected to raise the money to meet such costs, when the only means that the Government have left them is to push up rents, and rents should not go up as a result of a national disaster.

Mr. Rifkind: The hon. Gentleman may have read more into my remarks than I intended. It must, in the first instance, be for the local authorities to take responsibility for repairing damage done to the houses that they own. Whether that should have consequences for their capital allocations, either on the housing revenue account or otherwise, is another matter on which we shall wish to hear local authorities' views on the extent of the problems that they face.

Mr. John Home Robertson (East Lothian): Will the Secretary of State comment on the contrast between the rather grudging statement made by the Minister of State, the noble Lord, Lord Sanderson, when he visited the Highlands last week, and the conduct of a procession of Ministers who fell over themselves to hand out £23 million to people in the south of England following the storm in October 1987? If this is a united kindom, will equivalent compensation be paid to both countries?

Mr. Rifkind: I assure the hon. Gentleman that exactly the same criteria apply to an emergency in Scotland as applied to an emergency in the south of England. The hon. Gentleman must appreciate that this is a united kingdom and there is no basis on which different criteria should be

applied if people lose their lives, homes or properties in various parts of the kingdom. If that is of concern to the hon. Gentleman, I am happy to reassure him.

Points of Order

4.5 pm

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker. You will like this, because, as usual, it is very helpful. Let me take you back to Prime Minister's Question Time, the confusion that reigned in the House and the difficulty in which the Chair was placed as a result of the Prime Minister's extremely long answer, which some of us would describe unkindly as time wasting. I know that you are a great football fan and last Wednesday the referee in Scotland-Cyprus game added on six minutes to compensate for time wasted. Would not that be a good principle for the occupant of the Chair?

Mr. Speaker: I am often tempted, but that way we would not get much business done.

Mr. Nicholas Bennett (Pembroke): Further to that point of order, Mr. Speaker. If the Leader of the Opposition chooses to ask a planted question, should not the Opposition listen to the answer?

Mr. Speaker: We should all listen to the answer, which today was one that the House was waiting to hear.

Sir Nicholas Fairbairn (Perth and Kinross): Further to that point of order, Mr. Speaker. The hon. Member for Falkirk, East (Mr. Ewing) did not tell you that the referee was knocked out after the game.

Mr. Tony Marlow (Northampton, North): Further to that point of order, Mr. Speaker. As this is probably the first time that my right hon. Friend the Prime Minister's answer has been longer than that of the Leader of the Opposition's question, perhaps in future you could subtract time from Question Time if the Leader of the Opposition goes on at his usual length.

Mr. Speaker: I know that there was some difficulty during Employment questions today. Long supplementary questions lead to long answers and we do not get through many questions. I am in favour of calling as many Back Benchers as possible.

Mr. Dennis Skinner (Bolsover): If there had been an extra six minutes, as Scotland had in that match when it scored the vital goal—*[Interruption.]* Scotland will probably qualify and England might not. If we had those six minutes today, an hon. Member might have asked about the way in which the shadow Chancellor of the Exchequer was treated at the royal mint in Wales this morning during the by-election campaign.

Mr. Speaker *rose*——

Mr. Skinner: This is a matter for you, Mr. Speaker, so listen carefully. He was ordered by the Treasury that he must not step into——

Mr. Speaker: Order. That is not a matter for me. I thought that the hon. Gentleman was mentioning the royal mint in connection with a function here today. I know nothing about the other matter.

Mr. Skinner: No, well, I was coming on to that. I was going on to say that if we had had those extra six minutes we could have raised this important new development in Government authoritarianism, in which the shadow Chancellor of the Exchequer is refused admission to the

[Mr. Skinner]

royal mint which was sent to Wales by a Labour Government after the Conservative party had refused to let it go——

Mr. Speaker: Order. I am sorry, but I must use my authority on this matter. I know nothing about that. If the shadow Chancellor of the Exchequer is in London, he is welcome to come to the party that I shall be giving tonight for the royal mint.

Mr. Alan Williams (Swansea, West): On a point of order, Mr. Speaker. We accept entirely the fact that this is not a matter for you, because we realise that you are in the middle of the situation. But, since the Leader of the House and the Government Chief Whip are present, let me say that it is extraordinary for one of the most senior Members of the Opposition Front Bench to be denied entrance to a public establishment such as the mint. May I ask, through you, Mr. Speaker, for the Leader of the House to consult the Chancellor—we understand that the local mint officials had to refer the issue to the Treasury and, therefore, the Chancellor's office—and for the Chancellor to come to the House and explain why that peculiar exclusion order was enforced?

Several Hon. Members: Further to that point of order——

Mr. Speaker: Order. It is not further to the point of order. I will hear one more, but it is nothing to do with me. I do not know anything at all about this.

Mr. David Shaw (Dover): Further to that point of order, Mr. Speaker. On this occasion I have some sympathy with hon. Gentlemen. I feel that in the circumstances, in which the Labour party is in severe difficulties in the Pontypridd by-election and is desperate——

Mr. Speaker: Order. That is not a point of order for me. *[Interruption.]* I will be calling the hon. Gentleman in the debate very soon, so I think that we ought to get on.

Mr. Skinner: On a point of order——

Mr. Speaker: No, I am not having any more on that.

Mr. Skinner: On a point of order——

Mr. Speaker: No point of order arises.

Mr. Skinner: You issued the electoral writ——

Mr. Speaker: Order. Mr. Harry Cohen.

Poll Tax (Restoration of Individual Privacy)

4.11 pm

Mr. Harry Cohen (Leyton): I beg to move,

That leave be given to bring in a Bill to amend the Abolition of Domestic Rates Etc. (Scotland) Act 1987 and the Local Government Finance Act 1988 in order to protect an individual's privacy.

The poll tax is the pinnacle of perniciousness under this Tory regime. Some families in my constituency in Leyton will have to pay £1,000 or more a year, and they will go bankrupt. It is, however, the abuse of privacy that I am concerned with today. The title of the Bill speaks for itself. By the time the poll tax is finally introduced, more than £100 million will have been spent to keep tabs on all adults over the age of 18—money which could be much better spent on providing badly needed public services. Instead, millions will be spent on computers and bureaucrats so that local authority officials can invade people's privacy to collect the poll tax.

Valentine's day is a poignant day on which to introduce this Bill. It is a day for lovers. Yet in future, poll tax officers will be entitled to know who lives and sleeps with whom so that they can collect the tax. The implementation of the social security cohabitation rule, under which DHSS officials spy on women claimants' sex lives, will seem but a small fondle compared with the collection methods for the poll tax, which will be an orgasm of privacy abuse. Today is also the day of the Valentine's day massacre, but on this occasion it is our privacy rights that are being massacred by the poll tax.

The Guardian of 4 October last year had the following to say:

"Couples face policing by poll tax rules. Local council finance officers"—

that is, poll tax officers—

"will be expected to play policeman to force deserted spouses to pay their errant partner's poll tax, according to draft Environment Department guidelines. They will also have to decide whether people sharing a house are living as man and wife and are therefore liable for each others tax and whether couples have separated. . . . Joint and several liability for poll tax applies not only to married couples but also to couples living together as man and wife . . . In general . . . where a husband leaves the matrimonial home without paying his poll tax, officials should resist the 'administratively more straightforward' course of forcing the deserted wife to pay. They should try to trace the husband. However if they fail —and the Environment Department thinks that will not happen often"—

who are they kidding?—

"then the officers may force the wife to pay, perhaps by seizing the video or deducting the debt from her earnings."

The authorities are to hound and punish women on their own in their own homes for the faults of their partners. Under the Government's poll tax proposals, everyone is to be tagged, tabulated and taxed. Individual privacy has been cast aside as of no value and its loss—in addition to the poll tax itself—is a price that everybody will have to pay. The Government are not too bothered because privacy, like the quality of life, is not easily measured in pounds sterling. The poll tax will be a snooper's charter. Many private bailiff companies are already eager to act as bounty hunters, and councils such as big-pay-off Westminster prepared to hire them.

The purpose of my Bill is to highlight the ways in which privacy is eroded by the poll tax. It also attempts to protect

poll tax data in law at least to the same extent as the census. Each clause restricts the invasion of privacy that will occur with the poll tax. The detailed provisions are as follows.

Clause 1 ensures that personal data can be used or collected only if it is fully in accordance with the Data Protection Act 1984. The exceptions to that Act granted to poll tax officers are removed. Under my Bill, personal data must be obtained fairly and lawfully and poll tax officers must not mislead people as to why the information is required. Disclosure from the poll tax registeres will be subject to the control exercised by the data protection registrar. Then, at least, he will be able to take up complaints from the public about the misuse of information originally obtained for poll tax purposes.

Clause 2, for Scotland, and clause 3, for England and Wales, provide that public inspection of the extract of the register must be for a purpose associated with the poll tax and not for any other purpose such as debt collecting, direct mailing—that is, junk mail—policing and purposes of that kind. In Scotland, anybody can inspect the register or an extract from the register for any purpose. Such unfettered access is an abuse of individual rights, making individuals subject in future to commercial and authoritarian exploitation.

Clause 4 states that information about an individual held for poll tax purposes can be disclosed by a poll tax officer only for a purpose associated with the poll tax and with the consent of the individual. It prevents poll tax registers from being a source of information for other organisations which should have no right to that information on individuals.

Clauses 5 and 6 go together. Clause 5 makes it an offence for any person or organisation to hold or process personal data from more than one poll tax register unless the individual concerned has consented. This stops registers being merged or combined and thus prevents their being used to keep track of the movements of individuals or being used in a wider population database.

Clause 6 also places a restriction on collection of the date of birth, so that it is legitimately obtained only where two or more people with the same name live at the same address. That is important because, when people are vetted, their date of birth is required. Without the date of birth, the register is unattractive as a starting point for black lists, credit references and general vetting registers, for which it otherwise would be used. In Scotland it is already possible to combine poll tax registers and, through the use of the date of birth, develop unique personal identifiers in a database that would include the whole adult population of Scotland. That is an intolerable situation, but it is quite legal under the current poll tax law.

Clause 7 removes the Secretary of State's power to breach a duty of confidentiality and disclose any information for poll tax purposes. Any disclosure by him would then be subject to the Data Protection Act, as it should be. At the moment, social services Ministers have the power to blurt out almost anything they like if it help in the collection of the poll tax. No at-risk person will be safe from a Minister more interested in collecting the poll tax than in protecting a social services case.

Also in relation to the social services connection, clause 8 allows any local authority to refuse to provide information to the poll tax officer if that authority is satisfied that the disclosure would seriously undermine the services that it provides to an individual. That is not the case with regard to the poll tax at present.

Under clause 9, the electoral registrar can use the poll tax register to encourage people to vote. However, if the electoral registrar uses the poll tax register, the right to sell the electoral register ceases under my Bill, and the electoral register can be inspected only for electoral purposes. Although the Government have stopped the sale of the poll tax register, the current law allows the poll tax register to be copied by the electoral registrar and the information placed on the electoral register and then sold to all the marketeers, vetters and black-listers who want it. That is a ludicrous situation.

Finally, clause 10 gets the name right, so that it is the more common usage "poll tax" rather than the ridiculously misleading misnomer "community charge". Ministers answering parliamentary questions are currently saying that they are not introducing a poll tax. That is ridiculous. Of course they are doing so—and they will not fool the public by denying that they are and using another name.

The poll tax has both commercial and police state potential, and under the present Government privacy comes a poor third to both. Abuses will certainly occur. In the final analysis, if individual privacy rights are to be properly maintained, the poll tax must be abolished. I hope to support a Labour Government that will do just that.

Question put and agreed to.

Bill ordered to be brought in by Mr. Harry Cohen, Mr. Tony Banks, Mr. George J. Buckley, Mr. Bob Clay, Mr. Frank Cook, Mr. Don Dixon, Mr. Jimmy Dunnachie, Mr. John Hughes, Mr. Jeff Rooker, Mr. John McAllion, Mr. Allen McKay and Mr. Martin Redmond.

POLL TAX (RESTORATION OF INDIVIDUAL PRIVACY)

Mr. Harry Cohen accordingly presented a Bill to amend the Abolition of Domestic Rates Etc. (Scotland) Act 1987 and the Local Government Finance Act 1988 in order to protect an individual's privacy: And the same was read the First time; and ordered to be read a Second time upon Friday 3 March and to be printed. [Bill 75.]

Orders of the Day

Local Government and Housing Bill

Order for Second Reading read.

Mr. Speaker: Before I call on the Secretary of State for the Environment, I may tell the House that a number of right hon. and hon. Members have written asking to take part in the debate, and others may wish to do so. I do not propose to impose a 10-minute limit on speeches today, but I ask right hon. and hon. Members to make brief contributions, so that all those who wish to participate in the debate may do so.

4.21 pm

The Secretary of State for the Environment (Mr. Nicholas Ridley): I beg to move, That the Bill be now read a Second time.

The Bill contains a series of reforms, and I will discuss each in the order in which they appear in the Bill.

The hon. Member for Copeland (Dr. Cunningham) will probably perform his usual trick and say that this is the 50th local government Bill since 1979. That is a good round number on which to complete the process of local government reform. The Bill completes the new regime for local authorities that we promised at the last general election, and I hope that we can leave it to work for many years—nay, decades—to come.

The first part of the Bill enacts the remaining recommendations of the Widdicombe committee that we have accepted. We have no written constitution. Instead, in central Government, we abide by certain conventions that the Opposition, quite rightly, make sure we observe. Civil servants do not take part in political activity. We have accounting officers who make sure that Ministers keep within financial rules, and the Public Accounts Committee and the National Audit Office make sure that we do not engage in wrong financial practice.

You, Mr. Speaker, ensure that we safeguard the rights of minorities in the House, to be heard and to be represented on Committees. You also make sure that only those entitled to vote in this House do so. For decades, local authorities followed the same principles voluntarily. I very much regret that over the last 10 years, a minority of local authorities—most of them Labour-controlled, but not entirely—have flouted those same conventions, and that it is now necessary to legislate. But it is. We must ensure the same integrity in local government affairs that we ourselves practise, centrally and in this House.

First, we will establish a post of monitoring officer, whom all councils will be required to designate—not unlike the accounting officers in Government Departments. That person will have a duty to report to the council on any proposal or decision that may be illegal, in breach of a code of practice, or likely to result in maladministration or injustice. We gave a similar role to the finance officer in respect of council expenditure under the Local Government Finance Act 1988.

Secondly, we intend clarifying the roles of elected members and officers. There was a time—not that long ago—when no self-respecting senior council officer would dream of taking part in any public political activity. His or her job was as a neutral professional adviser to the council, and that is where their loyalty lay—not to the majority party of the day. No senior civil servant is allowed to take part in public political activities, and no civil servant can be a Member of this House.

Most local authority officers still hold to that principle. However, it is a sad fact that some of them have sunk to providing advice as a senior officer in one authority, while expounding their political views in the council chamber of another authority. To put it the other way around, is it right that politicians should, at the same time, take a job in another council as a subsidy for their political activities? How can a member of the public rely on that officer's impartial advice?

The Bill ends twin tracking in three bands of restricted posts—first, chief officers and their deputies; secondly, other sensitive posts identified by each council on the basis of statutory criteria; thirdly, other staff earning £13,500 per annum or more, who—if they are not in sensitive posts—will be able to apply to an independent national adjudicator for exemption.

Mr. Eric S. Heffer (Liverpool, Walton): Is not the right hon. Gentleman being absolutely hypocritical? Over the years, many chief officers have been ardent supporters of the Conservative party—as have some senior civil servants. The Government take the view that to be a Conservative supporter is non-political. Others take the view that if one is political, one stands by one's own party. When I became chairman of a Liverpool city council committee, I was told by the chief officer that I could not do this, this and this. I asked him whether it would be against the law, and was told no. Therefore, I told that chief officer, "We will do this, this and this—and I shall take the consequences." We often get advice from chief officers that is pure Toryism—nothing else.

Mr. Ridley: When I first became a Minister, I was told that I could not do this, this and this—and I have always abided by those conventions. Fond though I am of the hon. Gentleman, and much though I admire him, I am extremely glad that he is not a civil servant in my Department, advising me at the same time as he is performing his parliamentary duties.

Mr. Dennis Skinner (Bolsover): Recently, the chief officer of Westminster city council told that council and its Tory group, "You should not do this, this, and this." He advised them that it would not be wise to sell off the council's cemeteries for 5p a piece, and suggested that to do so might be asset stripping. Despite that advice from Mr. Brooke, the chief officer of Westminster city council, the Tories went ahead and sold off the council's cemeteries for 15p. The people who bought that land resold it for £1·2 million.

In other words, the chief officer was correct to give the advice that he did. It is now suggested that that land could be sold for £5 million. If Westminster city council wants it back, it will cost its ratepayers a great deal of money. Why does the Secretary of State concentrate on attacking Labour councils, and introducing measures in the Bill for that purpose, instead of getting stuck in to Tory Westminster city council and dealing with its activities?

Mr. Ridley: I am not responsible for the activities of any particular council. If a chief officer wishes to advise his council on what is right and proper and what is not, the Bill facilitates the process that the hon. Gentleman seeks. I cannot think what more he could want.

The hon. Member for Sheffield, Brightside (Mr. Blunkett) in a newspaper article, called the Bill an "unacceptable attack on human rights".
What nonsense. Does the hon. Gentleman think that it is an attack on human rights that civil servants cannot stand for parliamentary election? How would the Opposition like it if a deputy secretary in my Department were also a Conservative Member of this House? That is an intolerable thought. So we are mirroring, as far as possible, the very rules that apply for the Civil Service.

Mr. Terry Fields (Liverpool, Broadgreen): As part of this attack on democracy and the disfranchisement of 70,000 people working in the Civil Service, the right hon. Gentleman has set an arbitrary figure of £13,500 a year as the salary of those who will be disfranchised. How does he reconcile that with the fact that the majority of Conservatives in this place receive more by way of handouts, dividends and so on than by way of their salaries?

Mr. Ridley: The hon. Gentleman does not understand the meaning of words. "Disfranchisement" means that one cannot vote. All civil servants and all council employees can vote. The Civil Service is divided into three categories —those who cannot take part in public political activities, those who can stand for council elections and those who are totally free. We are suggesting the same treatment for employees of councils, allowing the maximum number of them—not a total prohibition—who are not in politically sensitive posts to continue political activities.

We are treating council employees better than civil servants in this respect, so the hon. Gentleman's argument is groundless. If Opposition Members press their opposition to these clauses, I do not think they will find it goes down well with their constituents. The people who are most shocked by twin tracking are those who have to pay the bills to meet the salaries of those who do it.

The Bill also provides for a maximum of three staff to be attached to political groups on the council. We are now persuaded that it can be helpful—and indeed desirable —for councillors to have access to a research assistant, as is commonplace in Governments of both parties, who is able to get information, liaise with officers, obtain papers and so on. We shall be placing stringent safeguards on their use to make sure that no conflict occurs.

As I said, this House insists on the essential principle of free and fair political debate. Opposition Members have the right to put their points of view on the Floor of the House and in Committee. There is no such right for minority groups on local authority committees. In some cases, the majority party has taken too much discretion over the appointment and membership of committees. Some have excluded opposition parties altogether from key decision-taking committees. Decisions have been forced through with no public debate.

The Bill will require appointments to committees to be made pro rata to the balance of political parties on the council. It also provides that only elected members, as opposed to co-optees, will be able to vote on executive committees, the single exception being Church or other representatives where they make a major contribution to education. I am sure that the Opposition will agree that we should not be able to co-opt voting members on to our Standing Committees in this House, and the same goes for elected councillors.

Dr. John Cunningham (Copeland): Will the right hon. Gentleman explain why it is acceptable—indeed, legally required in some aspects of local government—to have statutory co-optees who can play a prominent role, but he is taking an entirely different view to other local government activities? Why is an exception being made of magistrates, who will retain their ability to attend, and vote on the decisions and activities of, police committees?

Mr. Ridley: If we trace the history of education back through the 1944 Act, we find that it was provided largely by the Church, and many of the assets involved are Church assets. The history of this matter, which can be explored at great length in Committee, leads one to the belief that it is right that those whose assets and help is much involved in public education should be allowed still to play a part in the decision-taking process.

Dr. Cunningham: The right hon. Gentleman is not explaining the point. If it does not cause problems in education or in respect of police committees, what is the justification for taking an entirely different view in other areas, where external and co-opted expertise can make a valuable contribution to the decisions of local government committees?

Mr. Ridley: Nobody is complaining about expertise. That is certainly available. This is about people voting in committees when they have not been elected. The logic of the hon. Gentleman's question suggests that he will be moving amendments to exclude Church representatives and magistrates from voting on council committees. If he seeks to do that, he must argue his case and see how it stands up.

Part II of the Bill strengthens the hand of the Commissioner for Local Administration—the local government ombudsman—by setting specific statutory deadlines by which local authorities must respond to reports and by requiring that any decision not to comply with a local ombudsman's recommendation can be taken only by the full council.

Mr. Nicholas Bennett (Pembroke): Has my right hon. Friend seen early-day motion 431 which appears on the Notice Paper today concerning the Quin family, constituents of mine who have been swindled out of £17,000 by Coventry city council, which forced them to sell the lease of their property back to the council and promptly sold it to another company for a profit of over £30,000? Will he include in the Bill powers for local authorities to be forced to take notice of the findings of maladministration by the ombudsman against them?

Mr. Ridley: My hon. Friend has every right to seek publicity for any case where he believes injustice has taken place, but I think that he would hesitate with me to make it possible for the reports of an ombudsman, whether local or national, to be, as it were, imposed on the authority. The authority—whether the Government or a council—is politically responsible, and it must take the responsibility and make its decisions. Publicity is the weapon of the local ombudsman, and we shall make sure that he has access to publicity in his findings.

Part III of the Bill gives local authorities a specific economic development power, which they have long sought and have not had before. Local authorities' efforts to boost the economic regeneration of their area are made under a confused ragbag of powers. The new power will

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give these powers a simpler statutory footing and will oblige authorities to draw up an annual programme of activity in consultation with the local business community.

Part III also clarifies the scope of the discretionary spending power contained in the old section 137 of the Local Government Act 1972. In future, spending under section 137 can take place only if the benefits accrue directly to the area or its inhabitants, and that benefit must be commensurate with the level of expenditure. We will also clarify the rules on where section 137 cannot be used because authorities have other powers. We will therefore change the "free twopenny rate" limit in section 137 moneys to a per capita limit in accordance with the unlamented demise of the domestic rating system.

Part IV of the Bill establishes the promised new framework of control over local authorities' borrowing and capital finance. The present capital control system has few friends. It has not delivered the Government's spending plans and it has led to the wrong distribution of spending between authorities. The new system changes the system from control of capital expenditure to control of the sources of finance. Local government has preferred the control of credit for a long time. That is what we are offering.

Under clauses 44 and 45, we will issue credit approvals to control the amount of credit that an authority can borrow. We shall be setting provisional limits three years ahead. It is right for the Government to control that as part of their management of the national economy, as I think the Opposition acknowledge.

Mr. John Redmond (Don Valley): I am interested to learn that the Government want to control local authorities. Does the Secretary of State agree that the House ought to be in a position to control the Executive? If so, will he seek to remove much of the regulation, and the powers that such regulation will give him, from the Bill?

Mr. Ridley: I am glad to have the hon. Gentleman's support, as I believe I have the Opposition's support, for the control of local authority borrowing—or capital—but I do not follow the second part of his question. I always thought that the House had the powers to control the spending of the Executive. The present difficulty is that the House seems to want the Executive to spend more rather than less.

Local authorities will be free to decide to supplement their capital spending by spending from usable capital receipts and also revenue from the community charge. Clause 39 defines credit arrangements to include devices by which local authorities have obtained benefits in advance of paying for them—the so-called creative accounting devices.

Local authorities are now generating capital receipts at a rate of £4 billion a year. Receipts from the right to buy are involuntary, but I am glad that authorities have also come to realise the benefit of divesting themselves of surplus non-housing assets. They have more than trebled, from £350 million to £1,100 million, in the space of five years.

Receipts do not necessarily fall where the need to spend is greatest. The more that authorities spend them, the less there is available for needy councils to borrow, because it is the total spend that is currently controlled. Our solution is simple. Clause 49 provides that part of capital receipts should be set aside to reduce authorities' indebtedness. Most local authority assets are financed by borrowing, and that borrowing stands at £45 billion. It is only right that, when the assets are sold, some of the proceeds should go to reduce the borrowing. We are not taking local authorities' receipts; we are simply saying that some of their receipts should be used to repay their debt.

I am aware that not all local authorities have welcomed the provisions for debt redemption. Whether their community charge payers will be of the same view is quite another matter. My right hon. Friend the Secretary of State for Wales and I have therefore decided to take action now to deal with two potential abuses, to ensure that nothing untoward happens to the accumulated receipts of local authorities in the period before the discipline and financial accountability of the community charge take effect.

First, we are taking administrative action to secure that capital receipts cannot be used before the start of the new system to pre-fund acquisitions or works which will take place after the end of the next financial year. This is achieved by revisions to the block borrowing approval and the general consent to the use of capital money. Secondly, we propose that the debt redemption rate applicable in the new system to disposals of stocks and shares and similar investments should be at the higher rate which we propose for capital receipts from sales of council housing. That will remove any temptation for housing receipts to be converted into non-housing receipts by being applied to the purchase of equities.

These measures will take immediate effect. To have consulted in advance would have precipitated a flood of money into prefunding arrangements, as happened in 1985 when we announced changes in the prescribed proportions. Details are being sent today to all authorities, and copies have been placed in the Library of the House. I do not believe that either measure will have any adverse effects on the legitimate capital programmes of local authorities, but the block borrowing approval and the general consent will apply only for the remainder of this financial year and my right hon. Friend and I will be consulting on what should replace them. During the consultation period, as at any other time, local authorities will be able to apply for specific approvals or consents if any unintended consequences of the measures do arise.

Mr. Ron Leighton (Newham, North-East): The Secretary of State has been very generous in giving way, which is appreciated.

Why should not these matters be left to be decided locally? If the Secretary of State insists that local authorities pay off debt, they will save some interest. It is more than possible, however, that investing money from the sale of council houses would earn them more in profit than the interest that they would have saved by redeeming debt. For example, they could put the money into building new housing to save bed-and-breakfast costs, which would represent a better business deal.

Mr. Ridley: The hon. Gentleman knows full well that Governments, inluding the Government of which he was a member, have always considered it necessary to control local authorities' total capital spending. He may argue that we have controlled it too tightly, but I could argue that in

the 1970s the Labour Government controlled it a good deal more tightly. That is not to say, however, that the mechanisms of control should not be provided, and that is what the Bill does.

Mr. Clive Soley (Hammersmith): Has the Secretary of State forgotten that in 1980 the same Tory party that now governs the country told local authorities that they would be able to spend their capital receipts on housing? Has he also forgotten that the London Boroughs Association and the Association of District Councils—both Conservative-controlled—are opposed to his proposals?

Will the right hon. Gentleman also tell us whether money will be taken from a house subject to a compulsory purchase order and put into debt repayment?

Mr. Ridley: In 1980, the hon. Gentleman and I probably under-estimated the enormous success of the right to buy, and did not anticipate that local authorities would now be receiving about £4 billion a year in capital. His party's Government could not turn a blind eye to the economic effects of sums of that size, any more than this Government can.

Mr. Robert B. Jones (Hertfordshire, West): My right hon. Friend said earlier that he wished to encourage local authorities to repay their debt, and I certainly support that. But will he clarify the position of local authorities that use their capital receipts to finance internal lending, and therefore to avoid additional debt? Will they be able to continue doing that?

Mr. Ridley: They can do as they will. If they avoid internal lending, it is, in many respects, equivalent to repaying debt. What we will control is the amount of new borrowing. Authorities with high receipts and high spending power from those receipts will clearly be less in need of new borrowing than others.

My officials will continue to monitor local authority expenditure carefully during the months ahead, and I shall not hesitate to take further action if necessary.

Dr. Cunningham: May I ask a question relating to the reply that the Secretary of State gave the hon. Member for Hertfordshire, West (Mr. Jones)? Is he saying that, in the event of internal transfer of the use of capital receipts by local authorities, such a transaction will be excluded from the Bill?

Mr. Ridley: If a local authority sells an asset, it will have to use the prescribed proportion to repay the debt—either 50 per cent. or 75 per cent. It will be able to use the balance to invest in spheres other than that from which it came. There is no control over the vires.

Part V of the Bill introduces a statutory framework for local authority-controlled or influenced companies. The Widdicombe committee recommended that local authority companies should be set up only where there was specific enabling legislation, but we do not wish to do anything to prevent beneficial local authority involvement in companies.

Mr. Peter Thurnham (Bolton, North-East): Will my right hon. Friend put a proper Conservative stamp on this part of the Bill by ensuring that, when local authorities compulsorily purchase a property, they pay the full market value? Perhaps he will bear in mind the firm promise given to the Bolton, Bury and district landlords association that the present injustice in the legislation would be put right in the Bill, so that landlords would be given every incentive to provide homes for rent?

Mr. Ridley: An amendment will be moved in Committee to deal with those points. I am sorry that the provision is not already in the Bill: it simply was not drafted in time.

Part VI provides for the reform of local authority housing finance. We have three objectives: to improve the financial discipline of councils and their accountability to their tenants, to ensure that the money provided by the national taxpayer goes where it is really needed and to encourage council rents, over time, to come to bear more resemblance to the real world. Councils will not, with some exceptions, be able to transfer money between the housing revenue account and the rest of their funds, and vice versa. This is called ring fencing.

Broadly speaking, only landlord expenditure will be charged to the housing revenue account. Expenditure on facilities shared with the wider community, or on such social services as wardens for sheltered housing, will either be outside the ring fence or receive a contribution across it. As a result, both tenants and charge payers will get a clear picture of the services they receive and the charges they pay for them.

Mr. Jeff Rooker (Birmingham, Perry Barr): Will the Secretary of State give way?

Mr. Ridley: I have given way to every hon. Gentleman who sought to intervene. However, if I continue to do so, I shall speak rather longer that I had intended.

Mr. Rooker: The Secretary of State's generosity is extremely helpful to hon. Members on both sides of the House. He mentioned ring fencing. Who will bear the cost of maintaining housing waiting lists which are not solely for the purpose of the tenants but involve the wider community, such as owner-occupiers who may find themselves homeless? It would be unfair if the cost of maintaining the housing waiting list were taken solely from the housing revenue account.

Mr. Ridley: A number of costs—and that may well be one of them—should be outside the ring fence and borne by the wider community, particularly when they have a wider social implication beyond the management of the housing stock. I am sure that the hon. Gentleman will agree that the precise dividing line should be the subject of consultation and discussion in Committee so that we fix it in the right place.

Mr. Gerry Steinberg (City of Durham): I do not often intervene in the speeches of the Secretary of State, but my understanding of the ring fence is that the housing revenue account would not be able to subsidise the general rate fund account and the general rate fund account would not be able to subsidise the housing revenue account. However, if the housing revenue account is in surplus, will that surplus be allowed to be added to the general rate fund?

Mr. Ridley: I am coming to that. If the hon. Gentleman will bear with me, I shall explain it precisely.

Clause 68 provides for the new housing revenue account subsidy which replaces three subsidies: the present housing subsidy, the subsidy paid by the Department of Social Security towards rent rebates and the support given

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towards housing expenditure through the rate support grant. We will be consulting the local authority associations, but the main elements of the new system will be an assessment of what each authority needs to spend on management, repairs and debt service; and an assumption, as at present, about the amount of each authority's rent income.

The subsidy, from the taxpayers, will be paid to meet the difference between the assessed need to spend and the notional rental income. Efficient authorities will be able to balance the ring-fenced account and provide a good standard of service at a reasonable rent. But inefficiency, rent arrears and waste will not be subsidised by the national taxpayer or the community charge payer. In answer to the hon. Member for the City of Durham (Mr. Steinberg), where the rent income exceeds the costs, the subsidy will be reduced by a corresponding amount. Therefore, there will be no gainers and no losers. Where there is a loss on the housing revenue account, the taxpayers will make up the difference; where there is a surplus, the taxpayers will take the credit. It is perfectly fair and balanced.

Like its predecessors, the new subsidy must contain a mechanism for affecting rents. Therefore, I propose to say a few words about rents, if only to stop the Opposition claiming that we are about to double or treble council house rents. If people believed that, the result would be a doubling or trebling of right-to-buy sales. I am sure that the hon. Gentleman would want to avoid anything as democratic as that. However, it is not true.

Mr. Tony Marlow (Northampton, North): My right hon. Friend is well aware of the fact that some councils have a very bad reputation for collecting rents. If they do not collect those rents, they have to get the money from somewhere. My right hon. Friend says that it will not come from the general taxpayer. I presume that it will not come from the general community charge payer, so is it going to come from the other rent payers within that local authority area?

Mr. Ridley: Yes.

Mr. John Fraser (Norwood): People complain that some local authorities have very large rent arrears. Does the Secretary of State appreciate that some local authorities have huge rent arrears which are probably irrecoverable? One of the difficulties of rate capping and penalties is that, if local authorities write off irrecoverable rent arrears, as any commercial business would do, that counts as expenditure. If the Secretary of State presses ahead with his reforms, would it not be right to have an amnesty for irrecoverable rent arrears and to start with a clean slate?

Mr. Ridley: The hon. Gentleman's point hardly arises from the Bill, but some Labour authorities in very difficult parts of London have remarkably good records in avoiding rent arrears, while others have equally bad records. It is a question of management and councils could make great improvements up to the level of the best. The way in which the power in the Bill is designed gives them an incentive to do so. As for the allowances made for irretrievable rent arrears in the process of rate limitation, the hon. Gentleman should await the final details of our decision on that.

Mr. Nicholas Bennett: Does my right hon. Friend agree that the councillors' code of conduct should include recommendations about councillors who owe very large sums in rent and rates arrears? The vice-chairman of the Lambeth borough housing committee—the hon. Member for Norwood's own borough—owes more than £2,000 in rent and rate arrears, having collected £28,000 in council allowance.

Mr. Ridley: Such things are most regrettable, but I have to remind my hon. Friend that hon. Members have owed similar amounts of money to the Refreshment Department.

The present pattern of council house rents has no logical justification. In the first place, much council stock was built many years ago, when costs were low. Under present practice, councils carry their properties on their books only at the cost of servicing their historic debts. Those whose rents cover only historic debt charges plus maintenance are keeping rents unrealistically low. Rents also differ between councils according to their political prejudices, with differing subsidies paid from the rates. Rents ought to have some regard to the size and quality of a house or flat, to the local environment and so on. Some authorities already allow for that in setting rents between dwellings, but others pay far too little attention to it.

Mr. Tony Banks (Newham, North-West): Will the Secretary of State give way?

Mr. Ridley: I shall give way to the hon. Gentleman when I have finished this point.

The results of those muddled arrangements are no longer acceptable. People cannot make sensible judgments about where to live, or in what tenure sector. Where the resultant rents are low, they have been yielding insufficient resources to provide for repairs, replacement and improvement.

The Bill will take the anomalies out of the present arrangements. For example, since we published our proposals last summer, we have consistently said that in setting council rents more account should be taken of what a property is worth.

Mr. Banks *rose*——

Mr. Ridley: We are not talking about sudden massive rent increases; we are talking about rents which progressively reflect more closely the relative worth of different council houses, without hidden subsidies from the rates or from a system of accounting which bears no relationship to the real world. My proposals would mean that, over time, there would be a gradual elimination of the wide variation in rents between neighbouring authorities, which has more to do with history or political opportunism than with the efficient provision of a housing service. Rents will begin to move towards a reflection of the varying costs of housing—in terms of size and quality, and of amenity.

Those authorities which have already followed sensible rent policies will not be greatly affected by these arrangements. The result will be wider choice, fairer competition and a better, more accountable service to council tenants.

Mr. Tony Banks *rose*——

Mr. Ridley: I said that I would give way to the hon. Gentleman.

Mr. Banks: I thought that the Secretary of State was going to plunge on to the end of his speech. May I bring him back to the point that people have lived on certain estates for so many years that they have covered the historic costs of those estates? Will they now be able to live there free, since they have already paid for the places in which they live? The Secretary of State said that there will be a move to market rents over a period of time. What period of time is he talking about?

Mr. Ridley: First, I hope that the hon. Gentleman has advised such people that they should have exercised the right to buy and that they can still do so, thereby avoiding the trap of paying rent for a lifetime and ending up owning nothing.

Secondly—what was the hon. Gentleman's second point?

Mr. Banks: How long does the Secretary of State envisage it will be before we move towards market rents?

Mr. Ridley: I never said that we were moving towards market rents. I said that we were moving towards a closer relationship with a property's value. That is a very different matter, as I made quite clear. If the hon. Gentleman had listened instead of jumping up and down, he would have heard that I carefully avoided any reference to market rents.

The last major reform in the Bill is the reform of the system of help that is provided for private owners and tenants in poor-condition property. This occurs in parts VII and VIII, together with the clauses in part IX and schedule 8.

I am delighted that we have increased home ownership to more than two thirds of all households. We now need to concentrate our efforts and the sizeable sums involved on owners who cannot afford to put their properties right. It is a bad use of scarce resources to assist people who can improve their houses without assistance. Resources should be targeted on the properties that are unfit and on the people who cannot afford the cost of essential work.

The Bill provides for a new basic standard of fitness. If a property falls below that standard on any single item, it will be considered unfit and a local authority have have a duty to act on it either by renovation or clearance. We intend to amend the Bill so that, where clearance is the reasonable course, market value compensation will be available to those displaced. Where renovation is preferred, local authorities will be required to see that the property is brought up to standard, often with grant aid but sometimes without it, if the owner or tenant can afford to do so.

The Bill provides for help with a range of other types of work designed to prevent a slide into serious disrepair or to make conditions more comfortable for the occupant. That help will be discretionary, and grant will again be subject to a test of the owner's resources.

This will enable us to give more generous help to those least able to afford the costs of necessary work—not just people on income support or housing benefit, but those on higher incomes too. Local authorities will also be empowered to provide and subsidise agency services that assist elderly and lower income households.

Mr. John Hannam (Exeter): Will my right hon. Friend confirm that he has reversed the proposition in the 1987 consultation document, which was that owners of properties being adapted for disabled people should not be subject to a resource test? He now proposes that they should. Will he reconsider the matter? I hope that he will accept that adapting houses for disabled people does not necessarily increase their value, as ordinary adaptations might. If the owners of such properties were subjected to a means test, that would run counter to the general care-in-the-community and independent living proposals and adversely affect disabled people.

Mr. Ridley: I should not like to misinform my hon. Friend, and I would prefer to ask my right hon. Friend the Minister for Local Government to answer that point properly in his wind-up speech. I should hate to give the wrong answer.

We intend to introduce amendments at an early stage to enable authorities to provide three other important variants on the renovation grants provided in part VIII. They will provide for mandatory and discretionary grants to assist people who are disabled with adaptations to their homes; an entirely new minor works grant that will enable local authorities to fund insulation work and other minor works of repair and improvement that might enable an elderly person to remain in his or her home; and support for owners of houses in multiple occupation and the common parts of mansion blocks.

A more concerted effort is needed to improve housing where whole areas are run down. Part VII of the Bill rationalises the existing machinery for promoting area improvements. We shall introduce, again on amendment, measures to enable authorities to repair and improve whole groups or terraces of houses, based on the enveloping and block repair schemes that have had such a beneficial effect in many areas.

The rest of the Bill contains miscellaneous provisions —none of great significance. That also goes for clause 124, which is the enabling power for my right hon. Friend the Minister for the Arts to authorise library authorities to charge for certain facilities, while protecting the free lending of books. We do not intend to let local authorities extend the use of charges to other than a few minor services, so Opposition Members can relax.

Mr. Marlow: Will my right hon. Friend give way?

Mr. Ridley: For the last time.

Mr. Marlow: My right hon. Friend is aware of a significant problem in local government. He also said that this was the last Bill that he would bring forward. He will be aware that the RSPCA has highlighted the problem of stray dogs and the increasing problems of filth and disease that they cause in our environment. Will my right hon. Friend give the House an undertaking that he will bring forward measures—if not in the Bill, by another means —to enable local authorities to tackle this seething pestilence now affecting our urban areas in particular?

Mr. Ridley: I did not say that this was the last Bill ever. I said that it completes the reforms that we set out at the beginning of this Parliament. I note what my hon. Friend says about the menace of stray and dirty dogs and I share his extreme concern. However, I do not think that the matter can be included in the Bill, nor am I clear what

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legislative measure is required. The question is what to do about the menace—there is no difference between us as to its existence.

Mr. Fraser *rose*——

Mr. Ridley: I said that I had given way for the last time. I must continue.

The Bill completes the framework for local government into the 1990s and beyond. Accountability will be enhanced, efficiency improved and the available public sector resources targeted where they can be of greatest benefit. Already, there are encouraging signs that local authorities are responding to the new competitive era, tackling restrictive practices and bringing their services into line with what their customers and electors want. The Bill will give further encouragement to the progressive elements in local government that are reforming and regenerating it from within. I commend it to the House.

5.7 pm

Dr. John Cunningham (Copeland): At least I can begin by agreeing with the Secretary of State on one point—that this is the 50th local government Bill in a decade of Conservative Government. That in itself is an admission of the Government's failure to get their local government policies right. Presumably, the Bill comes to the House on the principle, "If at first you don't succeed, try, try again."

In presenting those 50 Bills, Conservative Secretaries of State have presented at least 50 different views—not only to Parliament but to the people of this country—on how to tackle some of the most deep-seated problems in our urban communities and rural areas. The fact that, after a decade of Conservative Government, we still have those problems shows the slow learning abilities of successive Conservative Ministers. The Bill has all the hallmarks of its successors, or rather predecessors—*[Interruption.]*—and its successors too, no doubt. It contains the flawed, partial and dogmatic judgments of the Secretary of State. The Government have reached their half century of local government Bills without any sense of celebration in local government—in fact, quite the reverse. These measures are the latest in a major series of attacks on the freedom, the flexibility and the democratic accountability of local government.

The Bill is a ragbag of bureaucratic, nitpicking, central controls, the principle theme of which is, yet again, to give the Secretary of State further powers to impose his flawed judgments on local communities and their elected councils. The Bill incorporates a series of disgraceful attacks on specific groups in the community—on council tenants, whom it proposes to tax, on first-time home buyers and on users of community services. The proposals are intended to force up rents and end schemes for assistance to first-time home buyers at a time when they are at their most vulnerable. The Bill gives the Secretary of State wide-ranging powers, despite what he has said today, to impose charges for local authority services. It even contains an attack on the democratic rights of thousands of local government staff. Council house tenants will be forced to subsidise the poll tax and housing benefit. That is the implication of the ring-fencing of housing revenue accounts. The Government intend to force the less well-off in society to subsidise the least well-off, and to subsidise the very well-off, too.

The height of a housing and homelessness crisis is not the time to announce restrictions on the availability of home improvement grants. Many families hoping or planning to modernise and improve their homes will have their hopes crushed by these proposals. The promises and assurances of four successive Secretaries of State about the freedom of councils to use capital receipts from the sales of their own assets are reneged on by these proposals. The enforced repayment of councils' borrowing will mean a major loss of capital investment opportunities to provide housing, economic development, and recreational and leisure facilities.

There are further proposals to restrict the freedom of councils to promote local investment and economic development. The skills and ingenuity of the City of London are to be denied to local government, although they are freely used for the rationalisation of industry and commerce with consequent job losses. They are allowed in that application but not to help local authorities to be more effective in tackling local problems.

There is even a proposal in this legislation to allow the Secretary of State to create a political vetting office in Whitehall in respect of the activities of local government officers. The message to local electors in county council elections is: "Don't vote for a Conservative party intent on undermining and destroying local democracy and creating further financial burdens for those people who can least afford them."

Mr. David Nicholson (Taunton): Would the hon. Gentleman describe the Widdicombe report, which the Bill principally implements, as undermining local democracy?

Dr. Cunningham: I am coming to that very point, and I hope the hon. Gentleman will listen carefully.

The Secretary of State began by trying to sell the Bill as a solution to, and indeed an attack on, so-called twin-tracking and other alleged abuses at town halls, and as an effort to make local government more accountable to local people, but in most of its provisions the Bill does exactly the opposite. It increases Government control and gives the Secretary of State wide powers to use regulations not in the Bill, rather than primary legislation, to make local government toe central Government lines regardless of local people's preferences. Those are the principles running through the Bill.

The Secretary of State says that the legislation will stop what he and others have described as "jobs for the boys". Let us examine what the Widdicombe inquiry, which the Opposition welcomed when it was established, actually had to say about these matters. That is the only hard evidence on which to base any conclusion. The Widdicombe committee said:

> "Local authority employees therefore are not significantly over-represented among councillors."

In fact, it is an attack on the civil liberties of thousands of council employees to support the proposals in this Bill. Not only will they be banned from serving as councillors on any local authority, but they will be banned from involvement in a range of political activities to be decided by the Secretary of State by regulation.

It is not just a matter of saying that people cannot stand for office. They may also be prevented from holding office in political parties, commenting publicly on matters of

party political controversy, canvassing in local elections, and other activities. Moreover, the politically restricted posts will not stop at chief executives, chief officers and their deputies, for which there is a case—anyone earning £13,500 or more per year will be caught by the proposals.

Mr. Skinner: Does my hon. Friend agree that double standards are being operated by the Tory Government and their supporters, who will undoubtedly file into the Lobby tonight to support this Bill although more than 150 Tory Back Benchers have moonlighting jobs as well as being Members of Parliament earning £24,000 per year? The right hon. Member for Chingford (Mr. Tebbit), with four extra jobs, comes readily to mind.

Mr. Tony Banks: Though not regularly to the House.

Mr. Skinner: It is a scandal that people who are making money on the side are telling those in local government that they cannot democratically serve the electors in their area because they have a job with another local authority? If the Government want that to apply to people in local government, why do they not apply it to their own Back Benchers?

Dr. Cunningham: My hon. Friend the Member for Bolsover (Mr. Skinner) is right. The Bill is replete with proposals which show the two-faced nature of the Government in these matters. The Government will say that people can apply to be exempted from these restrictions and the Bill says that the Secretary of State may appoint a person to consider such applications and appeals, but it is not mandatory for him to do so. As drafted, the Bill will give one person—the Secretary of State—power to remove the civil liberties and democratic rights of a wide range of local government workers. It diminishes rather than enhances local democracy.

Mr. John Maples (Lewisham, West): The hon. Member is being somewhat disingenuous. What happens is not that someone who is a local government officer decides to get elected to a council somewhere else and the Bill stops him—what happens is that people are elected to one council and then given jobs by another council to enable them to conduct their politics for free.

Dr. Cunningham: That is not what the evidence in the Widdicombe report showed. It is obvious, I hope, that people employed in local government will bring their experience to bear on matters of local government policy in their work as councillors, but that is equally true for other people who are allowed to be councillors. Farmers bring their experience and interests to bear, as do builders, industrialists, architects, lawyers and estate agents, to name just some of the people with working backgrounds which might be thought, like local government itself, to raise conflicts of interest.

In the Labour party's evidence to Widdicombe, we recognised that there was a level at which inescapable conflicts would arise. We accepted that that was so, and we said that we thought it inadvisable for people at the level of chief officer and above to be councillors in neighbouring authorities. The proposals in the Bill go way beyond that and way beyond the conclusions that Widdicombe reached.

The Minister for Local Government (Mr. John Selwyn Gummer): I will put a very simple case. If the hon. Gentleman, like me, had children at school in the state sector and wanted to ask advice from a local government officer about the education of his children, would he be entirely happy if that local government officer was a well-known, Right-wing, Conservative member of another local council whose views on education were deeply offensive to the hon. Gentleman? Surely any ratepayer has the right to believe that when he consults a local government officer he consults an independent person and not somebody actively involved in politics.

Dr. Cunningham: I have had the experience that the Minister described, but it was on the other side of the political spectrum. I did not object to the fact that I was advised about education by someone who was a prominent member of another political party. Why should I? We are supposed to be living in a plural, democratic society.

The Widdicombe report was published in June 1986. Paragraph 6.29 on page 111 says:

"Local authority employees therefore are not significantly over-represented among councillors."

Paragraph 6.33 says:

"We believe that senior officers should not be politically active, and as a consequence should not be councillors. Accordingly we shall be recommending that senior officers should be statutorily disqualified from being councillors".

The proposals, however, do not apply to senior officers. A local government employee who is earning as little as £13,500 cannot be described these days as a senior officer. The proposals apply to the middle and junior ranks of local government administration. Ministers know that very well indeed.

Mr. Tony Banks: As my hon. Friend was asked for an example by the Minister, I will remind him of one not a million miles from the House. When the hon. Member for Hayes and Harlington (Mr. Dicks) was a senior officer of the Greater London council, he was also the chair of a committee of his own council. He was also a Member of Parliament for a time as well as a senior officer of the Greater London council. The Labour party did not make a fuss about that and the Labour Government certainly did not consider introducing legislation to prevent it.

Dr. Cunningham: My hon. Friend is right.

The Government's response, to the Widdicombe report was published in July 1988. In paragraph 5.20 of their response the Government said:

"The Government share, however, the almost universal doubts expressed about the Committee's proposal that the relevant group should be defined as 'Principal Officer' and above. This level is generally criticised as being too low for a blanket ban on political activity. It would affect some 70,000 staff many of whom, especially those in technical posts, may have little or no contact with members."

That was the Government's response to the Widdicombe report less than a year ago. They said that such a blanket ban was unacceptable, yet they have written exactly that ban into the Bill. What has changed since the Widdicombe committee investigated these matters and reported? In line with that, there were many more critical comments in the Government's response to the Widdicombe report.

Mr. Nicholas Bennett: Will the hon. Gentleman give way?

Dr. Cunningham: No, not for the moment.

I will give a practical example to illustrate what will happen to people. Councillor Simon Oelman is a 28-year-old councillor in Greenwich. He has been a councillor for about three years and he is the

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vice-chairman of the health and environmental services committee. He is an estates officer with Southwark borough council and earns just over £12,000 a year. He is in the £12,000 to £14,000 per year group. His pay rises by approximately four annual increments, so he is not yet paid more than the lower limit in the Bill—but in a couple of years he will be. If he were doing the same job outside London, his pay would come nowhere near that ceiling. That is also nonsense. The Bill will apply differently to officers doing the same work in different authorities, depending on location.

Councillor Oelman is allowed by Southwark 12 days' paid leave per year for council duties. Nine months ago he was a Civil Service executive officer in the Ministry of Agriculture, Fisheries and Food where he was allowed 18 days paid leave and 18 days unpaid leave for his council duties, so he was given better treatment as a Government employee than as a local government employee.

Mr Nicholas Bennett: Will the hon. Gentleman give way?

Dr. Cunningham: No, not at the moment.

What kind of justice is that? What kind of rationale can possibly explain that kind of nonsense? The Secretary of State says that the Bill is necessary. If it is necessary for councillors and local government officials, why was it not necessary when Councillor Oelman worked in the Ministry of Agriculture, Fisheries and Food?

Mr. Richard Holt (Langbaurgh): I take the hon. Gentleman's argument. Does he therefore disagree with Middlesbrough borough council, whose personnel officer was elected a county councillor and immediately given complete sabbatical leave indefinitely?

Dr. Cunningham: On balance, on most occasions I would far sooner agree with the Labour-controlled Middlesbrough council than with the hon. Gentleman.

Mr. Nicholas Bennett *rose*——

Dr. Cunningham: The Secretary of State's proposals are nonsensical, discriminatory and perverse in their application. The Government are aiming at the wrong target. They should be introducing legislation to encourage more people to offer themselves as candidates for local government service. They should not be discouraging them, as these proposals do.

Mr. Nicholas Bennett: Will the hon. Gentleman give way?

Dr. Cunningham: No.

Hon. Members: Give way.

Dr. Cunningham: No.

Part III deals with economic development. The Bill introduces a specific power to prevent local government from becoming involved in some of the economic development work that it now does in a bid to boost jobs locally, especially in the inner cites and urban areas. The powers outlined in clause 25 seem reasonable at first sight, but again the detail will be left to regulations imposed by the Secretary of State so Parliament will have little, if any, proper time in which to debate and scrutinise the proposals. The Bill treats economic development and local authority companies as totally separate issues, despite the efforts of local authority associations of all political convictions to convince the Government otherwise. Desperately needed local jobs often depend on both, and a serious of unanswered questions remain about those aspects of the Bill—as they do about the Secretary of State's proposals regarding capital receipts.

Local authorities are likely to have less than six months to plan for the radical new system to control their capital finance that part IV of the Bill foreshadows. Under the current control system, local authorities are free to spend all their capital receipts, over time, to finance capital expenditure on new building repairs. The only restriction is on the pace at which their capital receipts are spent. Under the new system, however, councils will be forced to use their capital receipts—75 per cent. of housing capital receipts and 50 per cent. of other receipts—to repay loans.

That means that the Government have reneged on the promise given by a previous Secretary of State, that receipts would be available in full, over time, to finance additional capital expenditure. He said:

"The receipts are and will remain the property of local authorities. They can spend them in future years".—[*Official Report*, 19 December 1984; Vol. 70, c. 308.]

That is what Lord Patrick Jenkin said in December 1984 to the House. That was the commitment that he gave and the promise that he made to local authorities when the controls were introduced. That promise about accumulated receipts was recognised in the Government's 1986 Green Paper "Paying for Local Government". Paragraph 6.40 says:

"Local authorities have been given the assurance that this amount will be available in full over time to justify additional capital expenditure."

That is the kind of promise and commitment that has been given to this House and then ratted on time and again by Conservative Secretaries of State for the Environment.

We even have the bizarre proposal in clause 5 requiring local authorities to appoint a "monitoring officer"—what the Secretary of State, in his press release, called a whistleblower. The press release said:

"The Bill will stop councils appointing political henchmen to key officer posts, whose independence is vital. It also enables Chief Executives to blow the whistle on suspect decisions."

So there is to be a kind of statutory sneak—no doubt a hangover from the Secretary of State's experiences as a fag at Eton.

Mr. Ridley: The hon. Member for Linlithgow (Mr. Dalyell) was my fag at Eton.

Dr. Cunningham: It is interesting to contemplate the business before the House this week and the direction in which the Secretary of State and his right hon. Friends are facing: they are facing in all directions at once. In the Official Secrets Bill it is made abundantly clear that there is no public interest duty—none at all—and no room for any whistleblowers in the Civil Service. The Government do not feel the need even to let people deploy, as a defence, the fact that they believe that something criminal or against the national interest was happening. In the case of the Official Secrets Bill, that is ruled out as a defence for civil servants. Yet in local government, where committees meet in public, where the membership of committees is published, where the press are admitted, and where there is already far more openness, it is felt necessary to appoint someone with a statutory duty to blow the whistle.

In the very same week in which all this is going on, the chief executive of Westminster city council has just been paid £1 million for not blowing the whistle. How does the Secretary of State explain all this? How can he explain to his hon. Friends, whom he will invite to go through the Lobby with him tonight, that there should be a statutorily appointed person to blow the whistle when he is taking no action on the Westminster city council debacle? Clearly, the Secretary of State is facing every way at once. It is a classic example of the Government's naked hypocrisy that in the very week in which they are legislating these proposals for local government officers they are taking an entirely different view in respect of their own people, civil servants and Tory councillors in Westminster.

Mr. Robert Adley (Christchurch): I apologise to the hon. Gentleman for not being here at the beginning of his speech. I was on a Select Committee.

As a Westminster ratepayer, I rather share his view about the recent activities there. I hope that he can find it in his heart to agree with me that one good thing about the Bill is that it should enable us, for the first time, to set up a register of councillors' interests. There is a great deal of concern about planning activities and, in particular, about the interests of councillors either as consultants or as professional advisers to planners. Does the hon. Gentleman share with me the hope that through this legislation we can beef up the existing safeguards?

Dr. Cunningham: I certainly share the hon. Gentleman's concern about the goings-on in the neighbourhood of his constituency in Dorset—if those are the events to which he is referring—among developers, planners and Conservative councillors. But they already have a duty under the law to register their interests. In any case, it is only proper that they should register any interest as well as declaring it when involved in any decision.

As the Secretary of State is so concerned about the public interest in this matter, may I ask him whose interests are being served by the Conservative Lady Porter, the leader of Westminster city council, paying £1 million to keep the departing chief executive quiet? Whose interests are being served in that case? I put it to the Secretary of State that the interests of the Tory party are being served at the expense of the ratepayer.

Mr. Ridley: When Mr. Reg Race parted company with Derbyshire county council, no doubt he received his compensation entitlement under the Superannuation Act 1972. I understand that that is all that has been offered by Westminster city council. The only difference is that Derbyshire county council will not tell us how much it paid, whereas Westminster will.

Dr. Cunningham: I almost regret to say that I do not think there is any chance that Reg Race will keep quiet about what went on in Derbyshire, but I can tell the right hon. Gentleman, since I have here a copy of the contract that has been drawn up between Lady Porter and Mr. Rodney Brooke, that Mr. Race did not sign any contracts like this. He did not make any commitments like this commitment not to say anything about what has been going on in Westminster city council all this time.

The Secretary of State has always been all too eager to criticise, abuse and insult local councillors, particularly those on Labour authorities, but in the case of the Tory Westminster city council he is paralysed into inactivity and silence. He averts his gaze, although if he looks out of his window in Marsham street he can see Westminster city hall in Victoria street. Perhaps he dare not even open the windows in case the stench gets into his office.

Mr. Frank Dobson (Holborn and St. Pancras): He has a lifelong duty of silence.

Dr. Cunningham: Yes.

These matters are treated with great levity when the Tory party is involved, but the Tories take a very different view of much more minor activities in many of the Labour London boroughs. At a dinner recently a civil servant was asked, "Do civil servants ever really tell jokes?" He replied, po-faced, "No, it is too risky, and it is not necessary—we simply observe Ministers and report the facts."

Mr. David Winnick (Walsall, North): Does my hon. Friend agree that, if any Labour-controlled local authority were being run in the corrupt way in which Westminster city council is being run, virtually every Tory Member of Parliament would be calling on the Government to ensure that the administration of the area was placed in the hands of someone from the central authority? Does he agree that, even apart from the cemeteries and the hush-money contracts to which he alluded, Lady Porter has shown herself to be totally disqualified not just to be the leader of a local authority but even to be a member?

Dr. Cunningham: I agree with my hon. Friend. I repeat that the Secretary of State has duties and responsibilities to the ratepayers of Westminster. He should either act to set up an extraordinary audit or institute a public inquiry into what has been going on there.

He rushes to judgment elsewhere, but if even one of his rich and influential Tory friends seems threatened the Tory establishment closes ranks with a louder clang than the slamming of the gates of hell. That is what has happened in the case of Westminster city council. It is a scandal, and the Secretary of State should act to put an end to it.

As for the housing aspects of the Bill, the Government's policy and the attitude of the Secretary of State are a national disgrace. The right hon. Gentleman may remember saying to the House:

"Everyone should be able to afford a home, and we will continue to ensure that no one need be homeless because he cannot afford a home. There are problems, but they are not the result of a lack of resources or an overall shortage of housing."—[*Official Report*. 10 February 1987; Vol. 110, c. 183]?

That was two years ago. Since then, the housing situation has continued to deteriorate for millions of our fellow citizens.

There is a stark contrast between the Government's aims and objectives and proposals in the Bill. Policy, generally, is intended to end the role of local government in housing. The reality of housing misery for millions of families and the disgraceful inefficiency with which the Government spend taxpayers' money on housing, as set out in the recent Audit Commission report, ought to shame the Secretary of State, as should the complete omission from the Government's expenditure plans, published in January, of any reference to homelessness or waiting lists. Those words do not appear anywhere in the blue book, Cm. 609, because the Government want to pretend that the problems do not exist.

The Government maintain that pretence at a time when there are 10 times as many people homeless as there were

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when "Cathy Comes Home" troubled the nation's conscience two decades ago. At the latest count, some 116,000 families are homeless. Meanwhile, the number of available lettings continues to decline and the number of new council homes has dropped by four fifths, while the use of temporary accommodation has jumped by six times in six years. Homelessness has been increasing over a long time, across all types of authority, in different regions, under all types of political control and with widely varying housing policies. The Government's responsibilities are the root cause of all that.

Let us consider what has happened to mortgage payers. Last year, the average advance in Great Britain was £36,164. In January 1988, the average net monthly payment was £290·76. It had increased by £81·29 by January of this year. People looking for a home to rent or to buy are crushed between the Chancellor of the Exchequer, who says that he has no sympathy, and the Secretary of State , who says that he has no intention of allowing local authorities to build more houses to meet those needs and problems.

I will give the Secretary of State an example from my constituency surgery a few days ago. A married couple and their child came to see me. They had bought their council house six year ago but had finally had to give it up. They simply could not afford the mortgage repayments any longer. When the Secretary of State came to Copeland borough in my constituency he made it clear that Copeland did not need to build any more council houses. Where does that leave that family? Where can they go? To whom can they turn for help? That is a dramatic example of the human misery resulting from the Government's housing policies.

The Audit Commission report, which was most timely, included a graph illustrating the rise in homelessness under the Government's policies. The Audit Commission said that the cost implications of the escalating use of bed and breakfast are serious. The true gross cost, including authorities which do not complete statistical returns, may well be in excess of £90 million for 1986-87, and in 1987-88 the true cost in London alone was £125 million.

Mr. Irvine Patnick (Sheffield, Hallam): The hon. Gentleman did not tell us that the Audit Commission report also said that if some authorities, mainly Labour, got their houses back into circulation more quickly, by cutting the repair time to two and a half weeks, there would be 20,000 houses available for rent. The hon. Gentleman referred to a selected point; he should give us the rest.

Dr. Cunningham: The hon. Gentleman will not be disappointed, because I am coming to exactly that point in a moment.

At the end of September last year, more than 11,000 homeless households had been placed in bed-andbreakfast hotels by local authorities. In some authorities, families face the prospect of months, or even years, living in hotel rooms. It is now widely accepted that bed-and-breakfast hotels provide generally the worst standard of accommodation at the highest cost, and that conditions in these establishments are totally unsuitable for family life.

A family has to live in one room without chairs or tables for meals, sharing bathrooms and toilets, often on different floors, used by many families at the same time. Parents have no privacy. Children have nowhere to play or to do their homework. Families' health, particularly that of children and pregnant women, clearly suffers. These problems are compounded if families are placed in a hotel away from their home area since access to schools, social services and medical care is disrupted.

The problem of large numbers of families placed outside their home areas is concentrated in London, where around 70 per cent. of households—more than 5,000 families—in bed-and-breakfast are placed outside their own borough. The financial costs of keeping homeless people in bed-and-breakfast hotels are very high. The estimated annual cost of keeping a family in bed and breakfast accommodation in 1986-87 ranged from just over £5,000 in non-metropolitan districts to £11,000 in London. The precise costs vary. We must compare that with the average cost to a local authority of building a new home at about £7,500 per annum, a far more cost-effective, efficient and better solution for everyone and a far more caring approach for any Government to want to take—that is, any Government but the present one, with the present Secretary of State.

The hon. Member for Sheffield, Hallam (Mr. Patnick) referred to vacant properties. It is a recurring myth for Conservative Members to lay the blame for these problems at the door of local government. As the Audit Commission points out, the highest vacancy rate of any tenure group in England, at 6 per cent., was a Government Department, not a local authority. The Audit Commission made the point that the Government, if they really cared about these matters, would literally—to use an apt phrase—get their own houses in order instead of wasting the taxpayers' and ratepayers' money. It is true that 2·5 per cent. of local authority dwellings remain unoccupied, but we should compare that with 2·7 per cent. of housing association dwellings and 4·1 per cent. of private sector dwellings. Local government has the best record. I agree that it is not necessarily an acceptable record, but it is a better record than that of Government Departments or housing associations.

Again, the Audit Commission says that the Department of Environment should take the initiative in seeking means to ensure that where such properties are vacant, and not for sale, they are made available for leasing to local authorities and housing associations. One way of encouraging better use would be for the accounting systems of all public sector landlords to show clearly the costs of maintaining void properties. Here we have an indication of the double standards of Government; at present the Ministry of Defence and the Metropolitan police systems of finance do not show the cost to the ratepayer and the taxpayer of keeping houses empty. In addition, public bodies should bear the true cost of leaving properties vacant and should repay the financial benefits of bringing them into use.

There is much more to talk about in the Bill and there is much more of it that we oppose. I have made the point once, but I make it again, that we fundamentally oppose the new housing finance proposals which will require council house tenants effectively to pay an additional tax to subsidise the poll tax and housing benefit. That is a major departure from the policy followed by all previous Governments. *[Interruption.]* The Minister of State says that he does not understand that. I should like to think that I have got it wrong, but I assure him that I have not

because that is the view of the Chartered Institute of Public Finance and Accountancy and of all the local authority associations, and it is a direct consequence of the proposals in the Bill.

Against that background, it is a disgrace that the White Paper should show that gross capital expenditure on housing is set to fall. In 1988-89 there will be a fall of 19 per cent.—almost one fifth—compared with the financial year 1987-88. In 1989-90 and 1990-91 there will be further falls, and it is projected that by 1991-92 the existing total gross capital expenditure on housing will have been reduced by 27 per cent. How can the Government justify that manic obsession with reducing public investment in housing at a time when so many families desperately need help?

Even the voluntary organisations feel threatened by the proposals in the Bill, and the changes in the law which will threaten their funding. The Secretary of State is well-known as being an admirer of the American system of local government. He should look at what the Sunday newspapers were saying last weekend about the depths of decline in social policy in the city of New York. If the right hon. Gentleman so admires the American approach to local services, he should learn from what is happening to people in the inner cities and urban areas of too many towns and cities in America.

After 10 years of continuous office and an uninterrupted barrage of legislation on local community affairs, the Secretary of State can have no excuses. I regret to say that there is no evidence that he and his ministerial colleagues have learnt any lessons at all. We have no confidence in the Secretary of State wanting to understand the real circumstances faced by millions of his fellow citizens. His attitudes are as ugly as his proposals—neither are acceptable in a fair and civilised society.

5.51 pm

Sir Geoffrey Finsberg (Hampstead and Highgate): The hon. Member for Copeland (Dr. Cunningham) referred to the situation in America. It is significant that he picked on New York, which has been a problem city for decades. I noted that he made no reference to the successful redevelopments in the inner-city part of Boston, which would be a credit to any local authority. In the same way that the hon. Gentleman was somewhat selective over his quotations from the Audit Commission, so he was in his comparisons of New York and of American local government in general.

The Bill falls into two parts—housing and local government. I hope that the Bill will bring to an end the injustice, which has been growing more noticeable in the past 20 years, in the balance between the ratepayer and the council house tenant. The ratepayer has been asked to pay a larger and larger proportion of the cost of local authority housing, while far too many local authorities have taken no notice of the advice from the district auditor and have set their rent levels well below any sensible figure. What is proposed will in the long run prove to be much fairer and much more acceptable to council tenants.

If rents go up, I believe that the council tenants have every right to demand that the maintenance of their properties is improved. In my constituency, the London borough of Camden is a byword for incompetence and the neglect of tenants. That local authority's main excuse is that it has no money to do the work. It overlooks the fact that it has £14 million of rent arrears, that it paid more than £1 million for bed-and-breakfast accommodation that was never occupied, and, as a direct result of a failure to set the rate just over two years ago, it lost £2 million. The district auditor criticised it strongly, but did not have the courage to act. There was £17 million that could have been used to repair council properties.

The tenants who contact me are desperately angry at the conditions under which they must live. My advice to them is that they would certainly be better off buying their accommodation under the right to buy if it were not for the fact that 2,000 cases in Camden are beyond the statutory period and that valuations are deliberately inflated. When, on my advice, those tenants go for redetermination of those values, reductions of more than 10 per cent. are almost always achieved. They would be better off, too, under my right hon. Friend's proposals on co-operatives or in being managed by a private landlord or by a housing association. The last choice of any sensible tenant would be to be managed by a local authority such as that in the London borough of Camden.

I believe that my right hon. Friend is right in what he is proposing. I was certainly glad that he killed the canards that have been passed around by the Opposition that council rents will quintuple, or will rise by any other multiplier. Certainly, my right hon. Friend did not use the words "market forces" or "market rents", although the hon. Member for Copeland implied that he did.

I want to say to the hon. Member for Copeland that I agree that this is the 50th local government Bill. When local government was in its prime and was being run by men like Hayward, Griffin, Cunningham and Norman Pritchard, the legislation that we have had to introduce would never have been needed. All those were honourable men who put the interests of their constituents ahead of party political dogma. The tragedy is that such men no longer exist. My right hon. Friend and his predecessor have, therefore, had to introduce over and over again fresh legislation to fill——

Mr. Bob Cryer (Bradford, South): Why did the Government abolish the GLC?

Sir Geoffrey Finsberg: It was abolished because it had become one of the most corrupt local authorities in this country. As I have said on more than one occasion, if anyone like Ike Hayward had still been around, the last leaders of the GLC would never have been allowed even through the back door.

My right hon. Friend and his predecessor have been forced over and over again to bring in legislation to block loopholes that they thought no decent person interested in local government would have attempted to use. I also do not regard some of the tricks proposed by the City as having been in the interests of the ratepayer or of the taxpayer. I have always believed that it is right to do what my right hon. Friend the Chancellor is doing, which is, when possible, to repay the national debt, and, as my right hon. Friend is suggesting, to repay some local authority debts out of capital receipts. There is nothing wrong with that; indeed, the very reverse is true. I welcome the forward thinking that my right hon. Friend has introduced into this legislation.

On the question of twin tracking, there are so many examples of Labour council advertisements for senior officer posts indicating that they are expecting the

[Sir Geoffrey Finsberg]

applicants to be sympathetic to the political aims of the local authority. We have just got rid—if that is the right word—of a director of social services in the London borough of Camden, a Mr. Kodikara. He was a most incompetent chairman of the social services committee of the London borough of Hackney. He remained a Hackney councillor. He has now gone with a golden handshake, some furniture and, more importantly, a contract for unspecified work at an unspecified price, and nobody can discover why that happened or what the figures are.

I do not accept what the hon. Member for Copeland said. The mere fact that somebody is an officer, well below principal rank, does not mean that he will not tender advice or take decisions on matters where he allows his political judgment to run ahead of his professional judgment. I am delighted that my right hon. Friend has had second thoughts about what the Widdicombe Committee said and about the first reactions to that report. I believe that the original response to Widdicombe was not in accord with the evidence from around the country. My right hon. Friend has shown how flexible he is and how he listens to facts when they are given to him.

Staff, whether in local government or in the Civil Service, should be appointed on merit and not because their face fits or their political views fit. If the Bill goes any way towards restoring that once firm principle I shall be delighted.

Mr. Tony Banks: Does the hon. Gentleman believe that those strictures should apply to Government appointments on quangos or within the Civil Service? Does the hon. Gentleman believe that Lord Chalfont and Lord Rees-Mogg have been appointed on their ability or because their faces fit and they subscribe to the Tory party cause?

Sir Geoffrey Finsberg: Alas, the hon. Gentleman confuses the Civil Service and public bodies. They are totally different and therefore what he says is irrelevant. I would not want any civil servant to display political views or to hold any office. If such people wish to be politicians, in common with the hon. Gentleman and me, it is their choice, but they should cease to profess their independence, stand for election and take their chance.

The Bill also talks of achieving political balance on committees and the like, which will prevent advice being given to one party only. That practice operated in Camden where the Labour party created a leader's co-ordinating committee. Officers gave advice to that committee, but no member of the opposition was entitled to be present. That is the wrong way in which to proceed.

It appears that the policy of the Labour party in local government has been to get rid of opposition members on boards of school governors—I am reminded of my hon. Friend the Member for Ravensbourne (Mr. Hunt)—and the like. For that reason the proposals that my right hon. and learned Friend the Secretary of State for Health has introduced to get rid of local authority representation on district health authorities are absolutely right. Camden, for example, has refused over and over again to share representation on the local health authority. If that council wants a one-party system, frankly, there should be a no-party system. In the past I have made it clear to friends on Conservative-controlled councils that proportional representation on DHAs and the like should be available to the opposition parties. I am glad that the Bill will ensure that that correct policy is followed.

Mr. Cryer: If the hon. Gentleman is so concerned about advice being shared among political parties, does he agree that the many advisers employed by the Government, including, for example, Mr. Peter Luff—he is paid £24,000 a year indirectly by his employer and the company is being investigated by that employer, the Department of Trade and Industry—and the information provided by those advisers, paid for by the taxpayer, should be shared among the opposition as well?

Sir Geoffrey Finsberg: It is easy for the hon. Gentleman to smear individuals. I would rather have advice from Mr. Peter Luff than from the hon. Gentleman.

I welcome clause 124 which makes clear exactly what can be charged for in libraries. As my right hon. Friend has said, there never was any intention of charging for the basic core services. I also welcome clause 134 which winds up the Town Development Act 1952. When I was a Minister at the Department of the Environment I decided that that Act had served its purpose and had no real value any more—little was done under that Act from 1980 onwards. At the time it did a good job, but it is right that it should be wound up as it has no further function.

I appreciate that the principle of the Bill will be unacceptable to Opposition Members. I would not expect anything else, as it is their job to say that it is unacceptable even if, in their hearts, they know that there is a lot of merit in it. The Bill will be welcome, however, to people outside who are sick and tired of the perversion of local government. They have witnessed the Labour party's destruction of all that was decent and honourable in local government.

It is almost 40 years since I first entered local government by defeating the late Lord Greenwood. In those days local government was honourable on both sides, but today I fear that it has been put into disrepute by the activities of far too many people whom I do not believe the hon. Member for Copeland likes to acknowledge as members of his party. The Bill will do something to get rid of that element and I welcome it.

6.5 pm

Mr. George Howarth (Knowsley, North): I shall confine my remarks primarily to housing, as my hon. Friend the Member for Copeland (Dr. Cunningham) has covered our concerns about other parts of the Bill.

A great deal needs to be done about housing, and it has not been addressed in the Bill or by previous legislation. It has been said that we have reached a half century of local government measures, but since the Government have been in power only five pieces of legislation have specifically dealt with housing. Despite that legislation we have not made any progress. The major problems of housing have not been addressed by the Bill, and they were not addressed by the Local Government Act 1988. The Government have refused to engage in any dialogue about those problems and have refused to recognise them.

Given that the Government have been in office for 10 years, it is interesting to note what the people given responsibility for housing in the Department of the Environment have done during that time. It is 28 months since I was elected to the House and it is remarkable that

there have been three different Ministers of State and goodness knows how many Under-Secretaries of State since then. I have studied recent publications by the housing press and have noticed the considerable amount of space that has been devoted to pictures of Lord Caithness—he is the Minister of State in the other place. He always appears in various housing journals with a trowel in his hand, laying bricks. The hon. Member for Rossendale and Darwen (Mr. Trippier) makes a weekly appearance in some magazine or other wielding a spade and cutting the first sod. He was kind enough to do so on a development in my constituency the other week.

I have devoted some time to considering what various people have done in their various posts during the past 10 years and I believe that I have tumbled on the answer. I believe that the various housing posts within the Department of the Environment represent an employment training scheme for members of the aristocracy. They join the Department to do some work on housing, although they never achieve anything and then go on to do other things.

It is worth considering what has happened to some people who were at the Department of the Environment. The hon. Member for Oxford, West and Abingdon (Mr. Patten) was Minister of State, Department of the Environment when I was first elected, but after his training programme in that Department he was dispatched to another Department to resolve the problems of homelessness. He did not, of course, build any more houses as he was sent to that Department to build more prisons. The hon. Member for Broxbourne (Mrs. Roe) was an Under-Secretary at the Department of the Environment when the 1988 Act went through the House. She did not complete her course of training and became the first victim of the landlord-tenant regulations set out in that Act when she was evicted from the Government; and so it goes on.

The hon. Member for Eastbourne (Mr. Gow) served some time within that Department and had direct responsibilities for housing. Perhaps as a foretaste of the Bill, he left that Department of his own accord, presumably prior to his training being completed, to build a ring fence around the Six Counties of Northern Ireland. I could go on.

Mr. Robert G. Hughes (Harrow, West): What about Patrick Jenkin?

Mr. Howarth: I was not going on to deal with Patrick Jenkin. I am sure that my hon. Friend the Member for Hammersmith (Mr. Soley) will mention him when he winds up for the Opposition.

Perhaps we could consider the fate of the Minister of State, Foreign and Commonwealth Office. He was responsible for the Housing Act 1988 when it was in Committee. He has been sent off to rule the world. I understand that he has been advising Secretary-General Gorbachev about the advantages of a secure tenancy over an assured tenancy, although I do not know how that applies to Mr. Gorbachev.

There has been a considerable throughput of Ministers but no action. None of the major problems that they inherited because of an aging housing stock has been addressed. The dilemmas and problems have grown worse without any realistic action being taken.

I should like to examine the opportunities that have not been addressed by the Bill, suggest some ideas that the Government might like to consider as the Bill goes through Committee, on the basis that we need to do something about some of housing's major problems.

How can we look at housing finance, which the Bill does in a very partial way, without considering the problems created by having a dual-track system—there seems to be a lot of reference to that—within the subsidy arrangements for housing? We have mortgage interest tax relief that can technically be unlimited. The only limit is on how many people fall into the qualification provisions. That ceiling can go up and up and has indeed been steadily raised because of the number of people who are coming into owner-occupation and taking out mortgages.

Yet at this time last year we witnessed a sharp reduction in housing benefits, which has certainly been felt in my constituency and elsewhere. The subsidy system needs to be sorted out because clearly there is no targeting of mortgage tax relief on one side, where people qualify for it by simply having a mortgage; yet on the other side targeting has lopped off hundreds of thousands and possibly millions of those eligible to claim housing benefit. The Government might have considered introducing a single housing benefit related to people's needs for housing and their means. That will really help those in housing need, who may be on a low income or dependent on state benefits, to acquire housing suitable to their needs. But no, the Government have not looked at that at all.

We hear a lot of talk about rents being allowed to find the market level. We heard that about the Housing Act, and in the Secretary of State's speech today. But what is a market rent? How does one determine a market rent, in an area such as Merseyside, where property values are falling in some parts? With what does one compare it? How does one determine a market rent in an area like mine, where rents are already very high? Indeed, the previous Minister of State, who is now a Minister of State at the Foreign Office, conceded in a meeting with councillors in my constituency that rents were already relatively high. Yet they must increase even more as a result of the Bill.

I do not quite know how the Government will sort out all these things. If they are serious about doing something for the homeless, why do they not consider some of the possibilities in the short-life movement? What we really need, of course, is a long-term solution to homelessness, but the crisis is on us now. In London and other cities there is a large short-life, community-based housing association movement. If the Government want to do something about homelessness, they could go to these community-based associations and say, "We will give you mini-housing association grant money." Even in central London it usually costs about £20,000 to £25,000 to bring a new unit of accommodation into use for the homeless. Why not let associations get on with mini-HAG schemes and bring some of the property that is awaiting repair on stream, and thus do something about the problem?

An incidental by-product of that is the reduced cost of these schemes. Whereas it costs about £15,000 a year to keep a homeless family in bed-and-breakfast accommodation, less than £1,000 a year in subsidies will keep a homeless family in short-life accommodation. That eminently sensible suggestion is worth looking at, but there is nothing in the Bill to suggest a solution to the problems of the homeless. It is another missed opportunity.

[Mr. Howarth]

Why does the Bill not address the problem of disrepair and the extent to which much new build in the private and, to some extent, in the public sector, adds to it? Why do the Government not look now, for example, at the space standards that are being built to now? Why do they not look at the standards of materials used in the public sector and by housing associations, and certainly in the private sector, as a result of the new financing regime? Why do they not look at standards of materials and construction techniques, with an emphasis on setting reasonable standards?

We already know about the sorry saga of disrepair, with £20 billion a year being needed, but not spent, to bring the stock up to scratch. It is probably a much higher figure now. Why do not the Government look for ways to stop making that problem worse? I know well that much of the housing being built—the Minister will have to concede this if he looks at it carefully—will be a major problem in 20 years' time. It is shoddily built.

Mr. Patnick: Does the hon. Gentleman realise that one of the curses of local government today is that high-rise, mass-density developments that were built in the early 1970s are causing much of the need for refurbishment? The local authorities are throwing money at them as if that is a solution. Demolition is the only way forward. These are big housing blocks, and there is a multiplicity of them.

Mr. Howarth: The hon. Gentleman mentions the problems of high-rise flats. I recognise that demolition is the problem. A 21-storey block of flats called Stourbridge villas, where I have lived, is being demolished in my constituency. But that is not always the answer. If some high-rise blocks were refurbished they would provide satisfactory accommodation for certain people. It is not correct to say that all those blocks should be pulled down, because we shall not be able to replace those units fast enough. Local authorities should be given resources, where appropriate, to improve properties, to repair lifts and stop damp penetration.

The major point is that, unless the Government do something about standards in the construction industry, what is being built at the moment will cause major problems of disrepair in 20 to 30 years' time. The Government of that day, of whatever colour, will have to provide billions of pounds to put the problems right, in both the private and public sectors.

Instead of attacking local government, which is the main thrust of the Bill, why do the Government not look at the possibility of building up partnership arrangements? They already have schemes such as Estate Action, where the Government are tentatively dipping their toes into the water. The Parliamentary Under-Secretary of State for the Environment visited the Tower hill part of my constituency, and I give him credit.

In Tower hill, the local residents, the local authority and the Government, in the form of the Estate Action programme, have together carried out major improvements to the estate, and its layout and general environment. But why do the Government not take that idea further and say, "Okay, it is a good idea to involve the community in this type of urban renewal, but we shall also provide the capital"? Instead of money being provided to improve the periphery of estates, improvements could be made to the inside of properties, many of which are riddled with damp and have other problems, too. That would be a major step, but it has received no consideration.

Successive Ministers have failed to address Britain's housing problems. They have been hidebound by dogma that is neither relevant nor appropriate to the problems that we face. Unless the Government are prepared to listen to sensible suggestions about how to solve the real problems, their legislation will fail to make any contribution to housing and will probably end up making matters worse.

6 20 pm

Mr. Irvine Patnick (Sheffield, Hallam): It is hard to follow my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) who seems to have been in local government even longer than I have, which is for the majority of my life. The rot started—the two factors have nothing in common—when I joined local government in 1967.

I wanted local government's role to be clearly defined in the Bill. Twenty years ago, at the beginning of my service in local government, local government throughout Britain was run on sensible and efficient lines, whether the councils were controlled by Labour or any other party. Between 1970 and 1980 I regret that there was increasing abuse of local government procedures, privileges and finances, which, in the main, have occurred in Labour-controlled councils.

The Bill's objective is to return local government to the practices once prevalent everywhere, based on service to the local community rather than for personal political gain. As the Minister said, we are trying to give local government back to local government.

I can remember the time when a local council's chief officer was not only respected but someone about whose political affiliation no one had a clue. I doubt whether he even voted. Those days have long since gone. Yet the Opposition are constantly looking for hidden agendas. They cannot look at a Bill without seeing conspiracy behind it.

Mr. Winnick: Since the hon. Gentleman is criticising local authorities and has mentioned chief executives, will he take this opportunity to condemn Westminster city council which, under the leadership of Lady Porter, has been run in a disgraceful and corrupt way and has been involved in a hush-money contract?

Mr. Gummer *rose*——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The hon. Member for Sheffield, Hallam (Mr. Patnick) must have an opportunity to respond.

Mr. Patnick: The hon. Member for Walsall, North (Mr. Winnick) sounds like a continuous tape, going on and on. The words are the same, only the player is different. I give way to my right hon. Friend the Minister.

Mr. Gummer: In answering the point made by the hon. Member for Walsall, North (Mr. Winnick), will my hon. Friend ask whether Opposition Members wish to deny the chief executive money that he has paid, legally and properly, into a superannuation fund, and whether they would care to cast their minds over the fact that the only

case about which they ever talk is the one that has just been mentioned, whereas my hon. Friend could no doubt keep the House here all evening with cases of proven misuse?

Mr. Patnick: I thank my right hon. Friend for those words of guidance. Before I became a Member of the House, a chief executive of a former metropolitan county had a similar experience and, like the chief executive of Westminster council, he took the money to which he was entitled. It is the system that is wrong. I shall refer later to an hon. Member who was in local government.

There is nothing hidden or conspiratorial about the Government's intentions in the Bill. The Government have forced local government to be efficient and responsible. If the Labour party want a form of twin tracking, let it be the twin tracks of efficiency and responsibility. The Bill is a response to proven abuses and needs and it helps to put above board the activities of those centrally involved in local government. The Opposition's stance makes it clear that such a Bill would never see the light of day under a Labour Government. The Bill is overdue and abundantly necessary and deserves the whole-hearted support of the House.

The Government have already implemented some of the Widdicombe report's recommendations on political propaganda on the rates. That matter came before the House in June 1988 and my hon. Friend the Under-Secretary of State for the Environment, the Member for Southampton, Itchen—no "h" dropped—(Mr. Chope) explained to me that I was wrong to ask how councils such as those in Sheffield and Derbyshire could issue newspapers which to me were propaganda on the rates.

How can Derbyshire county council which says that it stands by its services go on to say that county councillors have pledged that cuts in services and jobs will not be adopted by the county council

"at any time in the foreseeable future and at least until 1993"

according to the council's leader? How can that be the right way to run a council? How can that be permitted under legislation? The Government have been soft on such propaganda on the rates, and there is more.

Mr. Redmond: Will my hon. Friend give way?

Mr. Patnick: I am not the hon. Gentleman's hon. Friend, but I shall willingly give way.

Mr. Redmond: The hon. Gentleman talks about councils spending money on propaganda, but they have a right to inform the people whom they represent. Will he say something about the millions of pounds that the Government spend on propaganda advancing their case instead of putting the facts to the people?

Mr. Patnick: The hon. Gentleman, who travels on the train with me, will be able to make his own point in his own way in his own time.

Sir Geoffrey Finsberg: I am sure that my hon. Friend knows that strict rules apply to Ministers and their Departments. In the four years that I was a Minister I spent most of my time being utterly frustrated as a result of being unable to issue facts to counter some of the fiction coming from the Opposition.

Mr. Patnick: I am grateful to my hon. Friend for his assistance.

Sheffield city council put out a leaflet entitled "The Community Charge"—the one and only time that it called it that. It usually refers to it as we all know, as the poll tax. In the well-known *Sheffield News*, which is nothing short of a propaganda sheet paid for by the city's rate-payers for the benefit of Sheffield's Labour party——

Mr. David Clelland (Tyne Bridge): On a point of order, Madam Deputy Speaker. Is this relevant to the Bill that we are discussing? Propaganda on the rates was dealt with under previous legislation.

Madam Deputy Speaker: A Second Reading debate is wide, but I am sure that the hon. Member for Sheffield, Hallam (Mr. Patnick) will, with all his local government experience, be able to return to the Bill.

Mr. Patnick: I am obliged to you, Madam Deputy Speaker, for your guidance. We are discussing implementing the second part of the Widdicombe report, which also dealt with propaganda on the rates. If Opposition Members catch your eye, Madam Deputy Speaker, I am sure that they will be able to make their speeches without my assistance.

The wonderful *Sheffield News* says:

"'Poll Tax is the sort of tax which gives taxes a bad name'. But councils will be legally obliged to collect it."

The Redcliffe-Maud report entitled "Conduct in Local Government", Cmnd. 5636 published in 1974, opposed any relaxation of existing rules and considered extending to employees of any authority the disqualification from membership of an authority anybody who holds office in, or in the gift of, that authority. It did not make any such recommendation, but it made the following comment, which is worth listening to, because the hon. Member for Don Valley (Mr. Redmond), the former leader of Doncaster council, is present and he was around at the time of Redcliff-Maud:

"Any officer, whether senior or junior, whose work is in any way connected with the decision-making process of his authority and who contemplates seeking election to membership of the authority of the other tier should consider very carefully whether such membership would prejudice his ability to serve, and be recognised as serving, his own authority loyally and impartially as an employee."

Sadly, the hon. Member for Copeland (Dr. Cunningham) is not here so I understand that it is bad form to speak about him, but I suppose that worse things have been said about him. He referred to the question how many councillors were twin tracking, and he quoted from Widdicombe. Widdicombe said that, according to its research, about 16 per cent. of councillors in employment and 10 per cent. of all councillors were employees of other authorities. It went on to say that there were many authorities where significantly more than 10 per cent. of councillors were twin trackers and others where significantly fewer were. It also said that there was a more common phenomenon with 13 per cent. of all councillors being councillors of two or more authorities.

I put two hands up. I was a member of South Yorkshire county council and Sheffield city council at one and the same time. I found no conflict at all. I was in opposition on both councils. My head was repeatedly kicked in, night and day. Many is the time that I have sent letters to Her Majesty's Government saying that there is something wrong with local government and it should go back to where it was when I first joined it.

The Widdicombe report is the report of the committee of inquiry into the conduct of local authority business. I

[Mr. Patnick]

really was a poacher there because I gave evidence to it as leader of the opposition on South Yorkshire county council. We were short-changed by the controlling group of that now defunct authority. There was no way that we had an opportunity to sit pro rata in the membership of committees. There was no way at all that we could operate within the standing orders of the council, because, if we found a way of getting round the standing orders, the standing orders were changed. It was easy: if the rules do not fit, change the rules.

This happened in Sheffield city council. *[Interruption.]* Well, I came into the House with the rules that were already there. The one thing that I have learnt from hon. Gentlemen is that the House operates with rules, and they try to break them at every opportunity.

Mr. Robert B. Jones: Does my hon. Friend remember Councillor George Senior of Sheffield saying, "We mean to obstruct the law in every way; that is what we are about"? He said that about the direct Labour opposition to parts of the Local Government Act 1974 at the time, but is that not also true of their attitude to everything else?

Mr. Patnick: I thank my hon. Friend for that guidance. I have listened to that from hon. Gentlemen. They say that they take no notice of the law that we make, to paraphrase.

The Widdicombe report was published in June 1986 and it provides a comprehensive analysis of the way in which local authorities are operating at present. The report made a large number of recommendations designed to strengthen democratic procedures within which local government operates. The Government's response, as the hon. Member for Copeland noted, was published in a White Paper in July 1988, and the Government have already acted on some of the recommendations.

I am aware that other hon. Members wish to speak in this debate, so I shall confine my speech in the main to the Widdicombe part of the Bill.

Section 2 of the 1986 Act prohibits local authorities from publishing or assisting others to publish material. I have given an example of this. I listened to the hon. Member for Newham, North-West (Mr. Banks), so no doubt his friend Councillor Jones will now have more information on which to work.

It is a fact that this cross-pollination, twin tracking—whatever it is called—is rife here, but it is also rife in places such as Sheffield. It was rife when South Yorkshire county council existed. The leader of Sheffield council swapped places with the leader of Barnsley council. The two of them worked with the two authorities. The former chairman of housing on Sheffield city council was employed by South Yorkshire county council. I was deputy chairman of the residuary body that closed it down, and I wanted to see where Councillor X sat. They said that they had closed his office because he was never there. It was a joke, a farce; and by way of compensation they gave the deputy leader of South Yorkshire county council a full-time job as deputy leader of the council; he was a teacher and he went as a full-time member of the county council, on a full salary, but with no timetable.

That is what went on in local government. Surely it cannot be right that a highly paid officer in a council should have someone else doing his work.

Mr. Redmond: Councillor Lunn, to whom the hon. Gentleman referred as leader of Barnsley, did a damn good job for the people of Barnsley. If the hon. Gentleman is seeking to condemn twin tracking, will he also condemn those hon. Members who have good salaries for the consultancies and directorships they have secured?

Mr. Patnick: I am rather disturbed that the hon. Gentleman has mentioned the name of the person concerned. I have not used the name of any councillor in this place. The man died some while ago, and it besmirches his memory for an hon. Gentleman to bring up his name. I have not mentioned any names. If the cap fits, let the hon. Gentleman wear it. *[Interruption.]* I am not struggling at all.

A former right hon. Member of the House, Albert Booth, when he was defeated in the election, arrived at South Yorkshire county council as an official. He was one of the technical directors of the South Yorkshire passenger transport executive. We all know that there are good salaries here and compensation for loss of office. I think that there is also a pension, if my memory serves me correctly. He came to be interviewed for a position and one of the first things I asked him was whether, if a vacancy occurred anywhere in a safe Labour seat, he would take it. He said that he would not. He left for the 1987 election. He took early retirement, and he finished up with two pensions. That is all right, is it not? That is legitimate, because he came from the Labour side.

Let me carry on with some of the rocky horror stories. The leader of Bradford city council was employed as an anti-privatisation adviser to Wakefield city council. A quarter of Glasgow's city councillors were employed by their own regional council. In Camden, at one time, 48 per cent. of the Labour councillors were dependent, directly or indirectly, on councils in their area.

Mr. Nicholas Bennett: I am most grateful to my hon. Friend, who has very wide experience in local government in Sheffield and on South Yorkshire county council. Would he like to comment on the fact that this is still going on; that, in spite of the fact that this Bill has been published and twin tracking is to be outlawed, only last week the London borough of Hackney shortlisted for its deputy chief executive post Councillor Linda Bellos and Councillor Fred Taggert, both Left-wing Labour members of Lambeth borough council, and appointed Councillor Fred Taggert to that post? What confidence can Conservative and Liberal members of that council have that that individual, as an independent deputy chief executive, will give them unbiased advice?

Mr. Patnick: I thank my hon. Friend for drawing that matter to my attention.

When I was leader of the opposition on South Yorkshire county council, one of my most difficult jobs was obtaining impartial advice from chief officers. It is extremely difficult when one knows that, sometimes, whatever one says goes through a direct pipeline to the ear of the leader of the council. No confidence can exist in that situation. It is most upsetting, but it was even more upsetting to find that, during a by-election for the council, one of its chief officers was delivering Labour party leaflets in the ward concerned. That is scandalous and totally wrong. Whatever may be one's political affiliations, they remain private when one marks a ballot paper or even works behind closed doors, when there is no way that

anyone else can snoop. But it is a different matter for a chief officer to be seen on the streets of Sheffield during a by-election, delivering Labour party leaflets. That must be stopped somehow. There must be a cut-off point.

It would be wrong of me to say that I do not know of a Tory who holds high office in a council. *[Laughter.]* The hon. Member for Don Valley laughs.

Mr. Winnick: On a point of order, Mr. Deputy Speaker. I am genuinely sorry to interrupt the hon. Member for Sheffield, Hallam (Mr. Patnick), but your immediate predecessor in the Chair, Mr. Deputy Speaker, and even Mr. Speaker himself, made the point that, although there is no time limit on speeches, right hon. and hon. Members should remember that there are many who wish to speak in the debate. The hon. Member for Hallam has already spoken for 21 minutes. I do not believe that he is bringing his remarks to a close—he has no need, as there is no time limit. I remind you, Mr. Deputy Speaker, that only two Back Benchers have so far spoken—and my hon. Friend the Member for Copeland (Dr. Cunningham) kept his contribution very tightly within 10 or 15 minutes.

Mr. Deputy Speaker (Sir Paul Dean): The hon. Member for Walsall, North (Mr. Winnick), who I know hopes to catch my eye, gives me the opportunity to say that many right hon. and hon. Members in all parts of the House wish to speak in the debate.

Mr. Patnick: If anyone in this place blows a lot of wind, the hon. Member for Walsall, North (Mr. Winnick) is the leading culprit.

The Local Government Act 1988 acted on Widdicombe's recommendations. It allows local ombudsmen to consider complaints from the public, and gives powers to the district auditor to stop potentially unlawful expenditure. However, it does not allow the district auditor to tell a council if he considers that such expenditure is wrong. Where such expenditure is a matter of political judgment, the district auditor will say, "I do not wish to know." In the miners' strike, funding was provided by a council to the miners. When I complained about that practice, I was told that it was a political decision and that the district auditor could not enter into that political arena.

The South Yorkshire county council's fares policy sucked money out of local authorities, and the only thing left to show for that is a memory of cheap fares. There are no improved roads or a police station. When I told the district auditor that it was wrong, he replied, "You can take it to court and fund that action, and we shall see what is the outcome. I have neither the time, the inclination, nor the funds to take legal action against an authority—when all it needs to do is increase its rates."

I close on a most interesting point.

Mr. Winnick: We wondered when you would reach it.

Mr. Patnick: The hon. Gentleman will have an opportunity later to criticise my speech. Opposition Members have that privilege and treat in store—but I could almost recite the Opposition's speeches. The Opposition will say that nothing should be altered because everything is all right as it is—everything is wonderful and marvellous. The hon. Gentleman who makes all the noise will say that the Government have got it wrong—but I have never heard him say that anyone has it right.

Mr. Winnock: To whom was he paying that tribute?

Mr. Patnick: Sadly, I cannot recollect the name of the hon. Gentleman's constituency. When I do, the hon. Gentleman will get the full width of my tongue.

The Bill will restore to local government some of the benefits that others have taken away. Twin tracking, the appointment of political officers, the appointment of political devotees, and the funding of various organisations from the petty cash of local government and their financing by ratepayers' money, will all cease.

Some of the organisations that have made representations on the Bill see in it certain imperfections. I am convinced by the words of my right hon. Friend the Secretary of State, that amendments, alterations and improvements will be made. The Bill will put local government back where it belongs, and will allow it to be run by people whose only role will be to give genuinely impartial advice and guidance. They will not be on the payroll of another organisation or council whose intention is to stop elected representatives doing what they want. Impartial advice is needed in local government, and that is something that we shall ensure is available when we return proper powers to local government.

6.45 pm

Mr. Matthew Taylor (Truro): The Secretary of State used measured terms to describe the Bill—which he tried to suggest was non-controversial. However, the Bill commands precious little support among those in local authorities who are in the best position to understand its impact. In particular, it commands precious little support among Conservative councillors and those among them who have commented on it.

The chairman of the housing and works committee of the London Boroughs Association asks for a year to get over the last Bill that the Secretary of State introduced. The Association of County Councils, in the reasonable expectation that examination of the Bill will be guillotined —for we may have a shopping list, but we shall not be able to examine closely the prices and the quality of the goods —comments:

"It is to be regretted that they"—

that is, the Government's proposals—

"will not receive the parliamentary scrutiny that they deserve. The Bill contains many provisions that should have been dealt with separately and at length, and in greater detail than we shall have an opportunity to do.

The attack on local government in recent years, and the continual movement of power to the centre, worries many people of all political persuasions. Among them are people who, in the past, have not taken a great interest in politics. They may discuss politics and vote, but they have not actively campaigned on the streets. Those people are now genuinely concerned about the drift of power to central Government, that is once again, being written into legislation. The Conservative-controlled Association of District Councils—hardly a hotbed of Trotskyist interest —comments:

"It is difficult to tell what precisely is envisaged, but the net effect would appear to be more power to the Secretary of State, and even less freedom for local authorities."

That is contrary to the comments of the hon. Member for Sheffield, Hallam (Mr. Patnick).

The Association of County Councils comments:

[Mr. Matthew Taylor]

"The Association is concerned that so many important aspects of the Bill's provisions are left to be dealt with by secondary legislation and that there is to be such an increase in the powers of the Secretary of State."

The first to feel the brunt of the Bill's attack on local authorities will not be councillors but their employees, as they find their freedom to participate in the political party or body of their choice abolished. In a democracy, and for all the soft words of the Secretary of State, the decision to deprive people of their right to campaign, and to take part in the political process, is of critical importance. No one should be denied that right without the matter being given deep thought, and without deep regret being felt—because that right is the basis of the society that all right hon. and hon. Members are here to defend.

The Bill will bring about 70,000 or, if one believes the ACC, 90,000 or more, local government officers under the wing of Ministers and their representatives and deny those officers the basic right of political activity. Although in some cases they will have the right to apply to get those liberties back, it is wrong that we should force 70,000, 90,000 or even 10,000 people to have to beg for their rights under that sort of system.

The Secretary of State has constantly pushed for leaner, more professional councils. But among those whom we shall be taking out of any involvement in politics and council work will be many who are experienced and best able to take part in activities that would benefit local authorities and council groups.

Mr. Gummer: If one of the supporters of the hon. Gentleman's party wanted advice from the local social services department in, say, the London borough of Brent, does the hon. Gentleman think that that supporter would be entirely comfortable with the fact that the assistant director there was the controversial chairman of the planning committee in Ealing? What if one of his party's supporters wishing to obtain some advice went to the equal opportunities adviser in the London borough of Hackney, only to find that she was the former controversial leader of the Labour party in the London borough of Lambeth? Would it not be more suitable if those places were filled with people who were independent and were not part of the party political machine? Electors would feel more comfortable in asking for their advice, would they not?

Mr. Taylor: The proposals in the Bill go far beyond tackling a few examples such as those. If more limited changes were proposed—for example, if the proposals affected only chief officers and their deputies—we would support them. The Bill goes far beyond the action that we feel needs to be taken. There may be occasions when councillors from one party must consult people whom they believe to have strong political persuasions of another sort. In most cases the advice being sought would not involve politics, and where it did, there would not be many cases where the person seeking advice could not also turn to others, perhaps to more senior officers, for further advice.

The Minister has set the arbitrary salary level of £13,500. That, coupled with the broad brief to bring in anyone else as the Minister thinks appropriate, goes way beyond what is acceptable in a democratic country in which every individual should have the right to take part, and be heard, in the democratic system. That is at the very basis of the political system that we are here to defend.

Mr. Gummer: It is not an arbitrary figure. The sum of £13,500 was recommended by the Widdicombe committee, which said that there should be an absolute ban on all political activities and that there should be no right of appeal. The Government have introduced a right of appeal over and above that independent Widdicombe recommendation.

Mr. Taylor: Time is short. I hope that we shall have time to go into that and other matters in Committee. It is clear that there is not enough time to deal with the many issues raised by the Bill.

The Government are encouraging local authorities to make greater use of the private sector. Many PR companies advise local authorities and the public on new legislation. The Government are not acting against them in the way that they are acting against council employees, yet those PR companies can employ councillors and even have Members of Parliament as their directors. No restriction is being placed on them. Is that not as good an example of twin tracking as the Minister gave?

Would the Minister even attempt to deny that councillors are able to work for private companies and gain financially from information acquired during the execution of activities in their publicly elected posts? He cannot deny it, yet he will not act on that form of abuse.

It is unsatisfactory that there is no definition of "political activity" in the Bill. It is left to the Secretary of State to define. What is a controversial speech? The Conservative research department brief on the measure refers to

"speaking or writing publicly on matters of party political controversy."

Would an employee who was also a school governor not be able to speak publicly on opting out but only on school meals? Would such a person not be able to speak about race relations but only on the colour that the school corridors should be painted? Or do the Government believe that they should not be school governors at all because holding such a post brings one into the sphere of political controversy?

On 2 February Parliament and the press examined the Official Secrets Bill restriction on civil servants and the refusal of the Government to introduce the "whistle-blowers" for whom their Back Benchers had called. On the same day, the Secretary of State for the Environment published a measure giving councils the duty to appoint a monitoring officer to report to councils any contravention of the law by the council or its employees.

Criticism of much of that came from Conservative Members. For example, the hon. Member for Aldridge-Brownhills (Mr. Shepherd), when referring to the measure before the House today, said when we were debating the Official Secrets Bill:

"I read in *The Daily Telegraph* of last Monday
'Whistleblower law to break Left's grip'.
It seems that the Government, through their new Local Government and Housing Bill—I have no doubt that if I or *The Daily Telegraph* have got it wrong we will be corrected—will seek to appoint what *The Daily Telegraph*, I am sure, wrongly characterises as whistleblowers
'empowered to speak out against illegal or unfair actions as part of a campaign to raise standards of local government'.
What they think is sauce for the goose is not sauce for the gander".—[*Official Report*, 2 February 1989; Vol. 146, c. 477.]

It is not necessary to elaborate on that telling point made by the hon. Member for Aldridge-Brownhills. While the Government are prepared to keep the public informed in the arena of councils, where they are not in political control, in Whitehall, where they are in political control, public servants are to be restricted from revealing information in the public interest. The hypocrisy of that is clear.

I do not oppose everything in the Bill. Indeed, it is so wide-ranging and it contains such a shopping list of items that it would be impossible to disagree with it all. I welcome the proposals on proportionality. My party is at the forefront of fair methods of representation, so it would be strange if I did not support that aspect.

There are peculiarities in what is proposed. Does the Bill completely rule out councils devolving planning decisions to a more local level, or, as Tower Hamlets has done, conducting experiments with community councils? Would it not be more appropriate still if elections gave proportional representation to people's views, instead of the Government trying to fiddle after Rome has burned, as the Minister seems to be doing?

My party supports the ban on voting by non-elected members, but the Secretary of State must explain more clearly why that should not apply beyond the areas the Government seem to have in mind. For example, why should it not apply in schools or to magistrates?

There are various items with which we might agree, but the bulk of the Bill remains an attack on councils and council tenants. The introduction of ring fencing is one of the most insidious moves yet made by the Government against councils. It is an attack on council tenants going beyond anything the Government have achieved so far.

The Guardian, which admittedly, is not always on the side of the Government, wrote in an editorial on 3 February:

"Two out of three of the 4·3 million council tenants in the country are so poor that, despite seven separate cuts in benefits in the last eight years, they remain eligible. That leaves the other one-third, many of whom are earning only just above the poverty line, under the threat of paying higher rents to subsidise the unemployed, disabled people and the elderly."

Homelessness is on the increase, yet the last people these measures will assist are the homeless and the poor.

Let me turn back to the words of Conservative members of the London Boroughs Association:

"The proposals relating to rent rebate subsidy are also of major concern to our members. Housing benefit is intended to relieve poverty and is thus rightly part of the national social security system. We therefore feel that it would be inequitable for the responsibility for financing housing benefit payable to council tenants to be transferred to local government . . . this change could prejudice and would certainly complicate any future attempts to reform the system for relieving poverty"—[HON. MEMBERS: "Hear, hear."] The "Hear hears" to those views from a Conservative-controlled association are all from the Opposition side of the House; Conservative Members remain silent.

The phrase "The poor subsidising the very poor" is one that we have heard again and again and will continue to hear throughout the passage of the Bill, but the Government do not wish to listen. The Institute of Housing says:

"it is morally wrong that better off council tenants should be paying through their rents, for the welfare benefits given to other tenants. Private and Housing Association tenants are not being placed in this position."

The Bill will place tenants renting from a local authority in the difficult position of having to pay for a hidden extra, and will remove money that could be used for repairs.

On the shopping list is a radical alteration in the welfare system, which warrants a debate and a Bill of its own and should not be part of a more general Bill on local government reform.

The Audit Commission has said:

"merging rent rebates in the housing subsidy will serve to obscure both the cost of housing benefits and the true profitability of public housing. The proposals would also, in the Commission's view, be a source of continued friction with local government and unrebated tenants. It would be preferable to maintain rent rebate subsidy as a separate element, calculated on rebates granted. If Government considers that with such an approach it is unacceptable that the whole of the HRA surpluses should be retained locally then the problem should be separately addressed."

Quite so.

My hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes) argued for fair rents during the Committee stage of the Housing Bill 1988, and I intend to do the same. Rents should be affordable. The Government say that they agree with that, but they have not revealed how they intend to achieve it. There must be a mechanism to ensure that rents are affordable for council tenants who do not receive rent rebate.

How does the Secretary of State respond to the criticisms of the Association of District Councils that no figures have been produced to show how the new system will work, or what its national or local effects will be? The Minister cannot be telling us that no such figures have been drawn up. Surely he would not introduce a change of such significance without at least having a look at the likely effect on councils—or is it that he dare not tell the Conservative-controlled ADC what will happen to all too many of his Conservative councillor colleagues, and explain to them how they will explain it to the electorate as the costs of the change begin to come in?

Where are the estimates and projections to prove conclusively that the system will work? I hope that the Minister will come forward now, before the Bill goes into Committee—but I suspect that he will not do so even then. The figures will emerge in dribs and drabs when the Bill has gone through, and no doubt the Minister will come up with some excuses.

We can, however, discover a little of what is happening from the Conservative research department brief that I mentioned earlier headed:

"The Local Government and Housing Bill . . . Prepared for: Second Reading debate in the House of Commons."

It is also headed "Confidential". On page 15, it asks:

"What is the Government's policy on council rents?"

Shortly after that, we see the nub of the answer:

"The Government wil be making a more detailed statement on council rents in the near future."

In other words, they ain't going to tell us just yet.

Perhaps there is a clue in question 3:

"How will the new system affect council rents in the short term?"

The answer is:

"In the first year the level of exchequer subsidy will reflect the amount paid under the old system the previous year. *Any increases in rents will therefore be gradual.*"

There is the answer. There will be increases, but they may be gradual. They will be like a Chinese torture, and hurt people slowly rather than all at once.

Mr. John Battle (Leeds, West): Two years ago, the Secretary of State went on record as saying that he thought that a fair market rent for council tenants was at least £35 a week.

Mr. Taylor: Conservative Members will be interested to know that. No doubt they will put it in their local literature come election time.

My comments have not by any means covered all the Bill's provisions; there has not been time, because it is a hotch-potch Bill that should not be before the House. But my warnings will echo around council chambers, whether Conservative-controlled, Labour-controlled, Democrat-controlled or balanced. Councillors and local authority employees of all parties share my fears.

7.4 pm

Sir George Young (Ealing, Acton): The hon. Member for Truro (Mr. Taylor) has relied extensively on briefings supplied by the Conservative research department for his inspiration—no doubt because the Liberals were unable to provide any of their own. He and the hon. Members for Knowsley, North (Mr. Howarth) and for Copeland (Dr. Cunningham) have all described the Bill as yet another sandbag with which to clobber local government. The hon. Member for Sheffield, Brightside (Mr. Blunkett) developed that theme in his article in *The Sunday Times* two days ago, and in the publication "Governing London" the leader of the Association of London Authorities describes the Bill as

"yet another wave of vitriolic anti-democratic legislation."

The Association of Metropolitan Authorities says that it is

"an affront to civil liberties."

As one who has served on and strongly believes in local government, I wholly disagree. I regard the Bill, on the contrary, as a necessary if painful step down the road of restoring the integrity of local government, curbing the abuses that have brought it into disrepute and thereby helping it to become once again a thriving, relevant democratic institution in which people are proud to serve.

I see a parallel between this legislation—and that on local government which preceded it—and our legislation on trade unions. Both have addressed institutions born in the late 19th century to combat the weaknesses of a system dependent on unbridled market forces, and to improve the living standards of the less well off. Both have honourable traditions and achievements, now taken for granted, but in the 1970s both began to lose their way. On the one hand, they started to lose touch with those whom they represented; on the other, they began to stray into areas where they had no business to be and, indeed, to challenge the mandate of national Governments.

That, in turn, precipitated legislative reform from a Conservative Government—reform recognised to be necessary by many Opposition Members. We recognised the need to reform the trade unions before the need to reform local government, because many of the abuses within local government manifested themselves only in our first and second terms of office. The trade union legislation, further down the track, has not, as our opponents said that it would, destroyed the movement, but has made it more accountable. It has stopped most of the indefensible practices and has created—if I may use the jargon—a new mood of realism, and a new breed of leader who accepts that the world has changed and that different attitudes are now required. I believe that that is in the long-term interests of the movement.

The same applies to local government. Again, a new mood of realism is beginning to break out, and a new type of leader—particularly of Labour authorities—is now emerging. The new leaders accept that the world has changed: they are pragmatic rather than dogmatic. Ted Knight and Derek Hatton have been disqualified, the former leader of the GLC is now the restrained hon. Member for Brent, East (Mr. Livingstone), and Margaret Hodge of Islington is going straight.

Those changes were not volunteered by the parties concerned. Indeed, the most bitter battles that the House has seen in the past 10 years have been on the field of local government. Those changes and improvements have been secured by legislation—legislation of which this Bill is an important part. But we are not quite there yet. The Bill contains many missing pieces of the jigsaw.

First, there are the proposals for capital receipts. I was astonished to see, in the briefing made available by the LBA, the statement:

"Capital receipts should be made available to the generating authority"

this is not a briefing on the Electricity Bill—

"without a reduction in its basic credit approval."

That would be wholly inequitable and, incidentally, to the disadvantage of many London boroughs.

The London Boroughs Association wants the Secretary of State to ignore the fact that some boroughs generate substantial sums in capital receipts while others do not. The former are clearly able to discharge their obligations without having to borrow more easily than the latter. To give credit approval without taking account of the resources available to local authorities, far from being a matter of "simple justice", as is claimed in the briefing, would make existing inequities permanent. I hope that we shall hear no more of that argument, which would make the problems facing the homeless in London far worse. It is clear from the briefing that the Association of District Councils does not take exception to that provision.

The most controversial proposals in the Bill relate to the housing revenue account and were touched on by the hon. Member for Truro. There has been a great deal of muddled thinking about the proposals to use surpluses on the housing revenue account to help pay for housing benefit. One school of thought, represented in the briefing from the Association of Metropolitan Authorities, was against any surpluses from the housing revenue account. It states:

"The AMA is opposed to ring fencing—believing local authorities should be free to exercise their own discretion. But it is also opposed to profits being made on HRAs."

My right hon. Friend will have the figures, but I suspect that a good many Labour-controlled authorities will have a surplus on the HRA and use it to keep down the rates. I see nothing wrong with having a surplus on the housing revenue account. If the housing stock was built some time ago and is in good condition and the debt has been paid off, it would be absurd to charge £10 per week for a four-bedroomed house in Windsor occupied by someone earning a good salary at Heathrow airport. Such a rent would contrast very oddly with rents on nearby properties built more recently, which would be three or four times that level perhaps for something much worse. We should start by asking what is a reasonable rent and if the totality of those rents less the financing and management costs generates a surplus, let us debate what should be done with the surplus.

At the moment that surplus can be used to keep down the rates. That seems far less defensible than using it to pay housing benefit. Opposition Members make the criticism

that the proposed regime will result in the poor subsidising the poorest. They gloss over the fact that many council tenants are not poor. Under the present regime that Opposition Members seek to defend, the so-called poor are subsidising those who are not poor—the ratepayers.

Given that surpluses are legitimate, I see no reason why they should not go towards the cost of housing benefit locally. To say that the cost of meeting poverty is the responsibility of central Government and not local government is to play with words. Central Government could easily introduce negative grant-related expenditure for housing and remove from local government the surpluses on the HRAs. They could then transfer it to the Department of Social Security which would apply it to housing benefit. In that way central Government would relieve poverty.

The proposals in the Bill short-circuit that cumbersome manoeuvre and transfer the surplus directly into the local HRA. The briefing from the Institute of Housing, which dislikes the proposals in the Bill, suggests an alternative procedure which has exactly the same effect. One has to look rather carefully behind the rhetoric about the poor subsidising the poorest. The proposals are then perfectly defensible.

Mr. Tony Banks: If the housing revenue account has never been used sensibly, it is because central Government have always interfered in it. The hon. Gentleman mentioned people living in properties for which the historic costs have already been covered. If one were putting together a sensible project, those people should benefit from that through reduced rents, but they are forced to pay higher rents because central Government insist on that. If local authorities try to get round that they lose grant. Where is the fairness in that?

Sir George Young: I see no justice in charging cost rents for properties on which the debt has been paid. In many cases the cost rent would be £10 or £15 per week, when such a property could produce a rent based on replacement costs or on rents in comparable areas. Such rents would generate a surplus which could be ploughed back into housing. Cost rents are a totally indefensible subsidy to the people who happen to be living in such houses. They produce an indefensible disparity between properties built in the 1920s and those built in the 1980s. A property built in the 1980s may be less desirable than the one built in the 1920s, but under the system that the hon. Gentleman seeks to defend the rent for the newer property would be six or seven times higher. One could not begin to defend such a system to the person living in the more recently built property.

At some point, responsibility for housing benefit should be removed from the DSS and transferred back to the DOE. The interaction between the new capital regime and housing benefit is crucial. If housing associations and the private sector are to seize the opportunities available to them, a generous housing benefit regime will have to underpin the rents that emerge. If responsibility for housing benefit rests with the DSS, why should it do battle with the Treasury to get higher housing benefit when it is responsible for pensions, the disabled and so on? An integrated approach would require housing benefit to be transferred back to the DOE where it rested about seven years ago.

I turn briefly to parts VII and VIII on improvement grants. The previous regime was difficult to defend, when well-off people who did not need the money received improvement grants, and when there was some evidence that the availability of grants simply fed through into house prices. Those days are no more. In practice, improvement grants in many areas are, in effect, means tested, so I am not too upset about recognising that in statute. It will be easier for the Department to argue for more resources for improvement grants when the new targeted regime is in force, but there is more to renovating the stock then simply making grants available. A necessary partner is the availability of professional, impartial advice, particularly for the elderly owner-occupier. I hope that there will be many more schemes such as those pioneered by the National Home Improvement Council where public money joins private money to make a demonstrable impact on an entire area.

I hope that we shall also remove a particular abuse possible within the existing regime. Someone who is eligible for a grant can get a quotation from a reputable builder and submit it to the local authority with his grant application. The local authority will base the grant on the quotation, so long as it considers it reasonable. The applicant can then get his brother-in-law to do the job more cheaply, and although the applicant has then spent less than the quote he is still entitled to the original grant. At the moment it is quite possible to get the work done and make a profit. I hope that that will be stopped and that there will be some incentive to ensure that publicly funded improvement work is carried out by reputable firms. I have looked briefly at clause 112 and I am not convinced that it goes quite far enough. It may need to be explored further in Committee.

With regard to clauses 25 to 29, I was pleased to see that the National Council for Voluntary Organisations welcomes much in the Bill—the retention and clarification of section 137, the provision that voluntary organisations should provide written statements of their use of local authority money and the specific powers in clauses 25 to 27 to fund economic development activity. Again, some points of concern should be dealt with in Committee. The clauses to which I have referred do not explicitly cover voluntary agencies engaged in economic development. The drafting refers to public undertakings, and it is not clear that the Bill covers voluntary organisations.

There is also some concern in London at the proposal to change section 48 of the Local Government Act 1985. I shall not explain the problems in detail, but, in a nutshell, difficulties will be caused to the London borough grant scheme if projects funded under section 48 have to be funded by section 137 which is often heavily oversubscribed. I have a particular interest in that as I gave generous undertakings on behalf of the Government about section 48 when the Greater London Council was being abolished and obviously do not wish to be a party to breaking them now.

Finally, I welcome the provisions to ensure neutrality in senior appointments. In Ealing, when the Labour party took control in 1986, the chief executive was, in effect, dismissed the following week. Two other directors left after about a year because of political interference. Now none of the original chief officers remains, although one has retired. At least one of their replacements would find it very difficult to work under an administration of a different complexion because of his political views.

I am a strong believer in the principle of a professional, impartial team of local government officials because it

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provides continuity and enhances public confidence in local services. The ban on political activity will enhance that objective. Fourteen of Ealing's Labour councillors are employed by neighbouring boroughs and six employees of the borough are councillors on other Labour councils. The Bill will clarify the distinction between elected politicians and non-elected officials. It will strengthen the independence of officers and ensure that members have sound professional and impartial advice. Incidentally, I note that this part of the Bill has been welcomed by the mangerial trade union, FUMPO—I do not know what that stands for.

In conclusion, I do not see the Bill as Opposition Members describe it, as a further step in the marginalisation of local government or as a step towards centralisation. I see it as a necessary prelude to the restoration of public confidence in local government. In that spirit, I commend it to the House.

7.20 pm

Mr. Tom Pendry (Stalybridge and Hyde): May I say at the outset that I do not intend to give way because I wish to make progress by completing my speech as quickly as possible so that other hon. Members can participate in the debate. The Front Bench spokesmen have not set a good example—we heard 45 minutes from the Secretary of State and then 45 minutes from my hon. Friend the Member for Copeland (Dr. Cunningham), so we have already had a 90-minute match. I must say, the second half was much better than the first.

I wish to confine my remarks in the main to parts I and II of this monstrous Bill, which directly attacks democracy by limiting the number of people who are permitted to play their rightful part in running local communities. First, I must declare an interest—I am a member of the National Union of Public Employees, which has about 400,000 members in local government, many of whom will be affected by the legislation.

First, however, I wish to express some of the fears of officers and councillors of my local council, Tameside borough, about part V of the Bill. It is good to see the Parliamentary Under-Secretary of State for the Environment, the hon. Member for Rossendale and Darwen (Mr. Trippier) here, because he knows precisely the kind of council that I am talking about. I hope that when he winds up the debate he will refer to some of the points that I shall make.

Tameside borough council took the advice of the Prime Minister when, in March of last year, in her glossy "Action for Cities" document she urged local authorities to set up a partnership with industry and to generate and help to create a new lively environment in which to live, work and prosper. Tameside council set up a partnership with local industry and began operating joint ventures with the private sector designed to promote investment and economic activity in the borough.

The council had in mind particularly establishing a joint venture company, with the council having a minority interest, to undertake a rolling programme of land development, house building, training and other initiatives. The concept of such a programme is that a percentage of profits made from profitable land development can be ploughed back into developing land that may not provide the normal market return, building low-cost housing and funding training and other initiatives.

Under the proposals, it appears that local authorities will be prevented from taking minority interests in companies unless they fall within a specified category. Although it is proposed to permit an authority to take a minority interest in a joint venture land development company, it can retain that interest only so long as the company retains an interest in the land. For obvious reasons, such a proposal could inhibit the use of a joint venture company for the sort of rolling programme that I have outlined. Tameside council feels that that is a real obstacle to the sort of initiatives that it and other councils wish to take.

Generally, the proposals will further restrict a council's ability to act commercially in partnership with the private sector in economic development. I hope that the Minister will consider more carefully the implications of part V of the Bill before rushing ahead with it in its present form. The Government seem to say that they do not want to inhibit such joint ventures, but if the regulations are introduced in line with the proposals, they will make partnerships much more difficult to construct. I am sure that many local authorities will be discouraged from participating.

Other parts of the Bill are equally badly drafted and need revision. Some have already been spelt out by my hon. Friend the Member for Copeland and other hon. Members. I am particularly concerned about many of the proposals that will give more power to the Secretary of State through regulation, and less to the House of Commons.

This is merely the last in a long line of Bills—there have been 50 since 1979—increasing the power of the centre. I disagree with the hon. Member for Ealing, Acton (Sir G. Young): not only does the Bill lessen the powers of elected parliamentary representatives—even worse, it rides roughshod over local authority members and further restricts the number of citizens who can play a role in running and shaping the local communities in which they live.

Bearing in mind the constraints on my time, I shall deal in the rest of my speech with the implications for local democracy of parts I and II of the Bill. The provisions show, more clearly than ever, how the Government differ from their predecessors. I well remember when, in March 1973, I introduced a motion in the House aimed at allowing the election of most public servants to the office of councillor, thus allowing the community to benefit from their sense of public service, knowledge and practical experience. Clearly, the purpose of the motion was to seek a change in the qualification laws which then debarred an estimated 2·5 million to 3 million local government workers from standing for their local authorities—about 11·8 per cent. of all employees in England and Wales at the time.

During the passage of the 1972 Local Government Bill, the then Minister, the late Graham Page, made some commitments. He said:

> "I do not believe that, at a certain level of employment or in a certain area of employment by local authority, if an employee stands as a member, there is any serious chance of failure of integrity or lack of probity. As has been pointed out, there are many occasions where a person employed in private undertakings becomes a member and he may be just as suspect. There is a wide area where the employee of the local

authority cannot possibly be said to be suspect if he becomes a member."—[*Official Report, Standing Committee D*, 10 February 1972, c. 1492.]

On Report, he went on to say:

"My own feeling about it is that we are being extremely hypocritical if we exclude all employees of the local authority and do not exclude others who have, perhaps, a greater interest in the affairs of the council".—[*Official Report*, 17 July 1972; Vol. 841, c. 213.]

I am sure that we can all hazard a guess at the people to whom he was referring.

In the 1973 debate in this Chamber, which I initiated, the then Minister gave a major commitment on the Floor of the House. He promised an all-party study to look into matters relating to membership of local authorities, with discussions including local authority associations, staff organisations and other interested groups. What became of that promise?

Even the Redcliff-Maud report of 1974 stated bluntly that the key proposal before us today was wrong. The report's conclusion was that the concept of a dividing line for the selective removal of disqualification of employees was an illusion. I feel that it is not so much illusory as ludicrous. The Government are not only at odds with the 1970-74 regime, but with in-depth studies carried out since. At the same time, they have ensured that about 70,000 local government employees will be added to the list of those ineligible to stand for local government.

How can it be right, for example, for a refuse lorry driver in Wandsworth, working for a private company called Team Waste, to be allowed to stand for the council, be elected and influence decisions, while his counterpart in Lambeth cannot?

Let us suppose that a local government blue collar worker, such as a school caretaker in a large community school, earned £13,000 in 1989 and was elected to his council. The following year, due to the increased community use of his school, he earned £13,600. Would he have to come off the council? He certainly would not be allowed to stand for re-election, even though he might be a very effective councillor by then. Another example is the county roadworks foreman working for his local authority who, because of adverse weather conditions, works all the hours possible and takes his earnings over the £13,500 level. Would he, too, have to resign? Could he stand again in 1991 if his earnings dropped below the magical figure due to a mild winter?

The snooper whom the Secretary of State appoints to oversee this ludicrous situation will certainly have to be an unscrupulous autocrat. Will council employees have to present their wage slips to this particular commissar before they can stand for their local authority or before they are allowed to go on the streets to canvass in a local election? This legislation is another example of how the Centre for Policy Studies has got the Government's legislation all wrong.

With this Bill, the Government have launched into the next stage of an ideological crusade against local authorities and those who work for them. If only half the energy that they expend on controlling the activities of democratically elected councils were spent aiding efficient and responsible authorities such as my own by giving them partnership or programme area status, they could help authorities to tackle the many and varied problems in my part of the world instead of hampering them still further by this kind of punitive legislation.

7.30 pm

Mr. Robert B. Jones (Hertfordshire, West): I want to begin by following on a point made by the hon. Member for Truro (Mr. Taylor), who unfortunately is not with us. He quoted from the Association of District Councils' brief and called it in aid of his contention that the Bill was about centralised control. The sentence he quoted was:

"the net effect would appear to be more power to the Secretary of State and even less freedom for local authorities."

That quote in fact came from a section referring only to part IX of the Bill. The remaining parts of the Bill seem to be broadly welcomed by the Association of District Councils, and I think it only fair, as vice-president of the Association of District Councils, that I should take this opportunity to quote the whole of that sentence. It begins:

"It is difficult to tell precisely what is envisaged but".

That, of course, is the difficulty, because one can well understand why local authorities want at this stage each and every detail of how the legislation will work to be made available to them but, of course, the House must be free, through its Standing Committee system, to review the legislation and to debate precisely these points so that the legislation comes back to the House as a whole and so that it can be properly implemented in law. I do not believe that the main bulk of the legislation in the Bill itself should have all that detail. It would be quite wrong; it would be inflexible and very difficult to alter in the future.

The hon. Member for Copeland (Dr. Cunningham) began by referring to the 50 Bills that have been considered during the lifetime of this Conservative Government. He fell short of describing it as "the golden age of local government", but of course, that is exactly what we are seeking to achieve. That golden age of local government, a second golden age, can be achieved only if we have local government of integrity and efficiency, and this legislation, like so many other pieces of legislation, has been designed with that in mind.

I have served on the Standing Committees on the vast majority of local government Bills since I entered the House in 1983, and I suppose that it is a sign of the times that I now find my self reviewing legislation that I voted for in the first place. There is nothing wrong with that, because it means that one learns from experience and makes sure that anomalies which turn up from legislation, or things that councillors—particularly Labour councillors—get up to in some of the London boroughs in particular, can be dealt with as and when they arise. As I said in an intervention earlier, there are Labour councillors who are out to get through every loophole in the law, and these things will of course have to be reviewed from time to time.

Mr. Paul Boateng (Brent, South): Does the hon. Member view with equanimity the activities of the Conservative-controlled Westminster city council? Is he happy with the situation in which Lady Porter is able to give a massive payoff to her ex-chief executive in order to keep his mouth shut? Is that a matter in which the Secretary of State ought perhaps to intervene as soon as possible in order to defend the interests of the hard-pressed ratepayers of Westminster?

Mr. Jones: If the hon. Member for Brent, South (Mr. Boateng) had been here for the last three hours, like myself and my hon. Friends, instead of drifting in for five minutes, he would be aware of the fact that that subject has

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been raised before, and he would also be aware that what he and his hon. Friends are suggesting is that the chief executive of Westminster city council should be deprived of what he has paid for in his contributions to his pension fund. I think that would be wholly wrong, but it would be typical of the Labour party's attitude to individual rights.

Mr. Boateng: Will the hon. Gentleman give way?

Mr. Jones: I will not give way again to the hon. Gentleman. I have just dealt with his point.

Local government is far too important to simply drift along. It employs 3 million people and is responsible for one quarter of all public spending. That means that it has to be efficient and has to be demonstrated as being accountable. That is why I and my hon. Friends supported the community charge and the rate-capping legislation. We are one-nation Conservatives, who do not believe in throwing the ratepayers of Socialist boroughs to the wolves who are so uninterested in value for money.

Many points in the Bill have been considered in detail in the speeches of my hon. Friends, but there are some which have not been covered, and I should particularly like to refer to those. First, there is reference in the Bill, and rightly so, to controls over arm's-length and semi-arm's-length companies operated by local authorities, but there is no mention whatever of what I view as one of the biggest scandals of all—the Municipal and Mutual Assurance Company. Any of my hon. Friends, and, I dare say, Opposition Members who have taken up constituents' cases with that company, will have found that it does not pay out even when there is every justification. Of course, there is no reason why it should, because it is mutual, it has a captive market and it has money coming automatically from the local authorities. It has absolutely no reason to be interested in the public perception of it, and that is why it treats constituents of mine and of other Members like dirt. That needs to be dealt with.

I should also like to make one small reference to the doctrine of proportionality that has now come into the Bill. I think, broadly speaking, that it is right and proper, but I ask my right hon. and hon. Friends to bear in mind the consequences of this action in places such as Hertfordshire, where the Labour-controlled county council has said that it wishes to eliminate all school governors who are not members of the Conservative, Labour or Alliance parties. I think that would be a great pity, because there must be a role on outside bodies, particularly school governing bodies, for people with no political affiliation or people whose political affiliation is not known or has been prevented from being disclosed. That is a Committee point which I think my right hon. and hon. Friends should consider.

Another point I feel strongly about, although it is a very minor issue, is the reference to the Welsh titles of districts. Of course, overwhelmingly English-speaking districts in Wales have to have their titles in both English and Welsh, education has to be conducted in English and Welsh, and many of their officers have to be fluent in both. If that is the case in overwhelmingly English-speaking districts, why in overwhelmingly Welsh-speaking districts should they not have to abide by bilingualism as well? That seems to me to be perfectly fair.

I also support the one reference in the Bill which is not really about the Department of the Environment or local government at all. It is the one giving powers to the Audit Commission to look at the Health Service. I said in an Adjournment debate almost a year ago, talking about value for money:

> "One reason for health authorities not grasping these opportunities, except sporadically or under direction from central Government, is the absence of a parallel system to that of the Audit Commission. I believe that investment in a series of best practice units enabled to look at each health authority and make recommendations for action would repay itself many times over."—[*Official Report*, 28 January 1988; Vol. 126, c. 602.]

The then Under-Secretary, my hon. Friend the Member for Derbyshire, South (Mrs. Currie) kindly said that she would look at that point, and I must take this opportunity of welcoming what the Government have announced in their White Paper and for which we shall be legislating in the Bill. The principle of Audit Commission work will be extended into the Health Service. I am sure that it will be very useful indeed.

The Bill has so many parts in it that it is almost impossible to deal with it in a Second Reading speech without going on ad nauseum, but I should like to say that I have served 11 years in local government; I have served on Conservative-controlled authorities, Labour-controlled and independent-controlled authority. All the councillors in those authorities were respected, irrespective of their party, for their integrity and commitment to the community. Sadly, that has been swept away in some local authorities, particularly in London. For that reason, and many others, I commend the Bill to the House.

7.39 pm

Mr. Gerry Steinberg (City of Durham): Whenever we see the latest Bill with "Local Government" on the cover, we know that it will be a thoroughly malicious and pretty distasteful measure that will deprive local people of a few more of their rights to run their own affairs. We also know that we can expect that any new housing Bill will embody the same depressing philosophy, with some variation of the theme of destroying the power of local councils to provide good, cheap housing for those who require and want it.

Will the Minister confirm or deny when he winds up the debate whether, where no housing subsidy is payable to a local authority and the housing revenue account has a credit balance, that balance can be transferred to the rate fund? If that is so, it will mean that the ring-fencing proposals in the Bill will be one-way ring fencing.

Even social security has not been quite so heavily legislated against as local government and housing. In every year since 1983, there have been local government Bills and housing Bills as the Conservative party has thought of progressively worse things to do to local government and housing. There have been 15 bad Bills in only five years, but this year there is something new: the Local Government and Housing Bill—two evils rolled into one, or vindictiveness squared. I am sorry to have to say that the Bill lives up to that potential.

This two-subject Bill is a product of the Government's desire to cut down on meaningful discussion. No doubt their thinking went something like this: "Why have two Bills? Why have two Second Readings? Why have two Standing Committees? We can push it quickly through Parliament with only one of each." The fact that the

Government have created a 144-clause, 11-schedule, 187-page monster in the process is probably all the better. In that way, there is always the possibility that the public might miss something.

What nobody can miss about this Bill, however, is that the desire for minimum debate has provided us with a real junk yard of a measure. The average junk yard is usually stacked full of assorted bits of debris bearing absolutely no relation to each other. The only reason that they are together is because of the whim of the owner of the junk yard. The Local Government and Housing Bill is no different, except that in place of the broken fridges and old bath tubs there are restictions on co-opting on to committees and the cuts in improvement grants. All this unrelated ideological debris from the Secretary of State for the Environment has something else in common with the junk yard. It, too, is mostly old, tatty and useless.

The Bill is dangerous in many ways. That much we have grown to expect, although not to accept, from the Conservative party. Like some of its predecessor local government Bills, however, this one goes further than that. It seems to be a growing trend—a test of political virility, almost—for each new local government Bill to carry something that is sinister along with much that is just dangerous, as though that were not bad enough on its own.

Last year, for example, there was the nasty clause 29. That was bad enough, but it was only one clause and it was almost so stupid as to be unenforceable. However, the 1989 sinister quotient has gone up to a whole part—one fifth of the entire Bill. Part I has serious implications for the civil liberties of thousands of people. Because of the shortness of my allotted time—*[Interruption.]* I am told by my hon. Friend the Member for Newham, North-West (Mr. Banks) a maximum of 10 minutes—it is mostly on that part that I wish to concentrate.

Part I mounts a sweeping two-pronged attack on the rights of councils and their employees. The second prong of the attack is the denial to councillors of adequate facilities to govern. I shall turn to that point in a moment. The first prong of the attack is even worse. Anyone who works for any council on a salary of £13,500 or more will be breaking the law if he or she indulges in political activity of any kind. The Secretary of State was kind enough to explain to the press why he thought he needed such a colossus of a restriction. It would, he said, stop councils appointing political henchmen to key officer posts, but the absurdly low starting point takes in far more people than that.

The average wage for a secretary in London, for example, is not much less than £13,500 a year. Does a 22-year-old draughtsman on £14,000 a year in the engineers department of a local council count as a key officer post? Will he have to let an exemption officer, whom the Secretary of State may appoint, decide whether he can join Friends of the Earth, for example? I suppose that we ought to be grateful that people working in education, at least, are to be exempted automatically from the ban, but I have to tell the Secretary of State that his enormously magnanimous gesture might not mean much. Thanks to the policies of his colleague at the Department of Education and Science, I have yet to meet a schoolteacher who earns more than £13,500 a year.

As if ashamed of even this little concession, the Bill quickly throws another outrageous clause at us. Clause 2(3) provides that one does not even have to earn £13,500 a year to be politically victimised if one is involved with the media, or if the public might reasonably infer that one is in a position to influence things—even if one is not actually in such a position.

All that shows the appallingly wide extent of the Secretary of State's reforms, an extent that seems to be wildly out of proportion when compared with the problems—if any problems exist at all. The proposed restrictions will cover 70,000 people who are working in local government, the immense majority of whom are in posts of no sensitivity whatsoever. Their politics, if they have any, have never given any ratepayer a moment's concern. Their democratic freedoms should not be restricted so needlessly. Seventy thousand people is over 15 per cent. of all local authority, non-education salaried staff. If that number of people were all raving revolutionaries, the country would have been in chaos a long time ago.

There is another dimension to the arbitrary and sweeping nature of the proposals. I have already talked about numbers and salaries. There is no doubt that the Bill goes much too wide in that direction, but what about the political dimension? What will the Bill actually ban the 70,000 employees from doing? The simple answer is that we do not know; we have not been told. At least on the numerical side, the Bill lays out exactly how sweepingly awful it will be—it says clearly who will be affected—but politically, the only thing that restricted persons are explicitly forbidden to do is become a councillor or a Member of Parliament. The rest come under the catch-all subsection (5) of clause 1, which says that each affected person will have to obey such requirements

"as may be prescribed . . . by the Secretary of State."

No hint is given of what the requirements might include. I consider that to be an outrage to the authority of this House. When such an important human freedom as the right to participate fully in democracy is being discussed, we should know exactly what we are voting on. We must know just how far the Government propose to curtail freedom. I call on the Government to declare just what they propose to do with the powers that they are asking for this evening. Meanwhile, in the absence of any such guidance, I shall assume that they intend to adopt the proposals that were published last summer in their response to the Widdicombe report.

That may be too narrow an assumption. The number of politically restricted people in the Bill goes far beyond the original proposals. Perhaps the nature of the Government's restrictions will also go far beyond the original proposals. Even the original proposals were bad enough. Nobody in the restricted group would be able to hold office in any political party, speak or write publicly on matters of controversy, or even canvass in local elections. The last of those restrictions is particularly ludicrous. Somehow, I cannot see British local government being brought to its knees by a 22-year-old trainee draughtsman handing out leaflets in the high street. But the draughtsman might well be brought to his knees by the knowledge that he was less of a citizen than his exact counterpart who happened to work for ICI.

Anybody wishing to stand for a council or for Parliament would have to leave his job. This might have prevented the hon. Member for Surrey, South-West (Mrs. Bottomley) from ever reaching a selection committee, let alone the Government Front Bench. In her previous incarnation she was a social worker—a job she held right

[Mr. Gerry Steinberg]

up to the election—and, given her undoubted talents, she would almost certainly be earning more than £13,500 a year by now. Whether the hon. Lady worked for a local authority or for a health authority, the point is that at least eight of her colleagues on the Benches opposite and many Members on this side came here by a path that will now be closed under this Bill.

The Local Government and Housing Bill shows us once again how badly the Government suffer from the sledge-hammer-and-nut syndrome. This one is not quite in the league of the abolition of an entire tier of government just to get rid of Mr. Livingstone—now my hon. Friend the Member for Brent, East—but it does its best. Seventy thousand people are to be neutered to deal with the impartiality requirement in respect of, at most, 10,000 senior officers, most of whom are far too professional to be political anyway. What is worse, 70,000 people are to be prevented from being councillors in order to deal with, at most, 1,000 twin trackers, as they are called—and that is throughout the whole country.

It is hard to escape the conclusion that an element of malice is involved in this legislation. Nobody is claiming that local government is perfect. Indeed, in scope, one or two of its more serious misjudgments even begin to rival those of central Government. The trouble with this Bill is that it does not deal with those. Would it have stopped Westminster city council selling its cemeteries and its housing stock to developers?

The other trouble with this Bill is its double standards. For example, if Brent borough council were to engage a secret police force, keep closed files on all its ratepayers and refuse to release key committee minutes, or if Lambeth borough council's leader were to surround himself, at public expense, with a kitchen cabinet of flunkies and were to employ news manipulators on the Bernard Ingham model, and if all this came out, there would certainly be a case for legislation. But Brent and Lambeth are not responsible for those blows against democracy; somebody else is, and what an irony it is when one considers that the person who is responsible is also the person who sees fit to preach from on high about what local councils may and may not do.

7.54 pm

Mr. David Nicholson (Taunton): I shall not follow the hon. Member for City of Durham (Mr. Steinberg) in his rather lurid attacks on the first part of the Bill, although I shall say something about that in a moment.

In this huge and complex Bill there is much to welcome, but I want later to reflect the concern of my own Conservative-controlled local authority in Taunton Deane and, no doubt, of the local authorities of a number of my hon. Friends, regarding aspects of the housing parts of this Bill. Going by comment outside, those parts are seen to have limited sex appeal but are extremely important for the future of our society. I will not go so far as to describe them as a curate's egg—first, because we have heard rather too much about eggs recently, and, secondly, because my right hon. Friend the Minister of State, who will reply to this debate, is a far greater expert on ecclesiastical matters than I am.

I should like to congratulate my right hon. Friend the Minister of State on his blitzkrieg in Somerset last week. I understand that his thoughtful response made an excellent impression on Taunton's councillors, who raised with him the concerns to which I shall refer later. He also, rightly, chided the overspending Somerset county council for its missed opportunities and for the burdens it has imposed on business and domestic ratepayers.

The hon. Member for Copeland (Dr. Cunningham), who led for the Opposition, indulged in a variety of selective statistics, selective anecdotes and scare stories. I think that my hon. Friends the Members for Hampstead and Highgate, (Sir G. Finsberg) and for Sheffield, Hallam (Mr. Patnick) and, indeed, the Minister of State in interventions, largely answered the rather exaggerated points made by the hon. Member.

I come now to the Widdicombe clauses of this Bill. I welcome the implementation of so much that was in the Widdicombe report. The hon. Member for City of Durham denied that there were large numbers of revolutionaries in local government, but he completely missed the point. The purpose of the measure that he is so angry about is to eliminate from political activity council officials who are in positions of some responsibility to the public. This would not need to apply to a private sector organisation, but it does apply to the public service. Twenty years ago, I myself was a civil servant for a short time. I certainly had to subscribe to those principles and I believe that they are right.

We can argue in Committee where precisely the line should be drawn. There may be some points to be debated, but in principle the Government are right, and the fact that these measures from the Widdicombe report are included in the Bill shows that this Government are committed to protecting and promoting decent, fair and democratic local government—and that too is being denied at times by the Opposition. I believe that most local authorities—my own, certainly—will welcome those passages of the Bill. I am glad to see the hon. Member for Sheffield, Brightside (Mr. Blunkett) in his place because, in an article at the weekend, to which the Secretary of State referred, he acknowledged that there have been "instances arousing public disquiet", with which this legislation is designed to deal. We are grateful for that.

The decline in the standards prevailing in local government since the late 1960s has a close influence on the decline of the major party opposite, the Labour party in that period and the parroting of Labour party criticism of this Bill by the SLD spokesmen simply shows how far the Liberal party has shifted to the Left. I hope that this will be noted by the electors of Richmond and by the people voting in the county council elections this spring.

Mr. Soley: They will vote Labour.

Mr. Nicholas Bennett: Why should voters in any county council elections vote Labour or Liberal when those parties have just agreed a pact?

Mr. Nicholson: We shall see. The Labour and Liberal parties have been exchanging voters for the last 10 years.

I turn now to housing, which, in fact, was the subject of my maiden speech, 18 months ago, on the Second Reading of last year's Housing Bill. Again, there is much to welcome in the Bill and in recent relevant announcements. I have in mind the statement last week by the Minister of Housing, the noble Lord, Lord Caithness, on low-cost rural housing, for which I have been pressing for some time, and which is of considerable significance to parts of

my constituency. It is again an indication of a responsive Government that they are stepping up measures to provide low-cost housing, where it is needed, in sparsely populated rural areas. That is very welcome.

I welcome also the improvement grant provisions in the Bill. It is encouraging and important that the improvement grant system should be revised and restructured. The English house condition survey of 1986 provided evidence of the need to target help in this respect. In England alone, half of all households lacking basic amenities, one third of those in unfit properties, and over one quarter in properties in disrepair, had annual net incomes below £3,000 in 1986. That shows just how much of a link there is between low income and poor housing. Therefore, the Government are right to proceed down the route of means-testing.

I have two questions for the Minister on this. Does he envisage that local authorities, such as the two in my constituency, which cannot at the moment provide discretionary improvement grants, will be enabled to do so by the provisions of the Bill for the categories of householders who need help? Secondly, can the Minister say where the line will be drawn regarding low income? There are plenty of people on low incomes who do not qualify for income support but who should qualify for these grants.

My local authority and my Conservative councillors in Taunton are very much concerned about the capital provisions in the Bill. I repeat what I have said before: what is sauce for the inner-city goose is not necessarily sauce for the shire-county gander. These concerns are shared by other efficient and socially concerned district councils, usually Conservative-controlled. They are worried about their ability, after 1990, to fulfil their statutory housing duties.

I wish to quote from a resolution by Taunton council last autumn. It was proposed by the leader of the council, Mr. Meikle, and seconded by the chairman of the housing committee, both of them highly respected local government members. They are concerned at the implications which will arise after April 1990,

"on the supposition that the tenants of a local authority have opted to remain with their local council as their landlord, it cannot be good government . . . not to be able to spend proper sums on the repair and renewal and improvement of the housing stock . . . This must imply a need for capital injection over the future years. The consultation paper . . . makes it impossible for many authorities to achieve this objective. As a local authority which from before 1979 has promoted the national legislation in housing, notably the sale of council houses, . . . we now see as almost a certainty that councils like ourselves, who have built up large capital receipts, will have our 'permissions to borrow' cut back".

[Interruption.] This is not all joy for the Labour party. The council's concern is made sharper by the contrast with Labour councils.

My council says:

"these same areas mainly Labour Party dominated have done everything in their power for nine years to slow down the sale of council houses, thus purposefully preventing themselves from building up capital receipts from which they could have now benefited. It would appear yet again that district councils may lose resources because of a small minority of left-wing councils nationwide."

With regard to the contrast between reasonably efficient district councils and some of the inner-city Labour-dominated councils, I am happy that the Government have not gone as far as some of my hon. Friends feared they might last autumn and shifted capital resources from rural or semi-rural district authorities to the inner cities. We are grateful for that.

The right-to-buy figures give a telling contrast. About a month ago, I asked my hon. Friend the Under-Secretary of State what proportion of council housing stock, as at 1 January 1980, had been sold under the right to buy legislation in various authorities. In Somerset, the proportion ranges from 18·7 per cent. to 26·5 per cent.; in Devon from 20·6 per cent. to 25·5 per cent.; in Dorset from 17·9 per cent. to 30·5 per cent.; and in Wiltshire from 17 per cent. to 24·2 per cent. I contrast those with the figures for certain London boroughs. In the London borough of Camden it was 2·6 per cent.; in Islington 3·4 per cent.; in Lambeth 1·5 per cent.; and in Southwark 3·5 per cent.

There is an extraordinary contrast. It militates against the Labour party, but it also shows the difficulty for certain Conservative authorities, which have implemented the right to buy, in meeting needs from the waiting list.

Mr. Tony Banks *rose*——

Mr. Nicholson: I am anxious to finish so that I may accommodate the hon. Gentleman.

My local authority has disposed of its land so it cannot carry out new build or offer land to housing associations for building. The number of council properties in its ownership fell from 8,504 in April 1987 to 8,243 in April 1988. The number is expected to fall by 400 or 500 each year for the next two or three years while the number on the waiting list, which is realistically composed, has risen steadily. Last Saturday, half my surgery cases had come to me because of housing problems. That was the highest proportion I had encountered in my 18 months as a Member of Parliament. I am finding that it is increasingly difficult to accommodate the housing needs of my constituents—for example, young people, perhaps with a baby, who are living with their parents.

I am grateful for the opportunity to speak about housing problems in my constituency, which I think are paralleled by the problems in the constituencies of many of my hon. Friends. We are talking about a totally different administrative activity or political motivation than exists in many Labour-dominated conurbations. I welcome much of the Bill. I do not know whether the hon. Member for Newham, North-West (Mr. Banks) is to follow me but, in view of the time restriction which he has imposed on his hon. Friends, I shall not keep him any longer from his speech or his dinner.

8.7 pm

Mr. Tony Banks (Newham, North-West): It takes a little manipulation, certainly on this side, for everyone to get in, but I am glad to have been able to catch your eye, Mr. Deputy Speaker, and I intend to make sure that the next Conservative Member does not have to suffer me for very long.

I find it strange that the hon. Member for Taunton (Mr. Nicholson) should say that the Labour party and the Liberal party have changed and that that is why local government has changed. He does not recognise for a moment that there has been any change in the political complexion of the Conservative party. There has not been such an authoritarian, Right-wing Conservative Government since the war, so it is not surprising that there has been a marked change in the attitude of people

[Mr. Tony Banks]

involved in local government. They have been forced on to the defensive to try to defend jobs and services against the most appalling attacks made upon them personally as councillors and collectively as councils. The hon. Member could do his case more justice if he recognised that there have been major changes on his side which have created all the problems in local government today.

I dream of the constituency problems of the hon. Gentleman. It would be wonderful for me to have the problems that he has in Taunton. If he thinks that a few housing problems are beginning to creep into his constituency, he should come to Newham, where 80 per cent. of my constituency cases relate to housing. The local authority that I represent in Newham has seen its bed-and-breakfast payments go up from £52,000 in 1983 to about £5·5 million today. We cannot solve our housing problems in Newham without massive central Government support, but we do not receive that support. All that we get is abuse and attack from central Government. The hon. Gentleman will not know the way of the world unless he comes to the inner cities of London, Leeds and Manchester.

Mr. David Nicholson: One point that I did not mention but which was extremely relevant is this. I do not know the figures for Newham, but in many of the Labour-controlled boroughs in inner London and elsewhere there are large numbers of council properties that are vacant for long periods or are not effectively used, and large numbers of vacant privately owned properties. We hope that the private rent legislation will revive such properties. That is why there is a problem in the hon. Gentleman's area and elsewhere in London.

Mr. Banks: The hon. Gentleman knows that the largest number of vacant properties in London is in the private sector, and they are mostly houses waiting to be sold. With property prices as high as they are in London, there is no way that anyone will rent out those properties—because the sort of people who could pay the rents could afford to pay the mortgages. In those circumstances, the idea that people will come off the housing waiting list and move into those private properties is palpable nonsense even for the hon. Member for Taunton.

The hon. Member for Taunton mentioned the proportions of housing stock sold by local authorities and quoted a number of very low percentages in London boroughs. The hon. Gentleman should know the state of some of the stock in those boroughs. Newham has 110 tower blocks, and there is no great rush of people waiting to buy a flat 20 storeys up in a tower block in Newham. That is another reason for the proportion sold being low. Those blocks were built in the 1960s and 1970s by the private sector and some of the building standards were appalling. The builders included Taylor Woodrow—and also Anglian which has now gone bankrupt. Taylor Woodrow is a well-known supporter of the Conservative party and inflicted jerry building on the London borough of Newham.

There are words that one is simply not allowed to use in this House: "lying", "cheating" and "hypocritical". Those are words that one could not apply to hon. Members without being disciplined. However, I would say that those words are most appropriate in respect of the Government's policies towards local government. It is lying, cheating and hypocritical for the Government to say that the Bill is all about improving local government and restoring the standards of local government. This Government have done more than any other to destroy the standards of public service, both at a national and at a local level. The Bill is but the latest line in the voluminous epitaph currently being written on the tombstone of local democracy.

The Government's clinical dismembering of local democracy has proceeded through a number of stages. It has proceeded through propaganda and abuse, which is echoed through the gutter press. It has proceeded through financial assault upon local authorities' affairs, forcing local authorities anxious to defend jobs and services into high rate levels. They can then be attacked by central Government as being profligate and spending too much money. Those authorities can then be financially penalised through rate capping and other financial devices. Another alleged way of improving local government is to abolish it. That seems to be the Government's attitude. We have now reached the point where the civil rights of councillors and officers are to be seriously curtailed.

The assault on local government by the present Government has been unmatched in the past 100 years. I believe that the motivation is simple. It stems from a malignant intolerance of opposition, which actually starts at No. 10 Downing street and works its way through. The Prime Minister believes that she cannot be wrong. Because she believes that, anybody who opposes her—whether from the Opposition or one of her right hon. or hon. Friends—must by definition be wrong. The Prime Minister is a natural autocrat and surrounded, of course, by a bunch of sycophants, many of whom have betrayed everything in which they once claimed to believe.

Ms. Diane Abbott (Hackney, North and Stoke Newington): The hon. Member for Pembroke (Mr. Bennett) is one.

Mr. Banks: The hon. Gentleman has not actually practised sycophancy, he is a natural sycophant. I am not, therefore, pointing the finger specifically at him. It is the Government Front Bench that I am thinking about now.

I have read the comments of the Secretary of State for Education and Science. I believe that he is one of the most arrogant men in this House. The Secretary of State for Education and Science is one of the few people I know who can actually strut sitting down. He attends the Young Conservatives conference—the Tory party equivalent of the Hitler youth—and talks about the bully boys in local government who he claims are somehow thwarting the Government's ambitions to get schools to opt out of local education authority control. That level of hypocrisy is breathtaking, and it comes from a Government who harass, threaten, intimidate and insult elected councillors. Having sat through virtually every local government Bill and order since 1983, and many of the Committees—I hope that if the Committee of Selection draws my name out tomorrow I shall be a member of the Committee on this Bill—and having watched the Government and Conservative Members, it appears that they will change every rule and plumb every depth to achieve their political objectives.

I remember the Prime Minister in 1979—she had not actually reached her St. Francis of Assisi stage then—

saying that the next Conservative Government would take Whitehall off the back of town halls. Fifty local government Bills later, can any Conservative Member say that that has been the direction of Conservative party policy since 1979? Can any Conservative Member honestly say that what we have seen since 1979 has been Whitehall being taken off the backs of the town halls?

Sir Geoffrey Finsberg: The hon. Gentleman may recall that the Department of the Environment in 1979 to 1981, with my noble Friend Lord Bellwin, removed about 90 restrictions from local government. It was because local authorities such as the GLC ratted on their obligations that further legislation became necessary. They brought it upon themselves.

Mr. Banks: I gave way to the hon. Gentleman because he gave way to me. I wish that he had been here at the beginning because he would surely recognise that this Conservative Government are further to the Right than any since the war. They are an authoritarian, centralising Government who believe that the Prime Minister cannot be wrong. If the Prime Minister says that it must be done, Conservative Members will do it. If the Prime Minister wanted to add an eighth day to the week, she would get a majority in the Division Lobby. Conservative Members are not independent accountable Members of Parliament —they are just a bunch of followers, time-servers and sycophants who will give the Prime Minister anything she wants, including the destruction of local democracy that we have seen since 1979. All the problems of local government stem from the policies of central Government. The Bill is yet one further attempt to dismantle local democracy and accountability. I look forward to being on the Committee to argue the case in more detail than I have today.

8.18 pm

Dr. Charles Goodson-Wickes (Wimbledon): It is almost three years since I took the Widdicombe report on holiday. It is not a light read, either in fact or in content, but I welcome the Government's courage in bringing forward the vast bulk of its proposals.

The House now has the opportunity to set a new pattern for the conduct of local authority business into the future. I do, however, have a more personal interest in seeing this most important matter coming before the House. In 1984 I set up a working party to examine apparent abuses in local government. The result was the publication of "The New Corruption", which the Secretary of State for the Environment of the time, now Lord Jenkin of Roding, acknowledged both in this House and on public platforms as a major factor in the setting-up of the Widdicombe committee. In addition to the pamphlet, a portfolio of evidence was submitted to the Secretary of State for consideration.

I should like to record the particular interest of my hon. Friend the Member for Ealing, Acton (Sir G. Young), who made a typically worthy contribution to the debate earlier. He was then the Under-Secretary of State for the Environment. He endorsed the project and monitored its progress and his well-known fair-mindedness was a constant encouragement at a time when local government was not considered a politically exciting issue. At that time those living in the shires or the leafy suburbs did not have a clue what we were talking about. I fear that that is still true.

The background to this debate is well known. The election of the Tory Government in 1979 precipitated the predictable clash with the trade union movement, and, less predictably, confrontation with forces in local government, which were increasingly hostile to the philosophy of the incoming Government. I can say for the benefit of the hon. Member for Newham, North-West (Mr. Banks) that the role of local government was described in a "London Labour Briefing" of February 1982 as

"a weapon in the class struggle".

It was also described in a Greater London council publication of April 1984 as

"an efficient means of redistributing resources".

That role was under threat, and as the emotional level rose, so did the stakes. The Government questioned the propriety of the actions and the funding of council campaigns, and the councils hit back. By the time of the abolition of the GLC and the metropolitan counties, no less than £15 million of ratepayers' money had been swallowed up by the campaigns to prevent the demise of the mega-councils. That represents more than the total amount spent by all the political parties in the 1983 general election campaign. To some extent Patrick Jenkin became a victim of the system he attacked.

I have no wish to revive the old party political hobby horses about the questionable causes to which ratepayers' funds were committed. We could all trot out familiar phrases, but the "propaganda on the rates" issue was largely tackled by the Local Government Act 1986 following Widdicombe's interim report. I welcome the fact that the thrust of that report has been continued in part III of the Bill.

We should not forget that for many hitherto politically unaware people it seemed that an almost alien creed had been superimposed on the traditional structure of local government, whether run by traditional Labour or Tory councils. To have a red flag flying over the town hall in Islington a few hundred yards from my house was a cultural and a political shock. It educated me and many of my colleagues who sharpened their political teeth in Islington.

"The New Corruption", so named to draw a distinction between that and the old-style personal financial corruption, was written from a particular political viewpoint. Many of the malpractices identified, however, could have been perpetrated in the future by parties diametrically opposed to those around in the 1980s which were able to set in place an apparatus, fully funded by the ratepayer, to challenge central Government. The long-established convention of properly run local government, serving a particular community, was under threat. I hear some mutterings from the Opposition Benches and lest anyone should doubt the force of my argument I refer to the Fabian Society tract "Managing Local Socialism", which was published in 1986 and which quoted my work with approval.

Legislation—necessary only because of the misconduct of various councils—must be put in place to restore a proper framework. As the cry, "Yes, Minister" has become a catchphrase, now is the time to say "No, councillor". I congratulate the Secretary of State on producing the Bill hard on the heels of so many other radical changes in the structure and funding of local

[Dr. Charles Goodson-Wickes]

government. It is recognition of the fact that the operation of the new system will be prejudiced in the absence of a proper ethical grounding.

I shall confine my remarks to the first three parts of the Bill in so far as they derive from the Widdicombe report. Perhaps the most important part of the Bill is the recognition given to the status of the chief executive, described somewhat coyly in the Bill as the:

"head of the authority's paid service".

He may also be designated as the monitoring officer. Amidst all this jargon is the core of the thinking behind the Bill—the necessity for someone in an authority to be able to blow the whistle if prima facie malpractices are identified, without risking the sack.

The chief executive needs and deserves the protection of the Bill and from this rightly privileged position much else flows. The traditional political neutrality of him and his colleagues is established by their appointment on merit alone. Furthermore, their designation as holding "politically restricted posts" will disqualify them from seeking elected office. After all, no reasonable observer would think it right for senior local government officers to be politically active elsewhere. The ludicrous practice of what I described as "cross-employment"—that description has now been overtaken by two less elegant ones, "dual tracking" or "twin tracking", which have a transatlantic ring about them—will be brought to an end. No longer will an officer in one council be able to sit as a councillor on a neighbouring council with the inevitable conflict of interests that have been pointed out by many of my hon. Friends. If a politically sensitive appointment is judged appropriate and is made on merit, everyone knows about it and it is all in the open.

Many other measures are long overdue. Why should co-opted members on committees have the right to vote? Why should the political balance on councils not be reflected in the make-up of committees? Of course party caucuses can have deliberate meetings, but why on earth should decisions ever be made in camera? All those issues, which would seem ordinary common sense and fair play to the man in the street, are now addressed in the Bill.

Ms. Abbott: It will not do to criticise, by implication, Labour councils without thinking carefully of the practices of some Conservative councils. I served for four years on Westminster city council which was in the habit of taking crucial decisions in camera—it still does. What is more, whatever the alleged iniquities of Labour authorities, now and in the past, we have never stooped to peddling cemeteries at 15p apiece.

Dr. Goodson-Wickes: I can give joy to the hon. Lady, because all my remarks apply equally to all councils whatever their political persuasion and equally to any alleged cases of malpractice by Tory or Labour-controlled councils.

To put the mind of the hon. Member for Newham, North-West at rest, and so that I do not appear sycophantic, there are two areas in which I believe the Government are being unusually timid—one does not usually apply that adjective to this Administration. First, I refer to the updating of the national code of local government conduct, which is covered in clause 23. If the purpose of the code is to encourage councillors to avoid conflict of interests, I am at a loss to understand why it should not incorporate a compulsory register of non-pecuniary as well as pecuniary interests. That would stamp out many abuses whereby funds have been voted to particular organisations in which councillors have an interest, perhaps as paid workers. In the past complex networks had been built up amounting almost to a sub-culture rather than genuine voluntary service.

Mr. Bernie Grant (Tottenham): Give an example.

Dr. Goodson-Wickes: I anticipated the hon. Gentleman because I shall call in aid the evidence given to the Royal Commission on the standards of conduct in public life by the Society of Labour Lawyers, no less.

The second area in which the Government appear to have been timid relates to standing orders. Given the widespread and well-documented manipulation of standing orders in various councils, I am somewhat dismayed that according to clause 16 the Secretary of State "may" require authorities to adopt certain procedures.

Why not have a compulsory element to protect the interests which after all are there to protect minority parties? Copies of my booklet will be available——

Hon. Members: Oh!

Mr. Tony Banks: In the Vote Office?

Mr. Goodson-Wickes: Perhaps not in the Vote Office; but they will be available from me, if the hon. Gentleman cares to cross my path. I shall even peg it at a level of £2·25. In these days of low inflation, I shall gladly peg the price and hon. Members can line up for it.

With those reservations, on which I shall value the comments of my right hon. Friend the Secretary of State, I applaud his further move towards better financial and political accountability in local government. As the community charge is a major step towards that end, so these measures will largely confine abuses to local government history, along with the embattled ratepayer who has financed them. I am confident that the previous experience of my right hon. Friend the Minister for Local Government in Smith square, Church house and Brussels will allow him to fight successfully his latest battle to strengthen the democratic process.

8.30 pm

Mr. David Winnick (Walsall, North): The restriction on many local government employees standing for election to serve on another authority is yet another and major undermining of basic civil liberties by the Tory Government. Just over five years ago, there was the Government ban on union membership at GCHQ. Today, the Government propose to take away the ability of many people serving in local government to exercise their right to stand for election to a local authority or, indeed, to the House.

I understand that, although the Bill does not cover teachers—I hope that the Minister will refer to this when winding up—it is reported in at least one newspaper today that some Conservative Members believe that teachers should be included. I also understand that the Government are considering some sort of compromise in Committee, whereby head teachers would be caught by such a ban.

It is certainly not for this Government, of all Governments, to talk about jobs for the boys. The

Government have filled every conceivable type of public appointment with their supporters and sympathisers. Without exception, all the quangos, for instance, have been packed with those who have close connections with the Tory party. When it comes to appointments to these and other bodies, the basic criterion is clear. The words of the Prime Minister are well known: "Is he or she one of us?" That is the only criterion that counts. The use of prime ministerial and ministerial patronage has been as extensive and corrupting under this administration as the sale of honours by Lloyd-George.

Mr. Nicholas Bennett: I am most grateful to the hon. Gentleman. Can he tell us what was the criterion used by the Labour Government when they appointed Lord Wigg to be chairman of the Horserace Betting Levy Board, or Lord Thomson of Monifieth to be chairman of the IBA, or Lord Aylestone to be chairman of the IBA before him? Numerous other Labour Members were created peers and made chairmen of quangos. What was the criterion used there?

Mr. Winnick: The hon. Gentleman, if he wishes, can go into the Library and look up all the appointments that were made by the previous Labour Government and those made by this Government. He will find that certain appointments were indeed made by the Labour Government of Labour supporters and former Ministers. That has never been unknown in previous Administrations. I am not denying that it happened under Labour. Clearly it did so. But it has gone much, much further under this Government. That is the very point.

Mr. Nicholas Bennett *rose*——

Mr. Winnick: I shall not give way again.

The very point that I am trying to make is not that political appointments by a Government were unknown, but that under this Government they have become so extensive and corrupting. It is interesting to note that the right hon. Member for Old Bexley and Sidcup (Mr. Heath), the former Conservative Leader, and Prime Minister, said very recently in a debate on the Official Secrets Bill that the press office at 10 Downing street is being run in a corrupt way. We all know that the influence of Mr. Bernard Ingham is far greater on the Prime Minister than that of any member of the Cabinet.

The parts of the Bill that deal with housing finance are no less offensive than the matters that I have just raised. The clauses are meant to discourage many council housing tenants from staying with a local authority, because of the much higher rents that will undoubtedly be charged.

We rightly accuse the Government, although they deny it, of being in the business of doing away with the National Health Service or bringing about the position where only the poorest and most chronically sick are likely to use the service. But what cannot be brought about outright in the NHS, for purely political reasons, of course, will be achieved far more quickly with the public rented sector. The Government have made it perfectly clear in the White Paper and the consultative document that they do not believe that local authorities should be in the business of council house building. That is the big divide between the two sides of the House.

The Government also strongly believe that the number of rented dwellings in the public sector should be substantially reduced. It is hoped that in due course, with the regular and substantial rent increases that will undoubtedly occur if the Bill becomes law, only the poorest in the community are likely to remain as council tenants. Those people are not likely to be taken in as tenants by private landlords or even by housing associations. That is the role of the local housing authorities, as the Government see it. It is quite different from what has been established over many years.

To a large extent, what I have just said is borne out by the consultative paper "New Financial Regime for Local Authority Housing in England and Wales". Paragraph 14 of the paper brings to the attention of tenants their right to exercise an option to buy a property, or what is described as a "tenants' choice". It is saying, in effect, that the Government want to see this brought about. In plain English the message could not be plainer. The Secretary of State did not deny, although he accused us of some exaggeration, that the sort of rent levels that he would like to see are those described in the White Paper and the consultative document. Therefore the message is, "If you do not like what is happening, agree to buy or vote yes to a private landlord taking over your property."

That is much like the blackmail used over housing action trusts. Council tenants have now been allowed to exercise a vote, against the Government's original wishes, as a result of the Government accepting the Lords amendment, but the blackmail used by the Secretary of State is, "Well, if you do not agree to going into a housing action trust, it is quite likely the funds will not be available from Government for your property to be brought up to modern standards." That is blackmail. We are concerned not just about the abuse of patronage but about the use of blackmail and other such tactics, which Ministers use when they are anxious to get their way.

I served on a local authority before originally becoming a Member of the House, and I know that those who serve on local authorities do so because they have a feeling of duty and responsibility, although of course there are some exceptions. In my view, that rule certainly does not apply to Lady Porter and the manner in which Westminster city council is being run in such a corrupt way.

The hon. Member for Hertfordshire, West (Mr. Jones) asked what was wrong with the contract of the chief executive who is retiring from Westminster city council. What is so offensive about it is clear. As my hon. Friend the Member for Copeland (Dr. Cunningham) said, there is a clause saying, in effect, that the chief executive has a duty not to reveal anything of what has taken place. Clearly if he does so, the contract will be broken in the eyes of the leadership of Westminster city council who drew up the contract. That is what we find so offensive.

Mr. Bernie Grant: Disgraceful.

Mr. Winnick: As my hon. Friend the Member for Tottenham (Mr. Grant) says, that is what we think is so disgraceful.

I do not happen to believe that there is anything wrong in the way in which local authorities have used the existing discretionary powers for contributions to be made for council housing, especially because of the substantial reduction in subsidies for local authority housing since this Government have been in office. To ring fence the housing revenue accounts of authorities in the way set out in the Bill must cause large rent increases. That of course is the major purpose of the exercise.

[Mr. Winnick]

The change in the funding of rent rebates is equally offensive. Although the Secretary of State tried to deny it, it means in effect that the housing benefit for the poorest council tenants will be paid for by other council tenants through much higher rents. In other words, the relatively poor will subsidise the poorest in the community. It has always been accepted—by Tory Administrations as well—that assistance for the relief of poverty should come from national sources, but under the Bill it will come from council tenants who are not in receipt of benefit. That is certainly wrong. It will undoubtedly cause much hardship to those who have to bear the burden.

There are many other matters in the Bill which cannot be dealt with in a 10 or 12-minute speech on Second Reading. For example, capital receipts will be used for loan purposes, and not, as promised by a previous Secretary of State, for housing.

I cannot deal with all the issues because many other hon. Members still wish to speak, but let me say finally that Britain faces an acute housing crisis. Hundreds of thousands of people are desperate for accommodation. I make no apology for repeating this: just a short distance down the road, five or seven minutes walk away at most, tonight as on previous nights, no matter how cold it is, people are sleeping in cardboard boxes. They are by no means all tramps. Many have come to London to find work. In some cases, although not all, they have found a job but simply cannot find any accommodation, and there is nothing in the Bill that will allow them to do so.

There are many other people, as we know, living with their young children in bed-and-breakfast or hostel accommodation in the most squalid conditions in which no one in a country such as ours should be allowed to live in the 1980s. There are many others, including some of my own constituents, not living in such bad conditions, but living with their parents or in-laws in overcrowded accommodation.

The reason is understandable. We all know it. The hon. Member for Taunton (Mr. Nicholson) said that most people who come to his constituency surgeries have housing problems, and the same applies to me and my hon. Friends. Those constituents cannot afford a mortgage, even when the mortgage interest rate is not so high. They cannot afford the privately rented sector. They cannot pay market rents. If they could afford them, they would almost certainly be owner-occupiers. Therefore, they are faced with that dilemma of finding adequate accommodation at a rent they can afford.

Earlier, a Conservative Member spoke with pride about the number of council dwellings that have been sold. What about the number of council dwellings that have not been built? This year it is likely that the number of council dwellings completed in England and Wales will be no more than about 12,000. That means tremendous hardship and misery. That is why the Bill has no relevance to Britain's housing crisis; why the Bill is so offensive in all its clauses; why the Bill will bring no relief to the people to whom I have been referring; and why the Opposition have every justification for voting against it.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I understand that the Front-Bench spokesmen will seek to catch my eye at about 10 minutes past 9, so 28 minutes of debating time remains for Back Benchers. I hope that we shall have brief speeches.

8.42 pm

Mr. Richard Holt (Langbaurgh): It is interesting that I should be selected by you, Mr. Deputy Speaker, to speak after the hon. Member for Walsall, North (Mr. Winnick). He and I served on the London borough of Brent council from its inception in 1963-64. I have to go back to those days to find the start of the decline in the relationship between central and local government.

I am pleased to see that proportional committees will be established by the Bill. I am particularly in favour of that because, after the London borough of Brent elections in 1963, 31 Labour councillors and 29 Conservative councillors were elected. At the first inaugural meeting of the council, the hon. Member for Walsall, North was one of those who fervently supported the fact that all 10 aldermanic benches went to the Labour party, thus distorting the electorate's wish by packing the committees. It has taken the Government 25 years to catch on to that and to introduce legislation to ensure proportional representation on the committees.

That was the beginning of the slide into argument between central and local government. The political editor of the *Local Government Chronicle* recently said in an article about me that I had the widest, longest and broadest experience in local government of any hon. Member. As I have worked my way through different authorities I have seen the changes that have taken place. Over the past 25 years, Labour-controlled local authorities have sought to confront the Government and so the situation in which we now find ourselves has been inevitable.

I have criticised the Government because they are still tinkering with the problems. We are told that this will be the 50th Act of its kind. Until somebody recognises that the real problem is that Britain has too much local government, we shall always have debates and legislation that does no more than tinker with the problem.

Why is it necessary for an electorate to have a town council, a district or borough council and a county council which can all levy a rate? On top of that, there are the Government and the European Assembly. There are far too many tiers of local government. However, that does not apply throughout the country, because outer London boroughs do not have an upper tier or even a lower tier. For all its faults—this may be a political argument—Brent, one of the outer London boroughs, was at least a homogeneous unit without the conflicts that we now have as a result of so many local authorities.

The people of Skelton in my constituency are up in arms because the town council has increased the rate this year to 2p. That is a massive increase by any normal standards, but perfectly allowable under the Bill. The Government have failed to accept my advice on this and on previous occasions that there should be a limitation on the amount of money that town councils can raise through their precepts. The Government have done nothing. Just four years ago a Conservative Government abolished the limitation on the amount of money that parish and town councils can take.

That increase is on top of a projected rate of 299p in the pound for my constituents in Cleveland next year. It is said

that that is only a 6 per cent. increase, but it is 6 per cent. on a high base. It is 299p for the county and we have yet to hear what the district rate will be. Already we know one of the towns is charging 2p.

People talk about unemployment problems and the generation of employment in the north-east, but is it any wonder when the entrepreneurs and business men from Japan and elsewhere come to Britain and, before they manufacture a thing, they see the dead weight of the rate burden from three tiers of local authorities which they will have to bear? It is far too much.

What is all the money being spent on in Cleveland? That is a good question, because many people cannot find out. But they may be able to find out how much it cost to employ Vincent Hanna and his circus for a few lousy months last year while he was trying to put a gloss on the activities of the people involved in the Cleveland sex abuse case. What a shambles that was. There were two doctors, one out of his or her mind and the other nearly so, bringing havoc to the people of Cleveland, and the local authority trying to cover that up left, right and centre by spending money which we have not had the opportunity to debate in the House despite my requests on no fewer than 12 occasions. At the same time, Cleveland county council put up the rates for all those who live there.

I urge the Government to look again at the construction of local government.

After all, we now have the urban development corporations—creatures of this Government brought in because of the stagnation and waste of time of local authorities, which have failed miserably in the north-east of England to rise to the challenge of their responsibilities. Only now are we beginning to get some regeneration on Teesside. The last bulletin of the Teesside chamber of commerce talked of the boom times now ahead as a result of the Teesside development corporation, not as a result of the dead hand of the local authorities. So why do we need so many tiers of local government? Perhaps it is in order to find jobs for some of the Labour councillors and county councillors.

Let us look at the twinning there is in the Cleveland area. How can we justify a personnel officer on full pay employed by Middlesbrough council being seconded completely and fully, without any duties and responsibilities left, to work as a full-time county councillor for the Cleveland county council? To add salt to the wound, it has been necessary to recruit a replacement because of the work not being done by the full-time councillor as a consequence of that decision.

We have too many layers of local authority. We have leisure and social services being looked after by everybody. And what calibre of people are we bringing into local government as a consequence of all this? Perhaps my hon. Friend the Under-Secretary has not read the Middlesbrough *Evening Gazette* of about two weeks ago, which reported that two county councillors had to be separated because they were physically fighting in the library of the town hall, and the police had to be brought in. I hesitate to use the word gentleman. One of those males was a member of the police committee and the other was a justice of the peace. How can we expect our young people to be given guidance and leadership by Cleveland county council when people of that sort are councillors? I look forward to the day when there may be some strictures by the central Government regarding whom we can and cannot have in local government representing the people.

We have someone on Cleveland county council who was elected to represent the town of Lofthouse in my constituency. He was the local vicar, and he scarpered; we are not quite sure with which lady. Consequently, the people of Lofthouse have been virtually without a county councillor for the past two years. I believe that he puts in a token attendance at county hall in order not to be disqualified under the current legislation. The Labour party would be terrified of having a by-election in that town because the Conservative party, which now controls the town council, would undoubtedly win the seat. Why is there not some legislation to ensure that those elected as councillors and county councillors do the job properly and are not employed elsewhere?

I am surprised and sorry that we do not have any limitations on the financial earnings of councillors and county councillors. Perhaps by doing away with twin tracking we shall do away with the concept of being an officer of more than one authority, but we shall not have done away with the duplication of people who are both councillors and county councillors, and in some cases town councillors.

Then there is the way in which allowances can be boosted. In Middlesbrough one does not have to be on a committee to obtain the allowance for any night. A councillor can go along to the committee room and if any councillor on his side is missing he can substitute for him and draw the allowance. He is there for two or three minutes and then he leaves. That is all that is necessary.

I drew to the attention of the House some three or four years ago the situation in Middlesbrough under the standing orders of the council, which enable any councillor to hold a ward surgery in his own home. It does not matter if nobody turns up; he can still claim the full allowance. He can sit at home with his slippers on, watching television, and claim the full allowance. That is the sort of abuse to which the Government have yet to address themselves. So I hope that this is not the last of the Bills that the Government will be bringing forward but is merely a step further along the road.

Mr. Bernie Grant: Fiction.

Mr. Holt: I will willingly give way if the hon. Gentleman wants to come in. Does he want to come in or not?

Mr. Deputy Speaker: Order. I am here to deal with that.

Mr. Holt: I appreciate that you are there, Mr. Deputy Speaker, but if the hon. Gentleman wants to interrupt I will willingly give way. If he does not, will he shut up?

Mr. Bernie Grant: Will the hon. Gentleman, instead of giving us a fictitious situation, give us a concrete example of a case in which abuse has occurred in Cleveland county council or any of the other councils that he has named? Let him name names.

Mr. Holt: I have already told the House that two county councillors were fighting. It is a matter of record. I have said that under standing orders one can claim for a surgery carried out in one's own home. That, too, is a matter of record. So I do not have to name names.

The politicisation of county councils occurred almost immediately after the war. Prior to 1950 almost every councillor in the country was an independent. After 1950 the Labour party started to fight as a party, and later on

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the Conservatives caught up and commenced to do the same. The Labour party has sought whenever possible to get round the legislation of the day and to circumvent the activities of central Government. It is regrettable that local government is not what it was and that the people who are going into local government are not what they were. Certainly, that is true in many instances of the officers who serve in local government today. We shall not be able to turn the clock back. How can we when the Derbyshire county council appoints a man such as Race, who has no experience or knowledge whatsoever, as its chief officer? That is what we are up against.

There are innumerable instances of abuses by local government, particularly Cleveland county council, which is without a doubt among the most profligate in the country. Regrettably, I do not have time to go into details of all of them tonight, but there is one thing I would like to draw to the attention of my hon. Friend the Parliamentary Under-Secretary, because I believe that she may have the ear of another hon. Member.

Cleveland county council is for ever screaming and moaning that it has not enough money to mend the roads, the potholes and the pavements. Yet, according to this year's report of the council, it has underspent its allocation by a quarter of a million pounds. If it had any organisation whatsoever, if it was in any way capable, I should not have my constituents complaining to me about the roads, while the funds generously given by central Government are lying wasted and unspent. I would not mind if it were the first year, but I believe that it is the second or perhaps the third year running that the same situation has prevailed. So there is much that can still be done to make local government more efficient. Another example is the advertisement for a chief cleansing engineer placed by Cleveland county council in the most recent issue of the *Sunday Times*. That quarter-page advertisement must have cost 25 to 30 per cent. of the engineer's annual salary.

Local authorities under Labour control, and serving areas represented by Labour Members of Parliament, moan and groan about the Bill. I am moaning and groaning because it does not go far enough. It is time to review local government's duties, responsibilities and financing.

Mr. Deputy Speaker: I very much regret that my plea for very brief speeches has fallen on deaf ears.

8.58 pm

Mr. John Battle (Leeds, West): In the time available to me, I shall point, as other right hon. and hon. Members have done, to those parts of the Bill dealing with housing. When debating the Housing Act 1988, we warned that that landlords' charter would lead to market rents—meaning high rents. Even the Government's consultants are warning local authorities to be wary of the large-scale transfer of council estates

"because tenants do not perceive it as an improving step."

The Government now have a big problem. The shift to private-sector landlords will not happen, unless this Bill results in pricing people out of council housing and into purchasing their own council property—with the benefit of a subsidy, which will be cheaper than paying rent—or into insecure private rented accommodation.

The Bill's effects on housing finance will mean higher rents. I invite the Minister to spell out the Government's figures of the rents that people will have to pay as a result of the changes that the Bill makes. Will he confirm or deny the claim made by the Secretary of State for the Environment two years ago, that market rents for council housing ought to be at least £35 per week? If so, many council tenants will be interested to know that. The ring-fencing proposals could lead to rent rises of about 20 per cent.

The public expenditure White Paper that the House debated last week showed that the number of houses built by local authorities will drop from 15,000 this financial year to 6,000 by 1991-92. *The Economist* commented on the White Paper:

"Social housing will be hard to find and far more costly to rent. That is the message from the new statistics in the white paper's chapters devoted to the environment department."

I do not have time to go into as much detail as have other right hon. and hon. Members, but the proposals affecting housing benefit will mean that some tenants will, through their rents, be paying the housing benefit of other council tenants. Conservative Members suggest that there is nothing wrong with that arrangement, but why is it that only those receiving housing benefit are being denied a share of the national cake? Why are the Government not reconsidering the housing assistance that is given in the form of mortgage tax relief? It seems that tax reductions and relief are given only to the better off in our society, and that it will be the poor who are forced to rely on the local state—back to the traditions of parish relief. How will the people face up to the level of poll tax that their local authority will have to impose on them also, in order to assist the poor in their area?

I can, surprisingly, welcome one provision in the Bill, and about which I ask the Minister for more detail. I refer to clause 130 and to schedule 8(3), which contain a hint that powers to check up on houses in multiple occupancy will be included. It appears that local authority powers in respect of houses in multiple occupancy will be amended. The schedule's contents are minimal, but could provide an appropriate peg. I shall be interested to know whether the Government have any intention of writing into the Bill realistic and practical proposals for dealing with multiple occupancy housing. Six out of 10 of an estimated 334,000 houses in multiple occupancy are in a serious state of disrepair, and four out of five lack a satisfactory means of escape from fire. I invite the Government to expand further on their intentions in that regard.

The hon. Member for Langbaurgh (Mr. Holt) openly states his belief that, despite there being 50 local government Bills since 1979, there is still too much local government. I wonder how much he speaks for his right hon. and hon. Friends. I believe that the Bill's intention is to put the final cap on local government.

In an interview in *Today* published on 25 February 1988, the Prime Minister presented her vision of Britain in the year 2000. She envisaged that it will herald a golden age for Britain, and a new Elizabethan age of enterprise and advance. She refers with admiration to the great days when wealthy merchants built libraries, art galleries, schools and civic buildings, and to the burghers who built and ran the large cities of Britain. Perhaps she sees the re-emergence of the business man or financier, who may chair the local health authority and the city's urban development

corporation, and serve as president of the chamber of commerce, as well as being a leading Tory in the community.

That person will hold the power that is currently held by local government. I imagine that in the year 2000 that person will arrange a dinner to which will be invited other business personalities, and on that occasion the tenders which will provide for what remains of the basic city services will be opened and divided up. That will happen once a year, and it will be the end of the road for local government.

Is that the reduction in the activities of local government that the Government want to achieve? We are bound to ask that question in view of some of the comments of Conservative Back Benchers. However benevolent those merchants and business men may be, they will be unelected and unaccountable locally.

I remind the House of what the Widdicombe committee said in chapter 3 of its report, entitled

"The role and purpose of local government."

Widdicombe suggested that the threefold purpose was pluralism, participation and the need for a responsive local government. The report said:

"The case for pluralism was again influential in the 19th century when modern local government and the popular franchise were introduced. For Lord Salisbury, whose 1886-92 administration created county councils . . . these two phenomena were of linked significance. Salisbury's proposals for local government were based on a fear not of centralising monarchs but of the centralising tendencies of a popular franchise. In his view, the enfranchisement of the working class would make welfare politics the central electoral issue, and lead inexorably to the rise of a powerful administrative state. This could be avoided only by the creation of new local authorities whose value as counterweights would be realised 'by diminishing the excessive and exaggerated powers' of central government."

Do the Government still agree with that basic principle of local government as set out by Lord Salisbury?

Widdicombe continued:

"More recently precisely the same arguments, if less politically stated, are to be found in the Reports of Redcliffe-Maud, Wheatley and Layfield . . . eg . . . 'By providing a large number of points where decisions are taken by people of different political persuasion' . . . it acts as counterweight to the uniformity inherent in government decisions. It spreads political power."

Will the Minister explain how the Bill spreads political power? It centralises political power by diminishing, if not eliminating, political opposition. That is built into the measure. Are the Government taking seriously those remarks of Widdicombe in introducing the Bill? We need to be convinced that the Government are not going in the opposite direction. If we cannot be convinced on that score, then it seems that this, the 50th Bill on local government since 1979, will be read in the future as an epitaph for local government.

9.7 pm

Mr. Clive Soley (Hammersmith): This is a centralising Bill which undermines and demoralises local government. It is yet another step by the Government in destroying local democracy as we have known it in this country for so many years. The Government do not trust local electorates and, for that reason, they seek to emasculate local authority democracy. Councillors, both Tory and Labour, will resent the broad thrust of the Bill. The Government intend to restrict the right of officers to speak or write publicly on controversial issues, to canvass or to hold office in a political party. The Home Secretary and the Prime Minister tell us that we should think in terms of active citizenship, but the Bill means that we cannot be active citizens in the way that they want us to be.

One of the most telling interventions by my hon. Friend the Member for City of Durham (Mr. Steinberg) was to the effect that many hon. Members, including one on the Government Front Bench—I can think of two—would not have found their way into this House in the way that they did if the Bill had been law. Nor would those two Ministers have been able to become councillors and do their job in local authorities elsewhere.

In an intervention the Minister said that the only objections that the Opposition could dig up about Tory councils related to Westminster, but he was fundamentally wrong in more than one respect. Our objections are based not merely on the amount paid to Mr. Brooke of Westminster council, but on the fact that he has been given a contract that binds him to silence—he has been bought with £1 million. The Minister knows that the document involved exists because my hon. Friend the Member for Copeland (Dr. Cunningham) has brought it to the attention of the House and of the public.

The Conservative party cannot lecture anyone on the behaviour of councillors, and the hon. Member for Langbaurgh (Mr. Holt) of all people has no right to do so. He could start lecturing Members of Parliament about some of the activities that he described, but if we start to do that, do we not also undermine this place? Suppose that we accuse Members of Parliament of not coming here, of not doing their job, of losing their tempers from time to time—of fighting and waving the Mace above their heads, indeed, for is that not a right? Are we to follow that up by saying that Members of Parliament must not be allowed to serve in this place?

Mr. Holt: Will the hon. Gentleman give way?

Mr. Soley: Perhaps I may take the argument a little further before the hon. Gentleman is so unwise as to intervene.

We are not talking only about Westminster council. Horsham council has the audacity to use an empty council house as property and office for the local Conservative party. Portsmouth councillors are stripped of their authority because they acted as estate agents dealing with planning and housing matters without the right to do so, and indeed gave preferential advantages to people which led to their being disciplined. Nottinghamshire county council is also Tory-controlled, as is Harrow council. A Harrow Member was worried about what was happening in his neighbouring authority, where a Conservative councillor accepts that he was paid a quarter of a million pounds for assisting a planning application by Sainsbury's —which was successful.

It does not stop there; it extends as far as Bradford, and beyond into central Government. Who would think that Bernard Ingham is not paid by the taxpayer, and is used in an entirely inappropriate manner? Who has ever believed that health authorities are not stacked by the Prime Minister with her supporters? Who believes that the Ministry of Defence does not have Conservative supporters put in place at public expense? Has anyone seen the new National Health Service video, paid for by the taxpayer? The video is supposed to be shown to staff in all the hospitals—at considerable public expense—and who is

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the star of stage and screen who opens it? It is none other than the Prime Minister. That is the way in which the Government use taxpayers' money, yet some Conservative Members say that councils should not behave in a similar way.

What happened on the Housing Bill? Particularly nasty information has been put out by the Government and by Conservative councils, paid for by the taxpayer, which is known to be misleading and false and which has caused acute anxiety and distress to elderly people who do not want their homes to be transferred over their heads through a rigged voting system. This is the Government who try to tell people that councils are behaving badly, but if they are indeed behaving badly perhaps they are just following the Government's lead.

Mr. Holt *rose*——

Mr. Soley: I do not want to give way to the hon. Gentleman, because by making a very long speech he managed to prevent hon. Members on both sides of the House who wanted to speak from doing so.

The difference between us and the Tory party is not that we think it a good idea to swap stories about one local authority versus another, good or bad, but that we believe in leaving it to the judgment of the electorate. Let the ballot box decide at local government elections. Let the people decide. The Government do not believe that. They believe that local people are not to be trusted to exercise their judgment and vote out councillors who behave badly, whether for fighting, financial mismanagement or whatever. The Government believe that that can be achieved through centralised control. That is the difference between our approach and that of the Government.

When we are asked to restrict councillors and officers, why not restrict them from participating in the private sector? Given that there will be more privatisation why do we not take a tougher line on local government officers who serve on, take over or set up private companies? What about dual interests there? In Rochester upon Medway, where there is a Conservative council, the entire housing staff are doing a management buy-out of all council housing in the area. Who is issuing the advice leaflets? It is the housing staff who are advising people about the circumstances of the deal and how it is to their advantage to accept it. Never mind whether the deal is to their advantage—the leaflet is not neutral but a clear attempt to influence their decision and it ought not to be allowed.

Dame Peggy Fenner (Medway): Will the hon. Gentleman give way?

Mr. Soley: I will give way to the hon. Lady in a moment.

I challenge the Minister to say categorically that no local authority disposing of its property should have the officers who are taking over the property advising people about the advantages of the transfer. That should be done by independent bodies.

Dame Peggy Fenner: The hon. Gentleman recently paid a visit to my constituency. I can tell him that the tenants in my constituency will have a ballot on the proposal. I can also tell him that since the management takeover of the local bus company there has been one complaint in two years, which is far less than when the service was run by the National Bus Company. It is not for the hon. Gentleman to tell my constituents what to vote for. They have voted four times for a Conservative local authority and three times for a Conservative national Government.

Mr. Soley: I can tell the hon. Lady that I shall probably return to her constituency. I can also tell her that the tenants will vote against the proposal as 300 of them turned up at the meeting at which I spoke. They object to the way in which the council is ramming it down their throats with a blatantly misleading leaflet which refers to a contract that does not exist. There is no contract. The leaflet says that the contract will give tenants the same security that they had before, but there is no such contract anywhere. If the hon. Lady went to a solicitor and said, "I have been advised to sign this and to vote for it, but I have been told that the contract does not yet exist," would the solicitor advise her to sign? Of course not, but that is what the hon. Lady is advising her constituents to do. If they are so unwise as to vote for a Conservative council again—I suspect that they will not be tempted to do so next time —they will pay a high price in areas where the people have been cornered in the way that her council is trying to corner its tenants. I want a guarantee from the Minister that where council officers are involved in such deals the advice that is distributed is independent.

We do not have to turn to the Labour party's views on these issues. The last time that I used the Association of District Councils as an example, I got it into trouble with the Prime Minister's office. Officials were ringing up and saying, "Don't give all that stuff to the Labour party as they keep using it against us." To the credit of the Association of District Councils, it was more interested in local government than in the Tory party, although it is controlled by the Tory party.

My next quote comes not from the ADC but from another Conservative-controlled organisation, the London Boroughs Association. The word that crops up over and over again in the LBA's briefing document about the Bill is "restrictive". It continually refers to the restrictive implications of the Bill. Talking about the balance on committees, the association says that it is

"concerned that as presently drafted independent members may not attend any meetings except full Council meetings."

It does not think that the matter is properly dealt with in the Bill.

On economic development, the document continues:

"The Association is anxious that no undue restriction should be placed upon local authorities' new powers to participate in economic development and will be represented on a working party which is being set up by the Government to explore these issues."

On discretionary spending, the association says—this is a powerful little quote:

"Moreover, the offset of money given to voluntary bodies will severely limit the ability of local authorities to support voluntary groups serving the needs of the local community".

So much for the Government's concern for the local sector.

The association says of credit approvals:

"It is a matter of simple justice that an authority which generates capital receipts should have the use of them without incurring compensating reductions in its borrowing powers and this is vital to maintain the incentive for authorities to promote the Right to Buy and other disposals of stock."

On Clauses 56 to 62, the association says about companies in which local authorities have interests:

"The Association is very concerned that, as drafted, the provisions will inhibit the ability of local authorities to

become involved in local initiatives and will restrict such companies by imposing inappropriate local authority financial procedures."

The way in which the Bill deals with housing issues—to which a number of hon. Members have referred—is catastrophic. The hon. Member for Taunton (Mr. Nicholson) was whining away about his constituency's growing housing problem. I have been saying for some time that the rural housing problem is becoming like that of the inner cities. Local people have not been able to buy or rent and are being driven out. In areas such as Taunton local people—sons and daughters who are in the economic work force—are having to take holidays lets in winter and then be made homeless in the summer because their homes are needed for holiday homes. The hon. Gentleman knows that that is happening in Taunton and in a whole swathe of places across southern Britain, yet he goes on backing the Government, blind to the fact that almost everything that they have done has made matters worse.

What have the Government done recently? The Minister has issued a couple of leaflets from the Department of the Environment saying that he will help rural housing associations. The Government talked initially of the housing associations having 600 new homes or flats throughout England, but housing associations hardly exist in some areas of rural England. Another Minister became worried—one could see the panic setting in—and put out a leaflet saying that house building had taken off better than ever, but did not mention the slump of the 1908s or the fact that next year is projected to be disastrous. Everyone knows why that is so—it is because of interest rate increases this year and last.

Private sector housing will not be able to make up the gaps in the public sector. If public sector housing is cut from 70,000 units in 1979 to about 15,000 next year, the private sector will be unable to make up the difference, especially if interest rates are then banged up as well. Of course, housing will get into trouble. It is a case of too little, too late. Let the London Boroughs Association say it again, because it says it so well. [HON. MEMBERS: "It is Tory."] It is a Tory authority, and I am sure that Conservative Members would agree with it if they could.

The LBA document says:

"Clause 49 stipulates that a proportion of the local authority's capital receipts must be set aside for the redemption of debt"—

even if the authority is not in debt, apparently. A private company operating like that would go bankrupt after a few years because it could not invest. The Government would not impose that on a private company, but the Secretary of State is quite prepared to impose it on local authorities.

A good Conservative organisation, the London Boroughs Association—it, too, provides an abundance of good quotes—says of capital receipts:

"In particular it is likely to curtail local authorities' capitalised repairs programmes and make it harder for them to bring empty sub-standard dwellings back into letting."

The Conservative party keeps going on about empty council houses, but the Audit Commission report says that the Government are culpable because they do not give local authorities enough money to deal with the problem. And the Conservative London Boroughs Association says precisely what I have just said—that it will not be able to bring back empty, sub-standard housing into use.

The association does not leave the matter there. It continues—this was the subject of my intervention in the Secretary of State's opening speech—by saying that local authorities have amassed an estimated £8 billion in unspent receipts. When the right to buy was introduced in 1980, councils were assured by the Tory Government that they would be able to keep the receipts which accrued from sales, but a year later the promise was broken. The spending of receipts was restricted to 50 per cent., and the controls have become progressively tighter so that now only 20 per cent. can be used. The Government propose to increase it to 25 per cent., but that is not as generous as it may seem, because it is limited to a declining amount. However, we shall return to that in Committee.

The key quote here is the following:

"The increased central direction of local authority spending is to be deplored. Local authorities should be permitted the freedom to decide their spending priorities and to use their own capital receipts for reinvestment in their stock."

I happen to disagree with the way in which most of the local councils represented in that document are running their affairs, particularly their lack of interest in housing as a whole, but we on this side defend their right to be local councillors, to stand in elections, to put their case and to win or lose. It is the Conservative party which does not believe that. That is the crucial point that many people in all political parties who seek to serve the community will remember.

Ring fencing will be disastrous for rents, and the Government persistently refuse to say what a fair rent is. Here we have perhaps the most interesting aspect of today's debate—the other shift of policy by the Secretary of State. There were shifts of policy in the news releases put out by the Department of the Environment on house building and rural housing, but the most significant shift came when the Secretary of State actually said for the first time that he did not think market rents were appropriate for councils.

Mr. Ridley *indicated dissent.*

Mr. Soley: If the Secretary of State is saying that he is still going for market rents and that all councils are to pay market rents, he is saying that rents will go up exactly as my right hon. and hon. Friend have said.

Mr. Ridley: I have never said that council rents should go to market rent levels and have not said that today. The hon. Gentleman is quite right—I made it quite clear that they were not going to market rents.

Mr. Soley: The Secretary of State has made it very clear that in his view there must be market rents. If he wants to look at what he said, he should look at the White Paper of November 1987, which says that subsidising council tenants will push them into the dependency culture—and if he will not subsidise them, who will pay the rent? Why did he also put in the Bill that the rent assessment committee must take into account a market rent before setting a rent for the new assured tenancies? The Government have fallen into the trap of recognising—as, to be fair, the last Housing Minister, the hon. Member for Bristol, West (Mr. Waldegrave) recognised—that their housing policy was on course for disaster because they could not tackle the difficult problem of housing finance, and they keep ducking it.

What happened? Let us talk about that. The Government have actually said that rents have been set too low. They picked out the GLC and said that. I had a

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couple at a press conference in this House only a week ago —Mr. and Mrs. Green of Folkestone—who are now paying a rent of £52 per week out of joint pensions of £130 per week. Let hon. Members think about that—40 per cent. of one's net income going in rent. Forty per cent. of anyone's net income going in housing costs, whether for rent or sale, has to be a disaster. That is why in that case the wife said, "I feel like walking into the sea," and her husband said, "I suppose we shall end up in bed and breakfast." That is what I mean when I say that the Government are causing distress and anxiety to all the people. Yet the Government said that rents were too low.

The Government say that they intend to help people by means of housing benefit. I agree with the London Boroughs Association, which says:

"If council rents are required to rise to market levels,"—that shows that the Conservative party recognised that the Secretary of State wanted market levels—

"it is essential that the Department of Social Security permits housing benefit to be paid at this level and makes available the necessary public expenditure to cover the cost."

Mr. Ridley: The hon. Gentleman is wilfully fantasising. Housing benefit covers the rent, whatever it is, provided that the person qualifies by virtue of his income. We are not moving to housing market rents and we have no intention of doing that, so the hon. Gentleman can stop saying it.

Mr. Soley: The right hon. Gentleman ought to have a few words with Conservative party members. He should say that to the London Boroughs Association, which says that council rents are required to rise to market levels. He should also change all the instructions that he has given and answer the following question. How does he intend to revive the private rented sector if he does not allow it to charge market rents? That has always been his central argument. He has always said that the private sector must be allowed to charge market rents.

The Government say that they must abolish the Rent Acts, that it will be easier to evict tenants and that landlords will obtain a greater turnover. If councils or housing associations charge significantly lower rents, an enormous number of people in the private sector will try to get into the public sector, but they will find that the public sector has been cut. There will then be ghettos. That is why the Secretary of State and his hon. Friend the Member for Taunton are in trouble. The problems of the city areas will apply in rural areas as well.

Mr. David Nicholson: Will the hon. Gentleman give way?

Mr. Soley: No, I am afraid that I cannot give way. Time alone prevents me.

I am sure that the Government will want to deal with the problem and I must leave it to them. Unless the Government face up to the problem, they will be unable to solve it. The Secretary of State's muddle about whether he is in favour of market rents or whether he is against them will not and cannot be solved until he deals with the subject of housing finance.

The other problem that the Government have created is the one that they have visited on housing associations. In their panic to do something about the lack of supply of good, low-cost housing for rent or sale, they have decided to expand the housing associations. They spent the first half of the 1980s clobbering them, but now they want to help them. The Government have told housing associations to take over council properties and to build more properties. The housing associations are now running into management problems which they did not face initially when they were local and small. The Government are now urging them to become large and national, which means that they are further away from the people whom they represent.

To whom will the hon. Member for Taunton and other Back Benchers go when they find that they cannot go to their local councillors and instead have to go to the headquarters of a housing association in the north of England because the housing association in their area has been taken over? Who will hon. Members write to then? At the moment they can write to their councillors and the tenants can kick out the councillors if they do not like the job that they are doing, but they will be unable to kick out a housing association with headquarters further afield. I have a great deal of time for housing associations, but the Government have undermined some of the basic assumptions on which the success of the housing association movement was built—not least, management and rents.

The iniquitous proposal that local tenants should subsidise other local tenants through housing benefit is, as my hon. Friend the Member for Copeland said earlier, wicked. Let us consider what would happen if the same were done with mortgages. What would happen if it were said that people in one area should subsidise the mortgages of other people in that area, instead of it being done on a national basis? Hon. Members can imagine the outcry. They are prepared to do that not with housing associations or with the private sector, but only with the council sector.

What will happen to the homeless? Under clause 128 councils are not required to keep a housing stock. I presume that they will all be able to do as Horsham does —pass all empty council houses over to the Conservative party for use as offices. Perhaps that is the aim. There is no real action here. We shall want to look at this aspect more closely in Committee. I hope that there will be some movement on it from the Minister because it was a report of his own Department on houses in multiple occupation which showed the seriousness of the problem in the private sector. There is no real movement there, and we need a lot more movement before anybody outside will believe that the Government are serious about their efforts in that respect.

What does Clause 132 do? Amazingly, it actually winds up the home purchase assistance scheme for the first-time buyers. The Conservative party wants to take help away from first-time buyers. If the Government are having so much trouble helping first-time buyers, why do they want to wind the scheme up now? Why do they not expand it and help those first-time buyers instead of clobbering them? There is no reason or justification for what they are doing.

The charges for local authority services are an indication of everything that is wrong with the Government's thinking. They do not believe in community. People will have to pay a charge to have their dustbins emptied, they will have to pay for their leisure and recreation, and they will have to pay for library services. They will have to pay for everything. If we go down that road, we go down the road that leads to real public squalor

and private affluence—the road that leads to ghettos. In undermining local democracy, the Government are creating a crisis in rural and urban areas of this country—a crisis that, sooner or later, people will feel so dramatically that they will hate the Government for the legislation being brought forward today.

9.37 pm

The Minister for Local Government (Mr. John Gummer): I thought that the reason for our having spent so much of this debate discussing the Widdicombe clauses was that the Labour party saw those as the most important clauses in the Bill, but I discovered during the speech of the hon. Member for Hammersmith (Mr. Soley) that the reason was that, when hon. Members opposite started to discuss the rest of the Bill, they could proceed only by fabrication and by misleading the House.The hon. Gentleman still failed to accept what my right hon. Friend the Secretary of State had said about market rents. He failed to understand that there is a distinction between a subsidised rent, where people are helped to meet the cost, and a market rent, which is considerably higher than that. He felt that we were taking away democracy when, in fact, what we are doing in this Bill, as part of our local government programme, is giving democracy back to local authorities—primarily, of course, through the community charge, which will provide accountability where accountability has not existed before.

But perhaps the saddest aspect of this debate is that we have failed to hear from the Opposition why they think it proper that people whose job in life is to give advice—independent advice—should also be able to play a party political role in some other council. For the world outside, the argument is obvious. I have never heard anyone suggest that it is not reasonable to make this distinction. Indeed, the Labour party is happy to have the distinction when it relates to civil servants. There has been no proposition that civil servants should be able to represent a constituency in Parliament and at the same time advise Ministers in a Department. Why not? It is for two good reasons. The first is that it is impossible for people to be independent on the one hand and party political on the other. The second is that it is unacceptable both to the people they advise and, indeed, to the people they represent.

Dr. Cunningham *rose*——

Mr. Gummer: I am not going to give way.

Dr. Cunningham *rose*——

Mr. Speaker: Order. One at a time, please. The Minister is not giving way.

Dr. Cunningham *rose*——

Mr. Gummer: I will be happy to give way to the hon. Gentleman when I get to the point——

Dr. Cunningham *rose*——

Mr. Speaker: Order. The hon. Gentleman knows that if the Minister does not give way, he must not persist.

Mr. Gummer: The hon. Member for Hammersmith has already taken my time after promising not to——

Dr. Cunningham *rose*——

Mr. Speaker: Order. The hon. Gentleman well knows the rules. The Minister said that he would give way later, and no doubt he will.

Dr. Cunningham *rose*——

Mr. Gummer: I will give way to the hon. Gentleman, and he knows that——

Dr. Cunningham *rose*——

Mr. Speaker: Order. The hon. Gentleman knows better than that.

Dr. Cunningham: No, I do not. On a point of order, Mr. Speaker. I gave way seven or eight times during my speech, and my hon. Friend the Member for Hammersmith (Mr. Soley) gave way. Why should the Minister get away with these allegations and not give way?

Mr. Speaker: That is not a point of order. It is up to the Minister concerned and up to any other hon. Member whether or not he gives way.

Mr. Gummer: I shall be happy to give way——

Dr. Cunningham *rose*——

Mr. Speaker: Order. The hon. Gentleman must not persist. The Minister has said that he will give way, and no doubt he will.

Mr. Cryer: He has no Christian humility.

Dr. Cunningham *rose*——

Mr. Gummer: I shall give way in my time, and not when the hon. Gentleman seeks it. The reason is that the hon. Gentleman's colleague went over his time and did not give a fair share to this side of the House. That is why I am not giving way to the hon. Gentleman.

Dr. Cunningham *rose*——

Mr. Gummer: No, I am not giving way.

The hon. Member for Sheffield, Brightside (Mr. Blunkett) said in an article in *The Sunday Times*——

Dr. Cunningham *rose*——

Mr. Speaker: Order. I am well aware that this is a controversial Bill, but we have proceeded in good order so far. We must continue in that way.

Mr. Winnick: On a point of order, Mr. Speaker. During the time when your deputies were in the Chair, they will know that hon. Members on both sides gave way to interventions. The Secretary of State gave way, as did my hon. Friends. Why is it that only the junior Minister will not give way?

Mr. Speaker: The hon. Gentleman knows that I have no authority to cause a Minister to give way. It is up to him.

Dr. Cunningham *rose*——

Mr. Gummer: The hon. Gentleman asked me to wait when I asked him to give way. I am asking the same courtesy of him.

The hon. Member for Brightside said in an article in *The Sunday Times* that there is a clear distinction between those in a job for many years playing an active part in

[Mr. Gummer]

politics and a situation where a post is clearly created for an individual to help him or her pursue political activity. I agree with the hon. Gentleman.

Mr. David Blunkett (Sheffield, Brightside) *rose*——

Mr. Gummer: I shall give way to the hon. Member for Copeland (Dr. Cunningham) when I come to him, and then I shall be happy to give way to the hon. Member for Brightside.

I agree with the point made by the hon. Member for Brightside. I should like the hon. Gentleman to do me the courtesy of answering the point. There is a clear distinction between these things, but that does not mean that both of them are not wrong. It seems to me that it is wrong to have a job in local government, which is created as a sinecure, in order to do a job as a council leader elsewhere, and that it is also wrong to have party political affiliations of a public kind which make it impossible to carry on one's job as——

Dr. Cunningham *rose*——

Mr. Gummer: If the hon. Gentleman will allow me to finish a sentence, I will give way, but when I finish the sentence. Although I said that I was asked by the hon. Gentleman to wait before he gave way to me, he has not given the same courtesy to me. The fact that the hon. Gentleman's speech was such a shambles is obviously the reason why he wishes to intervene.

The fact of the matter is——

Dr. Cunningham *rose*——

Mr. Gummer: I shall finish my sentence.

The fact of the matter is that it is not acceptable that a Socialist or Liberal ratepayer should have to go to an officer who is a known, public, elected Tory Member of the next-door council. I do not believe that that is acceptable for Tories, and it is similarly unacceptable for Socialists.

Dr. Cunningham: The hypocrisy of the Minister knows no bounds. The hon. Member for Surrey, South-West (Mrs. Bottomley)—who is now a Minister in the Department of the Environment—as a Conservative Member of Parliament was appointed a member of the Medical Research Council. The hon. Member for Lewisham, East (Mr. Moynihan)—who is now the Minister for Sport—as a Tory Member of Parliament was appointed a member of the Sports Council. What is the Minister really saying? Does he not accept that that is twin tracking in the public sector?

Mr. Gummer: All I am asking the hon. Gentleman to accept is a rather lighter regime on local government officers than there is on civil servants. The fact that he will not accept that lowers him in the House's sight and in the sight of ordinary and decent people. The truth is that we thought that these provisions would be attacked by hon. Members, such as the hon. Member for Liverpool, Broadgreen (Mr. Fields). We knew that he would attack them, because he is the unacceptable face of the Socialist party. We did not expect hon. Members such as the hon. Member for Copeland to back this sort of job for the boys. We believed that there was still some honour left in the Labour party, but we have seen tonight that there is none. *[Interruption.]*

Mr. Speaker: Order.

Mr. Terry Fields: On a point of order, Mr. Chairman. Is it in order for the pipsqueak on the Government Front Bench to impugn my political credentials, which have nothing to do with this debate or this House, except when they concern my commitment to my constituents? The right hon. Gentleman is out of order.

Mr. Speaker: What the Minister said was not out of order. It was perfectly parliamentary.

Mr. Gummer: We had an interjection from the hon. Member for Broadgreen, when he told the House whatever he was mandated by his local Labour management committee to say. He suggested that it was all right that Mr. Hatton was paid by the neighbouring council of Knowsley. That was the burden of his remark. Evidently, it is all right that the London borough of Hackney—*[Interruption.]*

Mr. Fields: On a point of order, Mr. Speaker. In defence of Back Benchers, you are always fair and just. In this particular instance, I would ask you to look at *Hansard* tomorrow to see what I actually said. I never mentioned Derek Hatton or Knowsley council. I talked about the Arthur Daleys among Conservative Members.

Mr. Speaker: Provided what is said in this Chamber is in order, I cannot intervene. The hon. Gentleman will have a chance later on to put his point of view.

Mr. Gummer: I would imagine that the hon. Member for Broadgreen would want me to refer to that, because otherwise what he said was partial and one-sided. He referred to one side of the argument without mentioning the fact that what he was proposing was, in fact, the justification of Mr. Hatton, both in his capacity as the leader of the Liverpoool city council and as someone paid by the neighbouring Knowsley council. That is what the hon. Gentleman put forward—*[Interruption.]*

Mr. Speaker: Order.

Mr. Blunkett: Derek Hatton was never the leader of the Liverpool city council—in my view, thank goodness. As the right hon. Gentleman has suggested, it would be unthinkable for people to go to a Conservative councillor who served as a senior official in a council—like the assistant director of the housing department in Sheffield who serves as a Conservative councillor in north-west Derbyshire. Does the right hon. Gentleman feel, however, that it was inappropriate for people to go to him as a Minister when he served as chairman of the Conservative party?

Mr. Gummer: I do not think that there has ever been any doubt that I am a Conservative, either when I was chairman of the Conservative party or now as a Minister. I believe that it is just as inappropriate for a Conservative councillor to serve as a paid administrator in a neighbouring council as it is for a Socialist. I make no distinction between the two.

Mr. George Howarth *rose*——

Mr. Gummer: No, I shall not give way.

Dr. Cunningham *rose*——

Mr. Speaker: Order. We cannot have three hon. Members on their feet at the same time.

Mr. Gummer: My hon. Friend the Member for Ealing, Acton (Sir G. Young)——

Mr. George Howarth *rose*——

Mr. Gummer: No, I shall not give way.

My hon. Friend the Member for Acton outlined clearly the problems that arise in a borough when there is a change of party and, as a result, a large number of experienced and good officers feel that they have to leave. This is a serious matter and it is one that those of us who live in the London borough of Ealing take seriously.

Mr. Soley: Will the Minister give way?

Mr. Gummer: No, I shall not.

My hon. Friend expressed concern about home improvement grants being paid at a level based on the original estimate, and not on the actual cost of work.

Mr. George Howarth: On a point of order, Mr. Speaker. Is it in order for the Minister to attack my borough council of Knowsley and then not to give way —*[Interruption.]*—to the Member representing that council?

Mr. Speaker: It is in order.

Mr. Gummer: My hon. Friend the Member for Acton asked a specific question and I shall give a specific answer——

Mr. Soley *rose*——

Mr. Gummer: No, I shall not give way.

Mr. George Howarth *rose*——

Mr. Speaker: Order. I understand the hon. Gentleman's frustration, but if the Minister does not give way, he must resume his seat.

Mr. Gummer: An authority will be able to redetermine the amount of grant if the actual cost is lower than the estimated expense.

Mr. Soley *rose*——

Mr. Speaker: Order. I ask the House to settle down now. This debate has been conducted in good order and that must continue for the next few minutes.

Mr. Gummer: The grant will be payable only on the furnishing of an acceptable receipt——

Mr. Soley *rose*——

Mr. Speaker: Order. Front Bench spokesmen must give a lead.

Mr. Gummer: Grant will be payable only on the furnishment of an acceptable receipt conditional upon the work being completed to the satisfaction of the authority.

Mr. Soley: On a point of order, Mr. Speaker. I am sorry, Mr. Speaker, but the House always finds it extremely difficult when a junior Minister refuses to give way having made allegations about other hon. Members of the House. It is one thing for a Back-Bencher to get into difficulties with a Front-Bench spokesman, but another for a Minister to make allegations and then not give way. If he gives way, the House will make progress. Will the Minister give way?

Mr. Gummer: Mr. Speaker—*[Interruption.]*

Mr. Speaker: The House knows that the Chair has no authority to require a Minister, or a Back-Bencher for that matter, to give way. If the Minister is not prepared——

Mr. Soley *rose*——

Mr. Speaker: Order. I am on my feet. If the Minister does not give way, there is nothing that the Chair can do about it.

Mr. Soley: Further to that point of order, Mr. Speaker. One of the things that we have noticed in the House, particularly of Ministers from the Department of the Environment, is that it is usually a sign of incompetence when Ministers do not give way.

Mr. Gummer: I would have given way, Mr. Speaker, had the hon. Member for Hammersmith not used up a good deal of my time. Because of that, I have been unable to make my speech. He made a number of serious allegations about my right hon. Friend, and he has not given me a chance to answer those allegations, but I intend to do so. The hon. Gentleman has only himself to blame for having given a shocking speech to the House and for not giving me enough time to reply.

Mr. George Howarth *rose*——

Mr. Gummer: I shall give way to the hon. Gentleman in one moment.

My hon. Friend the Member for Acton asked about section 48 of the Local Government Act 1985 and I shall be meeting members of the London Grants Committee to see whether we can do something about that.

The hon. Member for Walsall, North (Mr. Winnick) asked about teachers. There is nothing in the Bill to cover teachers, and the White Paper made it clear that the Government's proposals, as carried in the Bill, do not cover teachers and lecturers. No doubt the Committee will discuss this matter, but—[HON. MEMBERS: "Ah."] It is no good saying, "Ah." It is impossible to have the Committee without discussing that matter. Therefore, all I am saying is that it is not in the Bill. The Government do not have any intention of putting it into the Bill, but no doubt it will be discussed in Committee.

I want to return to the remarks of the hon. Member for City of Durham (Mr. Steinberg). He said the Bill was dangerous and that there was a strong attack on Widdicombe.

Mr. George Howarth *rose*——

Mr. Gummer: I shall deal later with what the hon. Member for Knowsley, North (Mr. Howarth) said.

The hon. Member for City of Durham denied what the independent Widdicombe committee had suggested—that all local government officers who earned more than £13,500 a year ought to be excluded from political activities. The Government have not gone as far as that, but have said that they could be so excluded but ought to have a right of appeal. That is perfectly reasonable. It would be much happier for the hon. Member for Knowsley, North if on the occasion when the deputy leader of Liverpool city council was employed by

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Knowsley he felt that he could have gone to an independent body to see whether that was reasonable. I give way to the hon. Member for Knowsley, North, to see whether he agrees with that.

Mr. Howarth: I am grateful to the Minister for eventually giving way. Does he accept that the fact that Mr. Hatton's employment was eventually terminated by the borough of Knowsley rather militates against the provisions of the Bill?

Mr. Gummer: I am sure that it was up to the borough of Knowsley to do so, but I genuinely find it difficult to understand how one can defend the concept of, say, the assistant chief executive of Hackney being the former housing chairman of Lambeth council. How can one defend that, in a situation where somebody who did not happen to agree with the extremist policy that the executive held in Lambeth needs his advice in Hackney, whether or not as an opposition member in Hackney?

Mr. Soley *rose*——

Mr. Gummer: No. I am not going to allow the hon. Gentleman to intervene. The hon. Gentleman has helped me so far by giving me as little time to speak as possible.

That means that anybody who lives in Hackney who does not happen to agree with the extremist policy of his assistant chief executive can have little confidence that he will get proper independent advice. Even if he did get that, would he be comfortable in asking for it? That is a serious matter.

Mr. Matthew Taylor *rose*——

Mr. Gummer: I thank my hon. Friend the Member for Taunton (Mr. Nicholson) for his congratulations and his kindness. When I went to Taunton Deane, even the opposition members of the local council were at least interested enough to listen, to talk and to discuss, which is more than the guilty consciences of the Opposition are willing to do this evening—*[Interruption.]* We shall be considering carefully the two points that the hon. Member raised. I hope to give him a better reply in other circumstances.

My hon. Friend the Member for Exeter (Mr. Hannam) asked about improvement grants for the disabled. We recently issued a consultation paper on the proposed means test, including its application to the disabled. We believe that, if the occupants have the resources to pay for or contribute to the work, it is right for them to do so, but we shall of course consider carefully the responses that we receive to the consultation paper before these matters are discussed in Committee.

Mr. Battle *rose*——

Mr. Gummer: I am not giving way to the hon. Gentleman.

The most remarkable part of the debate was the speech by the hon. Member for Copeland, who suggested that the Government have changed their mind and their response to Widdicombe, which was somehow disgraceful. But we went out to consultation, and as a result of that we decided that Widdicombe was right and that the Government and their White Paper were not so right.

Dr. Cunningham *rose*——

Mr. Gummer: No, I am not giving way to the hon. Gentleman. We discovered——

Mr. Speaker: Order. The Minister is not giving way.

Mr. Gummer: We discovered that the business of twin tracking was very much wider——

Dr. Cunningham *rose*——

Mr. Gummer: —and on a much greater scale than we had expected. When the hon. Gentleman was bowled—*[Interruption.]*

Mr. Speaker: Order.

Dr. Cunningham: That is outrageous.

Mr. Speaker: Order.

Mr. Gummer: When the Member for Copeland was bowled middle stump by my hon. Friend the Member for Langbaurgh (Mr. Holt) about Middlesbrough, he could not answer the fact, and thereafter did not give way lest he was beaten again. The hon. Gentleman was afraid to give way.

Dr. Cunningham: Will the Minister give way?

Mr. Speaker: Order. The hon. Member for Copeland must resume his seat.

Mr. Gummer: He then went on to try to suggest that we intended to subsidise the community charge from the housing revenue account—a fictitious, wrong and unacceptable statement. The hon. Gentleman does not know the facts and that is why he is making a noise now. He knows that he lost, in an appalling opening speech.

Mr. Cryer: On a point of order, Mr. Speaker——

Question put, That the Bill be read a Second time:—*The House divided:* Ayes 279, Noes 203.

Division No. 92] **[9.59 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Allison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Begga, Roy
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*

Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Dykes, Hugh
Egger, Tim
Fairbairn, Sir Nicholas
Fallon, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Janman, Tim
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Lightbown and
Mr. Sydney Chapman.

NOES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blair, Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis

Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Wardell, Gareth *(Gower)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Robert N. Wareing and
Mr. Frank Cook.

Question accordingly agreed to.

Local Government and Housing Bill

[Money]

Queen's Recommendation having been signified——
Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Local Government and Housing Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any sums required for the payment by the Secretary of State of grants, subsidies or contributions under the Act;

(b) any sums required by the Secretary of State for fulfilling any guarantees under the Act;

(c) any other expenses of the Secretary of State under the Act; and

(d) any increase attributable to the Act in the sums so payable under any other enactment; and

(2) the payment of any sums received by the Secretary of State under the Act into the Consolidated Fund.

10.13 pm

Mr. Terry Fields (Liverpool, Broadgreen): Having spent all day observing the ineptitude of the Secretary of State for the Environment and the Minister for Local Government, the House is now asked to approve the money needed to finance the disgraceful legislation that it has just debated.

We do not view the Bill in isolation, but see it as part of a general attack on the working class and on the working people of our society. We see it also as an attack on the working wage, and on what the Prime Minister defines as Socialism—local authority housing, local authority education, the National Health Service, and the social services. The Prime Minister regards them all as elements of Socialism that must be attacked—and the ministerial lapdogs are prepared to go through the Lobbies and vote for legislation that serves that purpose. We shall oppose this legislation and certainly not agree to finance what the Government intend to do under it.

Although we may refer to the ineptitude of the Government, let us not deceive ourselves into thinking that the Secretary of State is a bumbling idiot. He is far from being that. He is astute, certainly on behalf of those whom he represents.

We recall the Ridley plan which was arranged in detail prior to the miners' strike. Every facet was examined and every possibility was taken into account, including precise details of coal stocks. That all resulted in mines being closed and privatised. This legislation and the money we are being asked to approve are part of the Government's salami tactics to undermine local democracy and attack the living standards of the British people.

We spoke earlier of the way in which 70,000 civil servants will be disfranchised—the Minister did not like me using that word—and not permitted to participate in our democratic processes, simply because of the arbitrary figure of £13,500 being written into the measure. When we questioned why the same provision was not being applied to other areas of society, including this House, the Secretary of State said that Members of Parliament were above reproach and criticism. Yet, as we know, Conservative Members receive vast sums for their directorships and consultancies. Contrast that with local officers earning £13,500 a year. Where is the equality in society?

Whatever Conservative Members say about politics on the rates and so on, there is no even-handedness by the Government. Their agents have been acting as officers of local authorities, including Labour-controlled ones,

putting a brake on the democratic processes by interfering with the ability of councils to carry out their mandates and manifestos. Those people will remain free to continue to impede the democratic processes.

We are being asked to approve money for the introduction of ring fencing. That is bound to increase rents for low-paid members of the community. There are great problems in places like Liverpool in paying housing benefit to the needy. Clearly, the poor will be paying to help the very poor in society. Presumably that is what the Government mean by shifting the burden.

Do the Government seriously expect somebody like me, coming from Liverpool, and particularly the Broadgreen part of it—Liverpool still has 23,000 people on the housing waiting list and no chance of accommodating them—to agree to this money measure?

Dame Elaine Kellett-Bowman (Lancaster): Considering the council that has been in power in Liverpool for some years, it is not surprising that the city is in a devastated state.

Mr. Fields: The hon. Lady's ignorance is displayed by her attitude.

Dame Elaine Kellett-Bowman: The hon. Lady worked there.

Mr. Fields: As in other aspects of her life, she is taking jobs from good Liverpool people.

Overcrowding, homelessness and strains on families are all matters which our Christian Minister for Local Government should be heeding. Indeed, the nature of his speech on Second Reading revealed the scandalous nature of the legislation.

Repairs to council house estates will be further delayed because of the poll tax. I have spoken to the Liverpool city treasurer about the implications of this legislation. Rather than placing a burden on ordinary working people, we have been using a process of capitalisation to reduce expenditure. Under the legislation the housing revenue account will be underfunded to the tune of £30 million, compounding the problem caused by the Government's cutbacks in rate support grant over the years. We used to assist council tenants through subsidised rents.

The Government and the hon. Member for Lancaster (Dame Elaine Kellett-Bowman) may criticise Liverpool city council, but we have a programme of urban regeneration under way. Despite what the Government and the district auditors have done—despite the removal of 47 councillors from office—we have built the best part of 5,000 council houses, with gardens back and front. We have built nurseries for our families and sports centres for our deprived youth. Yet tonight we are expected to vote for the money to allow the Government to attack inner-city councils such as ours, with disastrous consequences.

Today we are free to go out and put forward to the electorate a manifesto including a programme of house building, but when the Bill becomes law the Secretary of State will have the so-called discretion to intervene. It is all part of the Government's pathological hatred of Labour-controlled authorities. They are trying to undermine authorities such as Liverpool where the Tory party is only a rump, but the workers will understand that the Tory legislation for which we are being asked to provide money is responsible for cuts meaning that fewer people will be able to get council houses and that repairs will not be carried out. As with the poll tax, it will mean even less support for the Government.

Instead of saying yes to the money, we shall be out campaigning all over the country. The Government have their heads in the sand. Already anti-poll tax unions are being set up to provoke resistance to their plans. Trade unions and other workers will campaign in a similar way against the selling off of council properties, housing action trusts, water privatisation and higher water rates.

Sir Michael McNair-Wilson (Newbury): Will the hon. Gentleman give way?

Mr. Fields: I have not time to allow any interventions. We got no change out of the hon. Gentleman earlier, and now he will get no change out of me.

We appeal to private as well as local authority tenants. We can go further. We have something going for us: the Labour party is in the process of a policy review. Those who, like myself, see the inadequacies of Government funding will demand that our party starts to consider what we shall do when we come to power. We shall demand a massive house building programme to serve those in need rather than the greed and avarice of those represented on the Conservative Benches.

We shall follow the example of Liverpool. Instead of cod schemes and phoney rates of pay, we shall want to give people decent jobs on trade union rates and to reduce the unemployment registers. We are proud of our record in Liverpool. Conservative Members may sneer, but we have built houses, put people to work and set up nurseries. This legislation will do nothing to help the workers.

We shall not say yes to this money, but we shall talk about money as part of our policy review. There will be agitation in the Labour party in favour of taking over the banks, insurance companies and finance houses at their expense. *[Laughter.]* Tory Members may laugh, but it is a laugh of embarrassment. They know that when Socialism takes off in this country their days will be numbered, as will those of the people whom they represent.

In saying no to the legislation and the money, we warn the Government, who have turned the screw on the workers and continue to do so, to watch out. The workers are getting up from their knees, and when they have done so the Government's days will be numbered.

10.24 pm

Mr. Nicholas Bennett (Pembroke): The voice of the hon. Member for Liverpool, Broadgreen (Mr. Fields) is a minority in the House, but his views have much support in the Labour party nationally. That is why the activists in the Labour party throughout the country who talk in the rhetoric of the class war of the 1930s have managed to make the Labour party unelectable. When Socialism was in action in Liverpool, the Labour-controlled council was sending redundancy notices by taxi cab to the work force of the Liverpool city council.

We also know that the city council ranks No. 1 in the country for the number of council properties standing empty. One house in 10 owned by the city council stands empty and uninhabitable because of a Left-wing, Hattonist, Trotskyite, Militant council, of which the hon. Member for Broadgreen is a representative, which votes for the destruction of Liverpool.

Dame Elaine Kellett-Bowman: I had the humiliating experience of taking a delegation from the European Parliament regional affairs committee round some of that property in Liverpool when the Labour Government were in office. An Italian Socialist asked me, "What has lived in these houses—pigs?"

Mr. Bennett: My hon. Friend is absolutely right. Liverpool city council has made it its policy to make sure that its tenants live in serfdom, and to drive away from Liverpool any chance of industry and enterprise because of its absolute adherence to the trade unions and the far Left.

Liverpool city council has destroyed the core of Liverpool. It has destroyed jobs and housing and brought that noble city to the edge of bankruptcy. The hon. Member for Broadgreen lectures the House on how to run the country, but his views carry weight in the Labour party and we must pay attention to them because at the next general election the activists in the Labour party will be spouting such nonsense and the public will reject them for the fourth time.

Mr. Robert N. Wareing (Liverpool, West Derby): I am interested in what the hon. Gentleman is saying. He is quite right that a considerable number of houses in Liverpool are in need of maintenance and repair. That is perfectly true, but is he aware that between 1973 and 1983 Liverpool city council was controlled not by the Labour party but by the Liberal party, with the assistance of the Tory party, or what was left of it in Liverpool? Instead of investing in houses that people could afford to rent, they decided to build houses for sale. They failed to use the rising rate support grant that was provided for the city of Liverpool throughout the 1974-79 Labour Government.

Mr. Bennett: Whatever the Liberal-controlled Liverpool city council did during those years, it did not take illegal actions. It did not have a deputy leader with his own army that went around intimidating other political parties as the Trotskyite Militant Liverpool city council did. I should have thought that the hon. Member for Liverpool, West Derby (Mr. Wareing) would not attack the Liberals, because only yesterday, the hon. Member for Copeland (Dr. Cunningham) announced that the Labour party was willing to have pacts with the Liberals in the council elections.

Mr. Clive Soley (Hammersmith): In the interests of accuracy, because the hon. Member for Pembroke (Mr. Bennett) has mentioned it twice, my hon. Friend the Member for Copeland (Dr. Cunningham) made it clear that that was not correct and the Press Association issued an apology.

Mr. Terry Fields: The hon. Gentleman should apologise as well.

Mr. Bennett: I apologise to the hon. Gentleman if I am wrong as my remarks were based on what the Press Association said. It would not surprise us if there were pacts with the Liberal party because for the past four years county councils that have been run in alliance with the Liberal party have imposed massive rate rises and increases in staff. We know that between 1977 and 1979 the Labour and Liberal parties ran an alliance in the House——

Mr. Andrew Rowe (Mid-Kent): My constituency suffers from just such a council. Were it not raiding every conceivable reserve, the projected rate rise for next year would be 49 per cent.

Mr. Bennett: I am grateful to my hon. Friend for providing us with yet another example of Liberal good housekeeping—suspending everything just before an election campaign is due.

I want to make two relatively non-controversial points about the Bill. I welcome the DOE's moves on low-cost rural housing, which are of particular interest in my constituency, in which there are considerable housing problems among the low paid. Secondly, I welcome the fact that improvement grants will in future be linked to income. One of the problems facing local authorities is that they often run out of such grants early in the year and cannot supply cash to people who have applied for it—regardless of whether they can afford to renovate their properties. Cash-linking improvement grants to people's incomes will enable us to target the money on the lower paid, who, as we know from survey after survey, tend to live in the worst sort of housing.

I believe that local government is vital to this country. I served for eight years on a London borough council—three of them as leader of the opposition—and for three years as a member of ILEA. Central Government cannot do everything; it relies on local government to provide local services and to be aware of local needs. But local government needs to remember that it was created by statute, and it is not co-equal with central Government. The problem with the GLC, South Yorkshire and some other local authorities around the country was that they thought they were co-equal and could challenge the Government on major matters of economic policy while running little Soviet states in the United Kingdom. Local government has a job to do and must remember to work in partnership with central Government; it must not pretend that it is central Government and try to take over their role.

I particularly welcome the campaign to end twin tracking which has been launched as a result of the Bill. It is scandalous that serving officers of one authority are often appointed by that authority—because they are Labour councillors—to sinecures, while serving as councillors in other authorities. They give advice to councillors in their capacity as officers in one authority, and then go out the same evening to their own authorities to take part in political decisions. No one can have any confidence in officers who are party political councillors in other boroughs——

Mr. Bob Cryer (Bradford, South): Will the hon. Gentleman give way?

Mr Bennett: The hon. Gentleman was not here for the Second Reading. He always turns up late at night to conduct his guerrilla campaign. Perhaps if he took more part in the day-to-day affairs of the House, and served on a few Standing Committees he might win a little more respect from the rest of us.

Examples of the sort of abuses I have described are legion. The leader of Brent council, Mr. Dorman Long, is employed by Lambeth council as a race relations officer. The chair of the travellers committee, Councillor Moleney, is employed as a travellers warden by next-door Ealing council. Councillor Esmie Sargeant, who works for Ealing's women's unit, chairs the housing committee in Brent——

Mr. Ian Gow (Eastbourne): What is the function of the travellers committee?

Mr. Bennett: It is something to do with gipsies. Quite why they need a committee and chair—whatever that is—to look after them I do not know. It is certainly strange that the chairman of a committee to do with travellers can be warden of another similar committee in a neighbouring borough.

The chairman of the housing committee in Brent is a legal officer in Southwark. The erstwhile leader of Bradford city council, now leader of the opposition there, is employed as an anti-privatisation adviser by next-door Wakefield district council. The leader of Barnsley council worked for Sheffield council and the leader of Sheffield council worked for Barnsley. I give way to the hon. Member for Bradford, South (Mr. Cryer).

Mr. Cryer: I am most grateful. The hon. Gentleman will of course know that I chaired a Select Committee today, and I do not think anybody in this House will deny that I play as full a part as any other Member, so his cheap, snide remarks are wasted.

Can I ask him if he thinks that, when people go to Sir Jeffrey Sterling for advice, they feel they are getting impartial advice, when he is an adviser to the Secretary of State for Trade and Industry and gets involved in transport issues? Is he also aware that the leader of the Tory-controlled Bradford council is or was actually employed by Conservative party central office? Does he think that people got impartial advice from the leader of the Tory opposition?

Mr. Bennett: The hon. Member for Bradford, South is not able to distinguish between people who are employed at taxpayers' expense on one authority while being councillors on another, and people who are employed as advisers to the Conservative party, usually at no cost, and who have no public position. Sir Jeffrey Sterling has no public position, and what he does with his spare time is surely his business.

The hon. Member for Bradford, South can talk about moonlighting; he is also a Member of the European Parliament, with two incomes. When he addressed us the other night he was saying how no Minister should be paid more than an ordinary Member of Parliament. When he was a Minister he got paid as a Minister. He is adopting different policies, twin tracking on principles, when he is in opposition. We take no lectures from the hon. Member when it comes to two incomes and doing two different jobs.

There are other examples of abuse. In Camden council, for instance, the director of social services, Patrick Kodikara, is also a member of Hackney social services committee. In Camden at one time 48 per cent. of the Labour councillors were working for other authorities. So we see the corruption that goes on.

Mr. Harry Barnes (Derbyshire, North-East): Will the hon. Gentleman give way?

Mr. Bennett: No, I am not giving way. The hon. Member was also not here for the Second Reading. If Labour Members are really interested in local government they can turn up at 4 o'clock and sit through the debate, instead of arriving at half past 10. I am not giving way.

The fact is that we are seeing corruption in local government; we are seeing the Labour party appointing its own councillors to well-paid jobs.

Mr. Paul Boateng (Brent, South): On a point of order, Mr. Deputy Speaker, the hon. Member has given a whole list of persons appointed by one authority while being councillors in another, and he went on to refer to the word "corruption". I think he ought to make it clear whether he is referring to them.

Mr. Deputy Speaker (Sir Paul Dean): That is a matter of argument, not a point of order for the Chair.

Mr. Bennett: I think that it is corrupt when the London borough of Hackney has on its shortlist two Lambeth Labour councillors for the job of deputy chief executive, neither of whom appears to have much in the way of academic qualifications for the particular job, and one of them gets the job. It seems to me that we have to end this twin tracking to ensure that councillors are elected as party politicians and do their job, but are not able at the same time to go to another Labour-controlled authority to get their mates to give them a well-paid job.

Mr. Patrick McLoughlin (Derbyshire, West): Is my hon. Friend aware that sometimes this does not quite work out, and that occasionally county councils appoint somebody at a very senior level who has formerly been a Labour Member of Parliament, and this great love relationship actually has a very short life span, as happened in Derbyshire, when the county council appointed a Mr. Reg Race, and somehow within nine months he had gone. They sacked him or he resigned or something like that.

The Minister for Local Government (Mr. John Selwyn Gummer): How much did they pay him?

Mr. McLoughlin: The Minister asks how much he was paid. I have no idea. It is an official secret in Derbyshire. These love affairs do not always last the course. Derbyshire was one. The Government are really trying in the Bill to protect the Labour party from its own follies.

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Deputy Speaker. This is very interesting, but surely it would be more appropriate for a Second Reading debate. We are supposed to be debating the money resolution. The hon. Member for Pembroke (Mr. Bennett) is dealing with matters that go much wider than the money resolution.

Mr. Deputy Speaker: The debate on a money resolution is fairly wide, but I should like to hear a little more about money in this debate.

Mr. Bennett: My hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) has just been talking about the money that the ratepayers of Derbyshire had to pay out to this person, Reg Race. The public are not being told how much Derbyshire county council paid out for his very short sojourn as a council official. My hon. Friend has made it clear why his majority shot up at the last general election and why Derbyshire will become a Conservative county council in May of this year.

The money that is to be spent as a result of the Bill will be well spent on preventing local authorities from having one-sided, totally unbalanced committees. I welcome clause 13, which refers to the need for local authority committees to have a proper party political composition. When I was the leader of the opposition on the London borough of Lewisham we were excluded from the council's policy committee. That committee fixes the local authority rate each year. As elected councillors, 23 of us were not allowed to take part in the rate-fixing discussions. We

[Mr. Bennett]

knew what our local authority rate was only when we saw it in a press release. That is not the way to treat opposition members of local authorities. I am glad, therefore, that clause 13 tackles that point.

We must ensure that councillors who run up massive rate and rent arrears are debarred from office. It is a scandal that the chairman of the Lambeth housing committee owes her authority £2,000 in rent and rates. Before any Opposition Member says that she may be hard up, I should point out that she collected £28,000 in council attendance allowances last year. Even so, she does not pay her rent and rates to her local authority. What can we say to the people of Lambeth when their elected councillors do not pay their rent and rates?

Mr. Tony Banks: On a point of order, Mr. Deputy Speaker. I return to the point that I made earlier. What does this have to do with the money resolution?

Mr. Deputy Speaker: I hope that the hon. Gentleman will leave these matters to the Chair.

Mr. Bennett: Thank you, Mr. Deputy Speaker. You distinctly heard me say money.

Mr. Banks: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. This is a very short debate. The hon. Gentleman is getting very close to disputing the judgment of the Chair.

Mr. Banks: On a point of order, Mr. Deputy Speaker. I am not challenging your ruling in any way whatsoever. I am asking you whether it is in order for an hon. Member to make personal attacks on the financial position of a member of a local authority in the way that the hon. Member for Pembroke (Mr. Bennett) has just done. I think that it is out of order in this House.

Mr. Deputy Speaker: The hon. Member for Pembroke (Mr. Bennett) has said nothing so far that is out of order, but I know that he will recognise that other hon. Members wish to speak in this short debate.

Mr. Bennett: I have attempted to speak as quickly as I can because I want to be generous to the Opposition.

On the Order Paper today there is a motion standing in my name and the names of five of my hon. Friends concerning Coventry city council. It relates to two of my constituents in Pembrokeshire who owned a shop in Coventry. They were forced by Coventry city council, which is Labour controlled, to surrender their lease to the city council for £20,000, despite the fact that they had been offered £37,000 by a company to take over their shop. A few months later, Coventry city council, having forced my constituents to sell their lease for £20,000, sold the same lease to the same company for £51,000, having swindled my constituents out of £17,000.

Coventry city council has been found guilty twice by the ombudsman of maladministration. On both occasions it has ignored his reports. When I intervened during the speech of my right hon. Friend the Secretary of State, he said that publicity would deal with that. I regret that publicity does not get at the hard-nosed, Left-wing Labour councillors on the council who are defying the ombudsman. I urge the Minister to make sure that the Bill contains powers to force local government officers and councils found guilty of maladministration to pay the constituents they have injured.

10.45 pm

Mr. Bernie Grant (Tottenham): I should like to say why we should not be voting money to allow the Government to proceed to obliterate local government. In giving the reasons, I want to concentrate on this Bill's implications for racial equality. This aspect has not been mentioned in the House, and I should like some time to raise several points.

Before doing so may I comment on something that the hon. Member for Pembroke (Mr. Bennett) said? He talked about twin tracking, about people getting jobs with one council and being members of another. Perhaps one good reason that a local authority has for employing councillors is that they are the best people for the job. *[Laughter.]* I willingly agree that it is an old-fashioned reason for appointing people, but it is a fact that people get jobs because they are the best-qualified.

In this case, one of the reasons for their being the best-qualified is precisely that they have experience in a particular section of local government that may not have been discussed or worked on before. I refer, of course, to areas such as race discrimination, sex discrimination, disability and so on, where new policies have to be made to ensure that disadvantaged people in those local authority areas get a fair return for the rates that they pay.

Hon. Members opposite talk about the golden days of local government. In those golden days, no concern was ever shown for black people, or for women, or for people with disabilities, or for any other disadvantaged group. One of the reasons those councillors get jobs in local government is that they have experience in precisely those areas, and these are the areas that are very important for large numbers of people.

Mr. Cryer: Does my hon. Friend accept that the attitude displayed in the Bill is not supported by the Prime Minister's political activities? Since 1981 the Prime Minister, in her office alone, has spent over £1·3 million of taxpayers' money to pay the salaries of political advisers. What is good enough for the taxpayer, she says, is not good enough for the ratepayer. She is spending far and away more than any local authority ever contemplates spending.

Mr. Grant: Of course I agree with my hon. Friend.

I should like to deal with some issues of race, and I hope that the Minister will listen, because these issues have not been mentioned before. There are four particular clauses on which I want to touch—clause 1, which deals with political restrictions on officers and staff; clause 11, which deals with the voting rights of members of some committees; clause 25, which concerns the promotion of economic development; and clause 28, which amends the existing power to incur discretionary expenditure.

On clause 1, I think everyone should be heartened by the increase in the numbers of black and ethnic minority councillors over the last decade and by the beneficial effect that this has had by improving race relations. It is a fact, however, that the black and ethnic minority communities are still seriously under-represented in local government, and this clause will have a deterrent effect on black and ethnic minority participation in party political activity and on any public activity that could be construed as political.

I am further concerned by the disproportionate effect that this clause will have on black and ethnic minority officers who are already councillors on another authority. Given that local authorities are more likely to operate equal opportunities policies in employment, the number of black and ethnic minority councillors in local government employ is not surprising.

By pushing through the Bill, the Government will punish local government officers for getting jobs under equal opportunity policies on the one hand, and on the other they will punish local authorities which have brought in equal opportunities policies by forcing the black officers whom they have taken on to give up as councillors or to leave their jobs. In such a situation, why should we pay any money to the Government to carry on like that?

The catch-all nature of the definition of persons regarded as holding politically restricted posts causes further difficulties by setting a threshold for remuneration at £13,500 per annum. In effect, the Government are setting a cut-off point in salary equivalent to the grade of principal officer. Because of London weighting allowance, people in London who are not principal officers may be caught in the trap. I refer to dustmen or school caretakers, or people who work for direct labour organisations as carpenters. All those people could suddenly find themselves unable to run for council because they are earning more than £13,500 per annum. As a result of equal opportunities policies, a substantial number of balck and ethnic minority people are in those grades and they will be punished by the Government for getting those positions. In those circumstances, why should we give the Government money to carry out these policies?

It is uncertain whether the regulations to be made by the Secretary of State to restrict the political activity of local government officers will relate to party political activity or to public political activity. If it is public political activity, it will deprive bodies such as community relations councils of the voluntary services of local government officers, because community relations activity could be deemed to be public political activity. Indeed, in some areas Conservative councils deem that if a person is working in a voluntary capacity for a community relations council that person is somehow a demon or a political henchman who is there to upset the position of the council.

The impact of these clauses on the promotion of equality of opportunity and good race relations will be twofold. First, they could lead to local authorities being denied the opportunity to make the best appointments designed to help them fulfil their duties under section 71 of the Race Relations Act 1976. Secondly, they will deprive staff in the politically restricted group of the opportunity to influence local change, designed to improve relations between persons of different racial groups.

I understand that clause 1 may be against article 10(1) of the European convention on human rights, which says basically that no public authority should deny citizens their right to partake in political activity. If that is the case—our brief legal opinion is that it could be—we shall take all the necessary steps to protect the rights of ordinary people.

Mr. Keith Vaz (Leicester, East): Will my hon. Friend consider the example of my sister, whom he knows, who is deputy leader of the London borough of Ealing and has recently taken up an appointment as a solicitor for the London borough of Hammersmith and Fulham? If the Bill becomes law, she will have to choose. Many of the officers mentioned by the hon. Member for Pembroke (Mr. Bennett) and others are in public service as councillors. Does my hon. Friend agree that those people will have to make an unfair choice?

Mr. Grant: I agree absolutely with my hon. Friend. His mention of his sister is particularly apposite as her position encompasses all the problems.

Mr. Terry Fields: My hon. Friend has made a valuable point about the breach of the rulings of the European Court of Human Rights. However, given their past record, what confidence can we have in the Government's attitude towards EEC legislation and especially rulings of the European Court of Human Rights? If we are appointed to the Standing Committee, how can we ensure that the legislation has sufficient safeguards for us to be able to raise matters in the European Court of Human Rights and receive proper results in the interests of our constituents?

Mr. Deputy Speaker: Order. We appear to be straying from the money resolution. Would the hon. Gentleman relate his remarks to the money resolution?

Mr. Grant: I agree with my hon. Friend. I was in Europe myself, and I must say that people there are taking a dimmer view of the Government as time goes by.

On the question of voting rights of members of committees, in their response to the report of the Widdicombe committee of inquiry, the Government acknowledged the value of the contribution made by co-opted members to policy formulation. In paragraph 2·0 Cmnd. 433, the committee said of co-option:

> "It is a means of involving the community in local authority proceedings, especially those sections of the community (eg women, ethnic minorities, council tenants) that are under-represented among elected members."

The Commission for Racial Equality has recommended the use of co-options by local authorities as a means of discharging its functions under section 71 of the Race Relations Act 1976, for the simple reason that it brings in outside expertise and experience which is not available—given the under-representation of black and ethnic minority communities among elected members—and as a means of providing access to the decision-making process. To remove the voting rights of co-optees would render the under-represented groups powerless in challenging ineffective and ill-informed policies. That is yet another reason why we should vote for this money resolution.

Clause 25 raises the question of economic development. The legislation aimed at giving local authorities a new specific power to promote economic development is welcomed. I am disappointed that black and ethnic minority business enterprises have not been given a high priority and that the consultative procedures introduced do not include any mention of the need to involve black and ethnic minority communities. That exclusion is surprising in the light of the Government's so-called commitment to inner-city enterprise, as exemplified by the Home Office-administered racial disadvantage fund, which is geared towards assisting black businesses.

I should like to mention the power to incur discretionary expenditure. The inner-city areas will clearly be the hardest hit by the proposed amendment on the basis for calculating the ceiling on section 137 expenditure. Black organisations in these inner-city areas will be especially affected because the majority of them are revenue projects.

[Mr. Grant]

It being three-quarters of an hour after the commencement of proceedings on the motion, Mr. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 14 (Exempted Business).*

The House divided: Ayes 183, Noes 59.

Division No. 93] **[10.58 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Fairbairn, Sir Nicholas
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Gale, Roger
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Haselhurst, Alan
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hind, Kenneth
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Meyer, Sir Anthony
Mitchell, Andrew *(Gedling)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Page, Richard
Paice, James
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Raffan, Keith
Rathbone, Tim
Redwood, John
Riddick, Graham
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Stephen Dorrell and
Mr. Michael Fallon.

NOES

Alton, David
Battle, John
Bradley, Keith
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clelland, David
Cunliffe, Lawrence
Darling, Alistair
Dunnachie, Jimmy
Evans, John *(St Helens N)*
Ewing, Mrs Margaret *(Moray)*
Fields, Terry *(L'pool B G'n)*
Galbraith, Sam
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Hinchliffe, David
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Kirkwood, Archy
Lewis, Terry
Livsey, Richard
Lloyd, Tony *(Stretford)*
McAllion, John
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McLeish, Henry
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Meale, Alan
Michael, Alun
Morgan, Rhodri
Mullin, Chris
Nellist, Dave
Parry, Robert
Pike, Peter L.
Prescott, John
Redmond, Martin
Reid, Dr John
Ruddock, Joan
Skinner, Dennis
Spearing, Nigel
Steel, Rt Hon David
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Vaz, Keith
Wallace, James
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Wilson, Brian
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Bob Cryer and
Mr. Harry Barnes.

Question accordingly agreed to.

Resolved,

That, for the purposes of any Act resulting from the Local Government and Housing Bill, it is expedient to authorise--

(1) the payment out of money provided by Parliament of—
  (a) any sums required for the payment by the Secretary of State of grants, subsidies or contributions under the Act;
  (b) any sums required by the Secretary of State for fulfilling any guarantees under the Act;
  (c) any other expenses of the Secretary of State under the Act; and
  (d) any increase attributable to the Act in the sums so payable under any other enactment; and

(2) the payment of any sums received by the Secretary of State under the Act into the Consolidated Fund.

Farm and Conservation Grant

11.9 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Richard Ryder): I beg to move,

That the draft Farm and Conservation Grant Regulations 1989, which were laid before this House on 2nd February, be approved.

With permission, Mr. Speaker, and since they form a single package, I hope it will be convenient to discuss at the same time the Second motion:

That the Farm and Conservation Grant Scheme 1989 (S.I., 1989, No. 128), a copy of which was laid before this House on 2nd February, be approved.

Mr. Speaker: I take it that that is agreeable to the House.

Mr. Ryder: It is only about a month since some of us, including the hon. Member for East Lothian (Mr. Home Robertson) debated in Standing Committee the statutory instruments which closed our previous farm capital grant scheme, the agriculture improvement scheme, to new applicants.

At that time I explained that the new grant scheme, which had been announced by my right hon. Friend the Minister of Agriculture, Fisheries and Food in November, was still subject to discussion in Brussels. I am glad to report that those consultations were successfully completed at the end of last month, thus enabling us to lay the new measures before Parliament for approval. I am also happy to confirm that we have been able to finalise our proposals in very much the form that my right hon. Friend the Minister was able to outline to the House last November.

The proposals are divided into two parts. Under the regulations, farmers will be able to submit investment plans covering all the items set out in the schedule. Under the scheme, they will be able to claim grant on a rather more restricted range of items but without the need to secure prior approval for their investments.

Mr. Bowen Wells (Hertford and Stortford): I am deeply grateful to my hon. Friend for giving way before he has reached the substance of his speech. Is the House entitled to alter in any way the measures being put before it tonight? If so, would it not have been better for him to bring the regulations to the notice of the House before the negotiations were completed in Brussels, so that the House could express an opinion before they were agreed in the Council of Ministers?

Mr. Ryder: The preliminary negotiations in Brussels have been completed. The final details have yet to be worked out. If any of my hon. Friends wish to raise any matters of substance this evening, I shall consider them later.

Mr. Teddy Taylor (Southend, East): Will my hon. Friend give way?

Mr. Ryder: No, I want to get on, please.

Mr. Taylor *rose*——

Madame Deputy Speaker (Miss Betty Boothroyd): Order. The Minister wants to make progress.

Mr. Ryder: Except in the case of some horticultural investments, the rates of grant available will be the same under both parts of the scheme.

The highest rates of grant will be for the installation and improvement of equipment designed to prevent pollution caused by farm operations. That will attract grant at 50 per cent. In the uplands, or less favoured areas as they have been designated, conservation work will also get grant of 50 per cent. of the total cost.

Mr. Ron Davies (Caerphilly): Are the details of the scheme that the Minister is giving us subject to further amendment if his right hon. Friend concludes in his discussions with the EC that the existing details are unsatisfactory? Are those amendable figures or do they represent the scheme as it will be?

Mr. Ryder: They represent the scheme as it will be.

Mr. Teddy Taylor *rose*——

Mr. Ryder: I shall give way to my hon. Friend in due course.

Outside the less favoured areas, the rate will be 40 per cent. The items qualifying for grant will include hedges, traditional stone walls, shelter belts, trees for shading stock, stiles and footbridges and heather and bracken control. All those qualify for grant under the agriculture improvement scheme. To them we shall be adding grants for fencing out stock from heather moors and native woodlands to encourage natural regeneration and grants for repairs to traditional buildings.

In addition, we shall be continuing grants for grassland regeneration and reseeding, with associated fencing and liming and fertiliser. Drainage grants, however, will be confined to the replacement of existing systems. All these items will attract grant at 25 per cent. in the hills and 15 per cent. in the lowlands, and will be available only under an investment plan.

We shall be continuing to offer special assistance to the horticultural sector, with grants of 40 per cent. for replacement of heated glasshouses and 35 per cent. for heating systems, and the reinstatement of grants for orchard replanting again at 35 per cent. Slightly lower rates of grant will apply to work done outside an investment plan.

Perhaps I can now explain the objectives behind our new arrangements, and the considerations which have given rise to them. They follow from an internal review which my right hon. Friend set up last year together with the Secretaries of State for Wales, for Northern Ireland and for Scotland, and the Secretary of State for the Environment, as well as the Chief Secretary to the Treasury. That review was designed to examine how far we needed to adapt capital grants to take account of the very significant changes in agricultural policy which we have seen since 1985 both in the United Kingdom and in the European Economic Community.

In the Community we have taken some important steps towards controlling surpluses and the excessive expenditure they entailed. In the United Kingdom, the ALURE package of initiatives has opened up new opportunities for many farmers and underlined our concern to do more to enhance the farming environment. In particular, we wanted a capital grants scheme which would complement these new policies, target expenditure more effectively,

[Mr. Ryder]

provide value for money and not discriminate against United Kingdom farmers. I believe that we have achieved this in the instrument before the House.

I am sure that the House will agree that in present circumstances it does not make very good sense for us to focus capital grants expenditure on the expansion of existing production capacity. Capital grants have played a very important part over the years in helping United Kingdom agriculture to achieve its current level of efficiency. But even the industry's own reaction to the agricultural improvement scheme suggests that farmers are now looking to different kinds of investment. Helped by the structure of grant rates under the AIS, there has been a very marked shift from spending on buildings, drainage and other production facilities towards conservation and pollution control work. Under the new scheme, we intend to promote that reorientation still further.

Concern to protect and enhance the beauty and wildlife variety of our countryside is growing all the time. Increasingly, too, the public look to the farmer as the guardian of the countryside. They recognise that the way he farms will materially affect the character of the landscape and the diversity of the flora and fauna within it. All of us have come to expect a certain standard of conservation management from the farming community. The land the farmers manage is not theirs only, but the heritage of the entire community.

What is less often recognised perhaps is the extra cost this can impose on the farmer. A hedge is generally much more attractive than a fence, but a fence can be put in much more cheaply and quickly. It is therefore entirely appropriate that in targeting our capital grant support we should recognise the additional expenditure which environmentally sympathetic management can require from farmers and assist them to achieve something which both they and the public at large want.

The new scheme gives very high priority to conservation. I want to make it clear, however, that this means conservation in its best sense. We are not grant-aiding things simply because they are attractive; we are also grant-aiding them because they are useful. One of the aims of the new scheme is to enable farmers to manage existing assets more profitably, as well as in ways that will enhance the attractions of our countryside.

That is the thinking behind the three new grants we are introducing for the regeneration of heather moors and woodlands and for the reinstatement of traditional buildings. A neglected or overgrazed woodland is not only a blot on the landscape but a lost opportunity for the farmer. By offering a grant for fencing out stock for a period, we hope to make it possible not only for natural regeneration to occur but for the wood in time to become much more useful as a shelter for stock.

Similarly, we shall grant-aid the regeneration of existing pasture and the renewal of existing drainage systems, to keep the land in good heart. But in line with our approach elsewhere, we shall not grant-aid improvement work to virgin land or moorland. Nor shall we pay grant for new drainage. Assisting the creation of new production capacity at a time when we are struggling—although with increasing success—to master the problems caused by surplus production is clearly no longer appropriate. But helping farmers to manage well and sympathetically their existing farm assets is money well spent.

Another important priority under the new scheme deals with the problems of pollution from farm effluent. The pressure on farmers to clean up their act is acute, and rightly so. The farm and conservation grant scheme will offer grants of 50 per cent. in the lowlands for the installation and improvement of facilities for the storage, treatment and disposal of slurry and silage effluent. That is the highest level of grant ever offered in the lowlands. It is also the best rate of grant available anywhere in the Community.

That substantial grant increase, as well as extensions to grant coverage to include fixed disposal piping, safety fences, and more help for the intensive livestock sector, is clear evidence of the Government's commitment to dealing with the problems of pollution from farm operations. It also shows again our determination to target assistance where it can do most good, both for the farmer and for the community as a whole.

At the same time, I must make it clear that, with grants of that order available, there can be no excuse for any continuation of the high incidence of farm pollution that we have seen recently.

As to less favoured areas, right hon. and hon. Members who are familiar with the grant schemes will have noticed from the schedules to the farm and conservation grant scheme 1989 that we are narrowing the differential between grant rates in the LFAs and those outside. That will mean small reductions in grant of 5 per cent. and 10 per cent. on most items. For effluent facilities and traditional buildings, grant rates will remain the same, at 50 per cent. and 35 per cent.

Mr. Teddy Taylor: Before the Minister proceeds to tell the House about all the Government's dramatic new grants for heather reclamation, and all the rest of it, will he clarify what appeared to be a misunderstanding in his answers to my hon. Friend the Member for Hertford and Stortford (Mr. Wells) and to the hon. Member for Caerphilly (Mr. Davies)? The Minister told my hon. Friend that the proposals are subject to further review and amendment in discussions with the Commission. I can understand that, yet in answering the hon. Member for Caerphilly, the Minister gave the impression that the proposals before the House have been finalised.

Can the Minister explain why on earth the House is discussing the regulations and scheme tonight, when, under the 1987 structures plan, the Government are obliged to observe the measures now before the House, which have been approved by the Commission? It seems a total waste of time, both of right hon. and hon. Members and of the staff.

Mr. Ryder: The regulations cannot be amended, but I said that if any right hon. or hon. Members wish to make any objections or suggestions, I will be happy to consider them in the course of time. We are not looking to amend anything tonight.

Another aspect of the scheme that I draw to the attention of right hon. and hon. Members is the continuation of enhanced rates of grant for horticulture. Since 1983, we have offered that sector a good deal of special assistance, to help with modernisation to meet fierce—and not always fair—foreign competition. The

industry has responded well, despite setbacks that some parts of it suffered after the great storm in 1987, and a major reinvestment programme is in train.

The Government want to keep up the momentum, by continuing to offer grants for the replacement of heated glasshouses and for the installation of heating systems. From the end of November, when the current measures under the AIS expire, we shall offer grant of 40 per cent. on glasshouses and 35 per cent. on heating systems. We shall, from the start of the farm and conservation grant scheme, reintroduce grants for orchard replanting of 35 per cent. We have taken the opportunity to simplify and clarify the arrangements for the horticulture sector, as we have tried to do in a number of small but important ways throughout the new scheme.

I said at the outset that we were determined that our new scheme should complement our existing agricultural policies, and it does just that. It removes incentives to surplus production. At the same time, it encourages farmers to make better use of existing assets, and to do so in a way which enhances the attractiveness of the countryside for us all. In so doing, it offers good value for money.

It is also closely targeted on those sectors and types of investment which are now clear priorities. Chief among these is the need to reduce pollution. For a small dairy farmer in one of the large catchment areas in the south-west, the cost of installing and maintaining an efficient slurry containment system can make heavy inroads on his income. A Government grant of 50 per cent. towards this necessary expenditure is far more appropriate in present circumstances than a grant for a new building.

By targeting our assistance in this way on essential but costly investments, we are contributing far more effectively to the present and future financial soundness of the industry than some other member states which continue to grant-aid increases in capacity irrespective of whether there are markets for the resulting surpluses. That is why this reordering of our grant priorities has been warmly welcomed as responding closely to the current needs of Britain's farming industry.

11.26 pm

Mr. Ron Davies (Caerphilly): I wish at the outset to express to the Parliamentary Secretary our understanding of the difficulty in which he found himself in explaining to his hon. Friend the Member for Southend, East (Mr. Taylor) the precise status of the instruments before the House. In our experience, the Parliamentary Secretary is always helpful and courteous in his presentation of measures and when he tells the House that he is prepared to be flexible, that is not so much an indication that he may have got the proposals wrong as a genuine willingness to listen to what we have to say.

When we last debated agriculture, we had to convey to the Parliamentary Secretary our best wishes to his right hon. Friend the Minister who that very day had been taken ill in Brussels when negotiating the latest agreement. I am pleased to note that the right hon. Gentleman has regained his health. I am not sure that he will recover so rapidly from the St. Valentine's day present—indeed, the birthday present—delivered to him today by the National Farmers Union. At its annual conference today the NFU presented the Minister with——

Mr. John Home Robertson (East Lothian): A brie?

Mr. Davies: No, not a brie—a unanimous vote of no confidence. Given the way in which the Ministry of Agriculture, Fisheries and Food is being run just now, it came as no surprise when that vote of no confidence was resoundingly passed.

My hon. Friends and I welcome the opportunity to debate the scheme and we welcome the instruments in broad terms because they show a Government commitment to transfer the emphasis on agricultural capital grants away from increasing production and towards improvement of the environment.

When the Minister announced the scheme in a written answer on 6 February, he said that he had consulted the Secretary of State for Northern Ireland, but I understand that the instruments relate only to Great Britain. Will the scheme be extended subsequently to Northern Ireland or will there be a separate instrument relating to Northern Ireland?

The Government's recent expenditure plans reveal a substantial reduction in spending on agricultural grants. The Minister made some play about the reduction in expenditure from 1987 to the current year. I refer the hon. Gentleman to the expenditure White Paper of January of this year. Expenditure on major capital grants in 1983-84 totalled £217 million. The current year's estimated outturn will be £89 million and next year's £86 million. The forecast for 1990-91 is as low as £78 million. When the thrust of Government support was to increase production, they managed to find more than £200 million for capital grants, but now that the emphasis has moved towards more environmentally sensitive grants the amount has been reduced from £217 million to £78 million. That reflects poorly on a Government who claim that care for the environment is the centrepiece of their policy.

The Minister paid tribute to his debate with my hon. Friend the Member for East Lothian (Mr. Home Robertson) in Standing Committee when the old scheme was closed. The haste with which it was closed suggests a desire by the Ministry to save money, as was revealed when the Minister was challenged in Committee about its sudden termination. He gave something away when he said that it had been impossible to give any warning of the scheme's closure because it

"would have led to a rush of expenditure for which we have no provision."—[*Official Report, Fifth Standing Committee on Statutory Instruments, &c.*, 18 January 1989; c. 4.]

Unfortunately that was at the expense of farmers who had prepared improvement plans with considerable effort and at considerable expense and were about to submit their schemes to the Ministry for approval. Would it not have been possible to allow farmers in such circumstances to undertake the works that they had planned—at their own risk—while awaiting the Ministry's announcement about the level of grant that they would attract? A commitment could have been given that such grant would be paid retrospectively, and delays to farmers and contractors at what is usually the busiest time of year for such works could have been avoided.

The transfer of capital assistance from measures which increase production to those that enhance the environment is certainly in the spirit of the times, and is—to say the least—considerably overdue. We particularly endorse the increase in grant payable on the planting of hedgerows and shelter belts in lowland areas from 30 to 40 per cent., and the grants for the restoration of vernacular buildings are also welcome. Can we expect the new-found enthusiasm

[Mr. Davies]

for hedgerows to extend to support for the Hedgerows Bill introduced by my hon. Friend the Member for Wentworth (Mr. Hardy)? There seems little point in giving financial support to the development of hedgerows if the Government are not prepared to take action to support their protection once they have been established.

We also welcome the changes in respect of heather burning and the enclosure of woodland and moorland. These measures themselves will increase the value of such areas as wildlife habitats and will help the conservation of wildlife as well as assisting in the better use of those areas for agricultural production. We are also pleased at the increased grant available for bracken control. Bracken is a major threat to agricultural land, and as it is increasing at a rate of 5 per cent. per year it represents a significant loss of such land.

I challenge the Minister, however, on his suggestion that enclosure of woodlands would be a major step forward. I think that there will be very little take-up. There will be precious little incentive for farmers in either uplands or lowlands merely to enclose existing woodland. The effect of the measure will be to reduce the amount of land available for grazing, and it certainly will not ensure any profitable crop from the proceeds of forestry, at least within the lifetime of the farmer or his immediate family.

I suggest a course of action that we have pressed on the Minister within the last 12 months—to look again at the provisions of the farm woodland scheme. If he is now providing grant to allow the enclosure of existing farm woodlands, is it not now appropriate to introduce amendments to the scheme so that annual payments available under it will be made available to farmers who enclose existing woodland? Otherwise there will be no financial benefit whatever. Indeed, it will be a financial disbenefit to farmers in disadvantaged areas in the uplands or the lowlands to enclose existing woodlands. We pressed the Minister's predecessor, now the Minister for Local Government, about that in Committee. At the time he said that he was not opposed in principle to such a move but thought that it would be precipitate. To show how strongly we felt, we divided the Committee on the issue and the Government felt sufficiently strongly to defeat an amendment which would have given effect to such payments.

Now that the Minister has accepted the need to provide fencing for existing woodlands, will he consider modifying the farm woodland scheme to allow the payment of annual sums to farmers who follow that course of action? Without such a payment, I suspect that the measure will come to nothing.

Having welcomed the general shift towards conservation, we have to condemn unreservedly the telescoping of differential rates between favoured and less favoured areas.

Mr. Andrew Hunter (Basingstoke): The hon. Gentleman is rapidly moving away from a point which I had hoped that he would expand, and I invite him to do so. With reference to the grant for repairing and reinstating traditional agricultural buildings, will he explain further, so that we understand his argument fully, whether he is satisfied with the proposals in the schemes?

Mr. Davies: I shall come to that in a moment. I have been dealing with the farm woodland scheme and I shall return to the question of vernacular buildings later. I suspect that I know the point which concerns the hon. Gentleman and I hope to demonstrate where we stand, although he may not be happy with the position that we have adopted.

Turning to the diminution of differentials between favoured areas and less favoured areas, the reduction in the grants payable on hedgerows and walls, slurry handling facilities and shelter belts in the less favoured areas from 60 per cent. to 50 per cent. is regrettable, particularly as it accompanies increases in the grants and grant ceilings applicable to effluent and waste disposal and poultry manure stores which will be a charter for the intensification of lowland livestock production—an issue which concerns my hon. Friend the Member for Clwyd, South-West (Mr. Jones).

Mr. Martyn Jones (Clwyd, South-West): I am particularly concerned because that part of the scheme means that the incomes of farmers in less favoured areas and upland areas generally will be much less. Money will be transferred from less favoured areas to more favoured areas, which is the reverse of what is intended by these measures.

Mr. Davies: My hon. Friend is right. The provision is socially unjust because it represents a transfer of Government funding from low-income farmers in less favoured areas to the high-income farmers in more favoured areas. If the Minister is not concerned about that social injustice, does he recognise that in general the less favoured areas have the most sensitive environments and care must be taken to protect the environment? I suspect that the diminution of grant will lead to the degradation of the environment in less favoured areas without corresponding benefit in the lowlands.

Mr. Ryder: I am grateful to the hon. Gentleman for raising that point. He rightly mentioned the fact that we have increased the grants for conservation of hedges, particularly in lowland areas; the worst ravages to hedgerows in Britain have been carried out in lowland areas, as the hon. Member for Wentworth (Mr. Hardy) probably knows better than any of us. Precisely because of that, we have altered the grant scheme so that more money can be spent on lowland areas, particularly on hedgerows.

Mr. Davies: At least the Minister understands why we are concerned. We acknowledge and accept that more money is being spent in the lowland areas because of the problem of hedgerow destruction. My hon. Friend the Member for Clwyd, South-West, who represents almost exclusively a less favoured area, raised the particular point that that transfer of resources is at the expense of the uplands. Surely if additional expenditure is to be given for the rejuvenation of hedgerows in the lowlands, that should not be done at the expense of a sensitive environment.

If, as the Minister said, the aim is to reduce the incidence of water course pollution by agricultural slurry, why do not the Government enforce the regulations which already exist, and increase the penalties, rather than handing out more money to intensive producers, to the detriment of farmers in less favoured areas? There was an example of this in my constituency last week. A small industrial concern had been guilty of polluting a river with

slurry in the summer of last year. That resulted in the devastation of four or five miles of the river Rhymney and the loss of about 2,800 game and course fish. The firm was taken to court, fined £1,000, and made to pay more than £1,000 costs. That was derisory, given the damage done to the environment and the financial burden imposed on the water authority and the various angling clubs which had to restock the river.

If the Minister wants to protect the environment, why does he not agree to give farmers the additional grants to tackle slurry pollution of water courses but also ensure that the penalties are severe enough to inspire adequate take-up and deal properly with the problem of slurry pollution? If the Conservative party is, as it maintains, the party of law and order, why does it not enforce that law and order in the context of protecting the environment? Why is there not a more rigid application of environmental standards?

Sir Nicholas Bonsor (Upminster): The penalties mentioned by the hon. Gentleman sounded wholly inadequate, but I should be interested to know what maximum penalty was available to the court.

Mr. Davies: That was the subject of some discussion between the research department of the Library and myself before this debate, so I can answer with some authority. The provisions were laid down in the Control of Pollution Act 1974, which determined that grade 5 penalties would apply. Those penalties were last confirmed by order pursuant to the Criminal Justice Act 1982, which fixed the maximum penalty at £2,000. In the case that I mentioned, I could see no extenuating circumstances which might have led to the 50 per cent. reduction in the fine handed down. Nevertheless, the maximum would have been only £2,000, which is still negligible. Now that the Government have taken the first financial step to ensuring that there is no need for the pollution of water courses by slurry or farm effluent, they must rigorously apply the control of pollution regulations.

Next, there is the abolition of the 35 per cent. feed rule. The old regulations required that any applicant for assistance under one of these schemes had to provide 35 per cent. of his fodder from his own holding. That requirement is being abolished. That may encourage new entrants to farming—particularly people who start with small livestock units—but it will also encourage more intensification. Will the Government commit themselves to tackling the worst sort of intensive units, such as the beef lot owned by Frans Buitelaar Farms Limited? That unit is situated in an area of outstanding beauty in Lincolnshire and recently excited a great deal of press comment because of its pollution of the water table and defiance of local planning regulations.

I should like to quote briefly from an article in *Adscene* of January-February 1989, the current issue. It describes that feed lot in Lincolnshire. I am sure that hon. Members who follow these matters will be aware of the case. *Adscene* describes what was seen:

"Each feedlot contains around 100 cull cows, bought in from all over the country. In the lots they are fed a sloppy mash mix made from waste vegetable matter, poultry manure, spent brewers grains etc. and in this way they put on a little extra flesh before slaughter in Mr. Buitelaar's nearby slaughterhouse. The lots are surrounded by earth banks five metres high . . .

At the end of September Anglian Water Authority were successful in their case against Frans Buitelaar Farms Ltd. The latter were fined £1,000 with £700 costs for allowing effluent 15 times the strength of raw domestic sewage to run into tributaries of the Salmony Beck."

That is, I believe, the consequence of the abolition of the 35 per cent. feed rule, and we really must press the Government to ensure by administrative means that the abolition of that 35 per cent. feed rule will not lead to an increase in the number of intensive units and will not lead to the sort of abuses of the environment that we have seen in that particular instance.

Producers in the less-favoured areas will suffer as a direct result of these changes—most directly by the reduction in the levels of grant for working the LFAs themselves. If, as the Government claim, the level of expenditure is to remain the same under the new scheme as under the old, how can the decrease in rates in the LFAs and the increase in rates elsewhere result in anything other than a decrease in the amount of grant aid to the LFAs themselves? It cannot, so we must take these changes as a signal of declining support for agriculture in the marginal areas.

At a time of particular debate about the future of the uplands and the balance of support between the prosperous south and east and the more marginal areas of the north and west, it is a matter of real concern to us on these issues, which are not usually the subject of disagreement between us, that the Government are now signalling that they are withdrawing support from the extensive regimes in the marginal uplands and are prepared to give increasing support to the intensive regimes in the intensively farmed lowlands.

The scheme will also impact on the marginal areas in another way—through the price mechanism, the importance of which the Government never tire of reminding us. If capital grants to intensive livestock producers are increased, their costs of production will decline. This will increase the competition facing upland livestock rearers, which will drive down the prices that they receive. So livestock producers in marginal areas face the prospect of reduced capital grants and declining incomes. That is a development that we must condemn.

I ask the Minister to monitor very closely the take-up of the new grants in vernacular buildings—a point that the hon. Member for Upminster (Sir N. Bonsor) raised in his intervention to me. As I have already said, we welcome the principle of restoration using traditional materials, but we fear that the level of grant proposed will nowhere near cover the increased costs of such building methods, and I am conscious of the fact that pressure in areas such as those that the hon. Gentleman represents are particularly acute. If this turns out to be the case and those grant levels are too low, will the Minister undertake to review the situation?

While I can understand the Government's desire to limit this grant to farmers who derive most of their income from farming so as to avoid financing barn conversions, for example, by yuppy or nouveau riche landowners, if their intention is the maintenance of our rural heritage I fear that this exclusion will limit still further its efficacy. The Government must therefore monitor the take-up very carefully to ensure that not only have they got inclusions rightly balanced with exclusions but that the grant limits are set at an appropriate level.

It is not our intention to divide the House this evening because we are broadly in sympathy with the spirit of what the Government have introduced. I hope that I have been

[Mr. Davies]

able to show, however, that although we accept it as a small step in the right direction we have considerable reservations about the practical application of these schemes, particularly on the uplands, particularly the question of woodland management, and particularly the incentive that it will give to the development and encouragement of intensive agricultural systems. That is something about which we have grave reservations. I hope that, as the Minister suggested in his opening speech, there will be amendments, improvements and modifications to the scheme in the not-too-distant future.

11.49 pm

Sir Charles Morrison (Devizes): I go further than the hon. Member for Caerphilly (Mr. Davies). I am not broadly in favour of the scheme; I am strongly in favour of it. I congratulate the Minister and the Ministry of Agriculture, Fisheries and Food on introducing it.

The hon. Member for Caerphilly referred to his doubts about the value of enclosing woodlands by fencing to protect them from livestock. He believes that the grant will not be taken up unless an adjustment is made to the farm woodland scheme. I am not averse to favourable adjustments being made to the farm woodland scheme, but I do not think that it is necessary here. The enclosure of areas of grazed woodland can be of considerable benefit. The fencing of woodland can result in a large amount of natural regeneration. Furthermore, the development of undergrowth can be of great value to wildlife. Enclosure that results in totally bare woodlands becoming much more alive areas can be of considerable benefit. Woodlands will benefit from the grant.

Mr. Ron Davies: I accept that there will be considerable environmental improvement and that there may be other benefits, such as shelter for wildlife and natural regeneration that may lead to a timber crop in 20 to 50 years' time. My doubt is that there will be no economic incentive for the farmer for fence off areas of woodland. There will be no cash return, unless the sporting rights can be let. The amount of land that is available for grazing will be diminished. Unless provision is made to compensate the farmer for the loss of income from that land, he will not fence off his woodland.

Sir Charles Morrison: I take the hon. Gentleman's point. I agree with him that there will be no cash return, although I do not believe that the loss to the farmer will be very great. However, there will be an ultmate return to the farmer, in the sense that by fencing off his woodland he will improve the capital value of his land. I accept, nevertheless, that that is a long-term matter.

I note that the regulations are introduced under sections 28 and 29 of the Agriculture Act 1970. I welcome the emphasis in the schedule on the provision, replacement or improvement of hedges and shelter belts and on burning heather and bracken control. Bracken control will be of enormous benefit to the upland areas. Over the years more and more land has been taken over by bracken. The spraying and control of bracken will be of benefit to livestock, particularly sheep, and also to wildlife. The enhanced grants for bracken control are very much to be welcomed.

I want to refer in particular to paragraph 4 of schedule 1 which relates to the

"enclosure of areas of heather moorland or heathland with fencing protecting the areas from livestock."

Again, in principle, I welcome very strongly the introduction of the grant for that purpose. There is no doubt that fencing on heather moorland will be of very considerable benefit. It will not so much protect areas from livestock all the time but will enable such areas to be rested from grazing by livestock for part of the time. In fact, there is no reason why a reasonable sheep stock should not graze heather moorland from mid-May to mid-October or perhaps a little earlier, depending on the part of the country. During that time, to a very considerable extent, the sheep live on the grasses that are growing among the heather. The damage done to the heather is done during the winter months, and it is very important, if possible, to remove the sheep or at least reduce their numbers very considerably during the winter months when the damage is done to heather.

Equally, in upland areas of Scotland—of course, the regulations cover Scotland and Wales—fencing can rest heather areas from excessive grazing by red deer. So, in general terms, I welcome that aspect of the order.

However, I have no doubt that, in drawing up the regulation my hon. Friend will have taken account of the 1970 Act and of section 17(1) of the Agriculture Act 1986. Perhaps the House will bear with me for a moment while I remind hon. Members of what that subsection says:

"In discharging any functions connected with agriculture in relation to any land the Minister shall, so far as is consistent with the proper and efficient discharge of those functions, have regard to and endeavour to achieve a reasonable balance between the following considerations—

(a) the promotion and maintenance of a stable and efficient agricultural industry;

(b) the economic and social interests of rural areas;

(c) the conservation and enhancement of the natural beauty and amenity of the countryside (including its flora and fauna and geological and physiographical features) and of any features of archaeological interest there; and

(d) the promotion of the enjoyment of the countryside by the public."

I was glad also to hear my hon. Friend refer to the need to enhance the beauty and wildlife variety of the countryside. I want to make a point about fauna in the 1986 Act and wildlife variety. It may well be covered by item 10 in schedule 1 to the regulations, but according to research that has been undertaken by the Game Conservancy in North Yorkshire 11 per cent. of the winter kill of the one bird that is unique to Great Britain—the red grouse—stems from birds flying into fences. That is in an area where fencing is decidedly limited, but the situation in the research areas of the Game Conservancy in Scotland is infinitely worse. The proportion of winter deaths in Scotland stemming from fencing is 26 per cent. That means that slightly more than a quarter of winter deaths in Scotland stem from birds flying into fences.

There is a solution to this: the attachment of reflective metal plates to fencing. I suspect that many hon. Gentlemen will have seen balls attached to electricity power lines. I do not know what they are called, but they look like balls. Their purpose is to enable the power lines to be seen by birds. The same is true of old telephone lines, to which corks are attached. There must be similar provision for the fencing of heather moorland if there is not to be a high death rate amongst red grouse, which is

not only a bird of considerable national interest but is unique to this country. It is also of great economic importance to the upland areas of the United Kingdom.

Will the cost of attaching reflective metal plates to fencing be covered by item 10 in schedule 1 which refers to

"Any work, facility or transaction . . . incidental to the carrying out of any work, facility or transaction specified in any of paragraphs 1 to 9 above"?

I hope that my hon. Friend can tell me that the cost of the plates or similar additions to fencing for the same purpose will be covered. There should be protection not only for red grouse but for other moorland birds that fly close to the ground and which can be carried away in a full gale such as there has been in the last few days. The cost must be covered if my hon. Friend is to live up to his desire to enhance the beauty and wildlife of the countryside and to the commitment in section 17 of the Agriculture Act 1986. I hope that my hon. Friend will give me a positive reply.

Madam Deputy Speaker: Mr. Roger Livsey.

12.1 am

Mr. Richard Livsey (Brecon and Radnor): Madam Deputy Speaker, you know that in this place I am either Roger or Doctor——

Madam Deputy Speaker: The hon. Gentleman has film star good looks.

Mr. Livsey: —Doctor coming from "Treasure Island" and Roger coming from films of old.

I welcome the order concerned with the farm and conservation grant scheme 1989. It shows progress in Government policy. However, there are important points which affect the rural economy. When capital grant priorities pointed towards increased production, there was a pay-off in increased production and an improvement in farm incomes as a result. The change to farm pollution control and conservation is desirable, but unfortunately it will not have the same consequences for farm incomes. That is worrying from the point of view of keeping the rural economy and farms going, in particular in the less favoured areas.

It is against that background that the National Farmers Union has censured the Minister of Agriculture. Concurrent with these trends have emerged the lowest farm incomes in real terms since the second world war. Understandably, farmers are disturbed. There has been a great loss of capital grants which were oriented towards increased production. The hon. Member for Caerphilly (Mr. Davies) pointed out that there has been a drop from £217 million to £78 million. That is an awful lot of money to take out of the rural economy. We must remember that many of the upland areas are remote and that incomes on the farms are low. In addition, the earnings of people in the rural economies are extremely low. Many upland areas of Britain have the lowest disposable incomes in the whole country. That concerns us all.

Among the farmers in those areas are small farmers who are under intense pressure from the Government because of high interest rates. We all know that those high interest rates have been imposed by the Chancellor, because of the credit card spending spree in the high street. However, that bears no relationship to what is happening in rural Britain and the ability of farmers to achieve a realistic net income in order to stay afloat.

There are tremendous problems for farmers in attempting to stay afloat. About four years ago, my area of Powys was obtaining about £30 million-worth of capital grants. Of course, it is now receiving only a shadow of that sum. Money has been taken away not only from the farming community, but also from the contractors and other support groups in the industry. That together with the loss, for example, of the tax benefits for purchasing new machinery—where there was 100 per cent. dispensation at one time—has affected machinery dealers too. We must be careful how we approach this subject. Obviously, pollution control and conservation are important, but they bring with them problems. The principles, however, are certainly to be welcomed. Perhaps part of the problem is that there is not enough money on the table.

The support of native woodlands, heather moorlands and traditional buildings must be welcomed. However, the loss of grants for new farm buildings—which enabled increased production and, therefore, increased income on farms—needs to be considered further. Many of those buildings enabled farmers to increase their incomes. We must not forget that costs—especially fixed costs—are continually rising. The missing part of the jigsaw in the Government's present proposals must be the fact that the previous grants enabled higher incomes to be achieved.

I certainly agree with the hon. Member for Caerphilly (Mr. Davies) that the reduction in grant aid from 60 to 50 per cent. for certain items in less favoured areas is regrettable. By their very description, those areas have far fewer options and therefore, need as much support as possible in order for the farms to remain viable.

I understand that there will be no more assistance for new drainage. I trust, however, that there will be some assistance for the maintenance of existing drainage, because many of the areas to which I have referred are high rainfall areas and, if the drains are not maintained, there will be a rapid reversion and the land will be less able to produce properly.

I was pleased to hear about the grants for orchard replanting and horticulture, and that there is some support for energy in those areas. As in other parts of the European Community, our horticulture has suffered grievously because of lack of support. Support, therefore, is something to be welcomed.

The problem is that the return on investment in farms at present is not that good, and, of course, that has not been helped by the interest rate increases. I believe that it should be possible to design environmentally friendly systems of farming which are also profitable. The Government, however, have cut research and development by £30 million, when, in fact, it should be expanded to cover different farming systems—ones which are profitable and will maintain the people on the land, but will also maintain the conservation of the countryside.

I particularly welcome the support for hedgerows, as I come from an area where they are cherished. The hedges in my area with their crop and pleach style are the finest in the land. They are superbly maintained and I am pleased that support will be given to them.

I am disappointed about the support for liming, which is put at 25 per cent. That is nothing like the support given when the lime subsidy was in operation. Liming not only increases productivity in an environmentally friendly manner, but assists in creating a buffer against the tremendous problems of acidity that exist in upland areas.

[Mr. Livsey]

The Government should be encouraged to increase support for liming as it will have double effects and will considerably improve matters. There is no doubt that the pH levels in rivers, for example, have fallen dramatically since the mid-1970s as a result of the loss of liming subsidies.

In the final analysis we must ask whether the measures will assist the economic viability of our farms. I believe that they will not do enough. They will help to improve conservation efforts as they will support pollution control —there must be more enforcement of such policies—but they will not increase the viability of farms. The Ministry must now work hard to ensure that the farmers and their families will still be living on their farms in 20 years' time. That is what the National Farmers Union was complaining about today.

12.11 am

Mr. James Paice (Cambridgeshire, South-East): The measures are especially welcome as they signify a change in direction. The hon. Member for Brecon and Radnor (Mr. Livsey) said that he was sad that they will do nothing to improve farm income. While I sympathise with that, it would be rather strange if, at the very time the Government are leading the fight in Europe to deal with agricultural surpluses, we produced a profligate scheme to give money to farmers to invest in their farm structures.

The measures are important because they concentrate on some of the priority areas. I welcome the grants for horticulture, especially those relevant to the bulb production industry, which is important in my constituency and throughout many parts of the Fenlands and East Anglia. It is not often recognised that the British bulb industry is far larger than the Dutch industry and that we export a large number of bulbs to Holland.

I also welcome the grant enhancement for young farmers contained in regulation 10. About 14 years ago I represented British young farmers in Brussels and I worked on what was then known as the draft young farmer directive. Even though neither "young" nor "farmer" applies to me any more, it is nice to see that that directive —even at this late stage—is beginning to see the light of day.

Regulation 10 also allows enhanced grant to partnerships. It does not apply to existing limited partnerships that were devised simply as a way round the outdated tenancy laws—they are an anachronism in our free society. The grant applies to the true partnerships that are known in Europe, particularly in France, and in some parts of the United Kingdom. Under those partnerships, individuals join their farms to improve the efficiency of the total unit.

The most important part of the measures relates to conservation. All hon. Members want to see considerable increases in conservation schemes throughout the countryside. As the population becomes more prosperous, and leisure and travel become available to more people, everyone wants to see the countryside of their dreams, the countryside that they have read about and believe to exist. Thus, these measures, alongside the farm woodland scheme that has already been referred to, are very welcome. They are particularly apposite at present because farm incomes have been diminishing and are continuing to diminish substantially, and income has become a negative factor for many farmers. The hon. Member for Brecon and Radnor (Mr. Livsey) implied that.

We cannot expect farmers to invest large sums of money in totally non-productive investments, such as conservation, however desirable and admirable an investment it might be generally for all of us. Despite what my hon. Friend the Member for Devizes (Sir C. Morrison) said about capital value, conservation does not enhance farm incomes one iota. Therefore we must recognise that, if we want farmers to carry out conservation measures such as the creation of hedgerows, it can be done only with substantial grant encouragement from the Government. I welcome that very much.

As profits disappear, farmers will look increasingly to this sort of encouragement. This encouraging set of regulations reflects the changing times in agriculture, and I am very pleased to give it my support.

12.15 am

Mr. Andrew Welsh (Angus, East): I suppose that we should be grateful for any financial assistance to farming during a period of financial stress and change, but I must express some disappointment at these measures, especially given the major problems confronting agriculture. The proposals will do nothing to assist Scottish farmers who face bankruptcy due to bad weather, poor yields, annual price reductions and appallingly high interest rates. The regulations are designed to tease out further investment by farmers, but farmers have every right to be wary.

During the 1970s, farmers were consistently encouraged to borrow relatively large sums to invest in their businesses and become more efficient. The level of today's interest rates shows just how misguided that policy turned out to be. But what is worse is the prospect of untold damage being done to Scotland's rural economy if the Government continue to ignore the financial crisis in farming.

Unemployment and rural depopulation will inevitably increase if farms go under. Therefore, instead of paying chickenfeed subsidies for minor improvements, as in this measure, the Government should deal with the cripplingly high interest rate burden.

This small measure must be seen in the context of a commercial situation where our European farming competitors in West Germany and the Netherlands pay interest at less than half the rate facing our farmers—6 per cent. as against 13 per cent. Instead of promoting minor EEC measures such as the regulations, the Government should be encouraging more relevant and appropriate EEC action for our agriculture.

Has the Minister really looked at the index of average net farm incomes produced by the Department of Agriculture and Fisheries for Scotland? The index shows that since 1978, farm income has dropped in real terms by more than 35 per cent. Average net farm incomes outwith the dairy sector are well below the average in other sectors, and there is no sign of improvement.

How, then, will these farm and conservation grant measures stem that tide? That is the question facing the Minister early this morning. In promoting the grant scheme, the Government clearly have no understanding of the main factors involved in the rural income multiplier. Agriculture expenditure is the mainstay of many more jobs in distribution and the ancillary sectors.

To take just one example, under the regulations the 40 and 50 per cent. grants that will be available for tree planting in enclosed areas of grazed woodlands will do very little to get rid of the massive surplus of nursery stocks. Yet these are the very producers that the Government were addressing in their farm woodland scheme. They were supposed to assist in taking surplus land out of production, and they have been actively encouraged to expand by the Government.

After substantial disruption caused by changes in the forestry taxation regime, the Government have refused point blank to meet the industry to discuss any form of compensation to meet the present problems. The so-called adjustment or market correction process used recently by various Ministers is a euphemism for Government-induced disaster. Why will not the Government face up to their responsibilities in that matter?

In a letter to the Secretary of State for Scotland, the Horticultural Trades Association says:

"when the Farm Woodlands Scheme was first being considered, representatives of the nursery industry met with the Ministry of Agriculture to give assurances that stock would be available to meet the expected uptake in this planting season. Having now produced the trees, we are faced with minimal uptake at present and little likelihood of applications under the scheme being processed and approved in time for this season's programme."

In a letter to my hon. Friend the Member for Moray (Mrs. Ewing), a constituent says:

"We in the nursery trade have been led up a path to the wilderness. The Farm Woodland Scheme appears to be a total or near-total fiasco. I understand that the paper work is so complicated that it is a disincentive to anyone who may be interested and even for the keen it takes many months to have all paper work processed. It is all very disturbing."

I regret that the Minister seems to have abandoned the Front Bench. I should have liked him to listen to the final sentence written on behalf of people who are dealing with the industry. It says:

"There is no doubt in my mind but that the government haven't much of a clue as to the damage they are doing to our industry."

No wonder, when the Minister leaves the Front Bench to wander off to talk to other people. He should listen, perhaps even to his civil servants. It is in that context that the measures must be viewed and criticised. I welcome the Minister back.

On the credit side, the measure seeks to improve energy conservation in its proposal to supply wind or water pumps and generators, and investment in solar and other forms of energy saving. From an environmental angle I hope that the Government will consider giving at least 50 per cent. grants across the board for energy-saving devices instead of the paltry 15 and 25 per cent. proposed at present. That is inadequate for the task.

To ensure that the job is done properly greater incentives must surely be offered. For only a little investment substantial gains can be made in energy-saving devices, yet the proposal offers merely a token gesture in the direction of the long-term saving of energy costs which will be crucial to the industry's survival.

Similarly, the proposed field drainage and reseeding grants should be substantially increased, or an opportunity for reform will be lost. The measures are an opportunity missed and will be seen by the industry as no more than short-term palliatives which do not address the real problems facing farmers in Scotland and elsewhere in the United Kingdom during a period of change and readjustment.

In short, I am disappointed with the package. It could have been so much better and I hope that the Minister will go back to Europe and argue the case better for the needs of our farmers.

12.23 am

Sir Nicholas Bonsor (Upminster): We are running short of time so I shall be as quick as I can. First, I join my hon. Friends in congratulating my hon. Friend the Minister on introducing these suggestions into our legal system. I have a series of questions to put to him, which I shall fire one after the other and hope that he will have an opportunity to deal with them.

The first is a technical question. I am not at all clear why draft regulations from Europe and a statutory instrument should be laid before the House when both seem to cover almost entirely the same ground. As draft regulations from Europe go straight into our legal system without any need for ratification by the Government of the day, as I understand it, why do we need both? Why, apart from regulations 6 to 10, does the statutory instrument appear merely to parrot what the European regulations say? I should be grateful if my hon. Friend could explain why we need to introduce legislation in that dual form under our new status as a full member of the European Community.

I wish also to make one or two points about some of the proposals in the two papers.

I see that the schedule 1(1)(c) of the draft regulations there is a distinction between the grants to be given in shelter belts of broad-leaved trees and other shelter belts, the former being given a 40 per cent. grant and the others only 15 per cent. While I appreciate that broad-leaved trees are much more attractive in the countryside than some of the other shelter belts, as a practical farmer I must point out that it is often much more to the advantage of the farm and the livestock shelter to plant a quicker-growing shelter belt than the rather more attractive broad-leaved one. In cereal areas, where there will clearly be a need for new shelter belts when the cereal farmer tries to diversify into other forms of farming, I hope that the Government will see the sense of giving a larger grant for quick-growing shelter belts to enable that transition to be made more effectively.

In schedule 1(2), the enclosure of areas of grazed woodland is expressly mentioned as qualifying for the 40 per cent. grant. I am not clear as to the distinction between grazed woodland and non-grazed woodland. Will this cover only woodlands which are being deliberately grazed at the moment, or will it cover woodlands into which the animals can get willy-nilly but from which fencing would enable the farmer to exclude them? I very much hope that it will be the latter. Otherwise the application of this provision will be extremely limited and therefore of very narrow value.

With regard to schedule 1(5), concerning reinstatement of vernacular buildings, I associate myself with what the hon. Member for Caerphilly (Mr. Davies) said. I believe that he is right to seek a balance between restoring agricultural buildings in the proper, old-fashioned materials and enhancing the property developer's profit when the buildings are turned over to the use of yuppies in the south-east of England. That balance must obviously be

[Sir Nicholas Bonsor]

found. I congratulate the hon. Gentleman on the way in which he handled the debate. It is always refreshing when the Opposition can join the Government and welcome proposals. It is always nice for the Opposition to get congratulations from the Conservative Benches—they wonder what they have done wrong. The points that the hon. Gentleman made in criticism will also find some sympathy on this side of the House. We must work together to ensure that the draft regulations come into our law in the proper form and give the maximum benefit to our farming community.

The next point that I wish to raise in detail concerns schedule 1(9). I see that it is only in Scotland that the making, improving or alteration of banks or channels of watercourses will be eligible for grant. Perhaps the Minister can tell me why the less fortunate areas in the rest of the United Kingdom are excluded when parts of the north, of Wales and of Northern Ireland are at least as liable to damage from flooding as parts of Scotland. I welcome the provision for Scotland, but I hope that we can find ways of extending it to other parts of the country.

I have one rather important query about the draft regulations. The explanatory note to the document says, in sub-paragraph (f), that in addition to all the things that we have already discussed today regulation 18 will confer rights of entry. I was not aware that we were talking about conferring rights of entry at all today and I would view with considerable suspicion new rights of entry being brought into our laws of trespass by such means. I hope that my hon. Friend the Minister will be able to reassure me that no radical changes will be made by these regulations from Europe to the way in which the laws of England operate in relation to rights of entry and ownership.

12.29 am

Mr. John Home Robertson (East Lothian): I am sorry if the hon. Member for Upminster (Sir N. Bonsor) is alarmed by any aspect of the measures, which, as he pointed out, have been acknowledged by right hon. and hon. Members in all parts of the House as being at least a half-step in the right direction. It is a matter of some joy whenever the Government produce intervention or direct assistance; we keep asking them to do so in respect of other industries. We should be thankful for small mercies, and that the Government are still prepared to invest in rural areas through agriculture.

It is important to recognise the direct impact that such an investment incentive has on the rural economy, because the money is not going into farmers' pockets but must be spent immediately on employing people to carry out works in the rural economy—which, given the new thrust that the Minister outlined, will be completed in an environmentally sensitive manner.

I take the point of the hon. Member for Brecon and Radnor (Mr. Livsey) concerning drainage. The old under-drainage systems in the principal arable areas of the country are collapsing or silting up considerably more rapidly than they are being replaced. Further incentives are important to ensure that Britain's arable land is kept in a reasonable state and fit for cultivation. I wonder whether the grants will go far enough.

As to the repair and reinstatement of vernacular buildings, will the Minister confirm that grants can be extended to cover adaptations? It is no use restoring a cart shed that was designed 100 years ago for use by horses and carts, when it is impossible to get modern equipment into it. I hope that that measure can be interpreted reasonably flexibly.

The hon. Member for Cambridgeshire, South-East (Mr. Paice) put his finger on a relevant point when he said that pure conservation investment is, ipso facto, unlikely to create any increase in the farmer's income. Grant regulation 6(1) states:

"An improvement plan shall not be approved under these Regulations unless the appropriate Minister is satisfied that the investments to be made under the plan are justified from the point of view of the situation of the agricultural business and its economy and that completion of the plan will bring about a lasting and substantial improvement of that situation, and in particular of the income per labour unit reasonably required in the carrying on of the business."

I do not see how it is possible to square that circle. I fear that a certain amount of fiction may have to be written in preparing investment plans, to make programmes eligible for the scheme. Nevertheless, I hope that the measures work—but I wish that they were rather more generous.

12.32 am

Mr. Ryder: We have had, as I expected, a well-informed debate on the scheme, and I am grateful for the generally warm welcome that it received. Right hon. and hon. Members raised a host of specific points, to which I shall endeavour to respond. If I do not cover them all in the short time remaining to me, I shall write to the right hon. and hon. Members concerned.

The Government recognise the special difficulties of hill farming and the important part that it plays in the economy and environment of the areas in question. That is why we are retaining an LFA differential across the board, apart from waste treatment and traditional buildings. It is also why we are careful to retain grants that are particularly important in LFAs—especially those for reseeding, regeneration, liming and fertilising. We are also introducing some new grants for heather moors, native woodlands, and repairs to vernacular buildings that should prove particularly helpful in the uplands.

Farmers in LFAs have had the benefit of 60 per cent. grants for three years since 1985. Over that period, we have contributed a great deal to the cost of conserving the uplands environment. The greatest pollution problems are associated with dairy farms, which are concentrated in the lowlands. The prime concerns for environmentalists have been the removal and neglect of lowland hedgerows, to which I referred, so, in my view, it makes sense to shift the balance of support in the way that I described.

The regulations cannot be amended. The scheme will be put through the formal EC approval procedures after the United Kingdom Parliament has approved it. But, as I have said previously, I am always ready to take up the views of hon. Members to take them into account for future purposes. We have had extensive discussions with the European Commission, which has indicated informally that the scheme conforms with Community rules.

It is recognised that the United Kingdom is breaking new ground in Europe, and we have probably set a lead which others will wish to follow. We shall still need to submit the scheme through the formal clearance procedures, but we have been grateful for the informal

guidance that the Commission has been able to offer and for its confirmation that it conforms with the necessary regulations.

The hon. Member for Caerphilly (Mr. Davies) made an interesting speech. He was right to say that the scheme will be extended to Northern Ireland under a separate instrument. He asked whether there could be any help for farmers who had prepared but not submitted improvement plans. The closure regulation of necessity had to operate from a set date and it was inevitable that some would fall on the wrong side. We have accepted that where prior notification was required—as in, for example, national parks—notification can count as a plan submitted.

The hon. Member for Caerphilly raised the problem of pollution, and I, too, am concerned about that. I re-emphasise that our anti-pollution grants are running at about £50 million over three years, and I strongly support appropriate prosecutions against farmers causing pollution; legislation permits a maximum fine of £2,000 for each offence, plus clean-up costs.

The hon. Gentleman cast some doubt on the enclosure of native woodlands. There is a need for the new grant. Indeed, the RSPB pressed strongly for a fencing grant. The farm woodland scheme to which he referred is about planting trees for commercial timber production. The new grant that we have been discussing is about the better management of existing woodlands, irrespective of their value as timber.

The hon. Member for Caerphilly referred to the Bill introduced by the hon. Member for Wentworth (Mr. Hardy). I recognise the value of hedges as wildlife habitats and landscape features and their value for agricultural purposes, and I had discussions with the hon. Member for Wentworth as I said in a previous Question Time that I would.

The hon. Member for Brecon and Radnor (Mr. Livsey) alluded to farm incomes. I remind him that the latest economic forecasts show for the second year running an increase in incomes of livestock producers generally across less-favoured areas. Net farm incomes in the United Kingdom LFAs are forecast to be 7 per cent. higher in real terms in 1988-89, following an increase of 48 per cent. in 1987-88.

My hon. Friend the Member for Devizes (Sir C. Morrison) asked about fencing to encourage the regeneration of heather moors and the possibility of reflective plates, and I shall consider that idea.

My hon. Friend the Member for Upminster (Sir N. Bonsor) spoke of the relationship between the regulations and the scheme. They are United Kingdom regulations; they are our detailed implementation of the more general rules in EC regulation 797/85. The scheme is similar because this is the other part of the farm and conservation grant scheme. He also questioned me about rights of entry. This is not a new right. It is a continuation of a right which was in the agriculture improvement scheme.

My hon. Friend the Member for Upminster asked about the exclusion of livestock from grazed woodland. The grant will cover woods used as shelter for livestock or for grazing. There is no specific requirement that this use shall be at a particular level before the grant will be paid. It is open to the farmer to decide whether stock are inhibiting regrowth and therefore whether fencing is necessary——

It being one and a half hours after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 14 (Exempted Business).*

Question agreed to.

Resolved,

That the draft Farm and Conservation Grant Regulations 1989, which were laid before this House on 2nd February, be approved.

Resolved,

That the Farm and Conservation Grant Scheme 1989 (S.I., 1989, No. 128), a copy of which was laid before this House on 2nd February, be approved.—*[Mr. Ryder.]*

Severn Bridge (Tolls)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Heathcoat-Amory.]*

12.39 am

Mr. Roy Hughes (Newport, East): I welcome the opportunity to raise again the issue of tolls on the Severn bridge. I note that the Minister for Roads and Traffic is to reply: I have nothing against him personally, but for me he is essentially the fall guy called upon to defend the indefensible. He is also essentially the voice of south-east England, with little understanding of the chronic problems of Wales.

The man who should be in the hot seat tonight is the Secretary of State for Wales. For the past 18 months or so he has been running around Wales telling us how marvellous he is, and of the miracles that he is performing. The truth, of course, is a little different. Two major collieries are scheduled for closure, Marine colliery in Ebbw Vale and Cynheidre in the Llanelli area. Last weekend we received the shattering news that the newly privatised British Steel was making over 1,000 people redundant. The Velindre steelworks at Swansea were to be closed completely; over 700 jobs would go there, and several hundred more in other steelworks in Wales.

The instant response from our Secretary of State was that we must attract new jobs, and one of the best ways of doing that is to get rid of tolls on the Severn bridge. The issue is vital to the future well-being of Wales: the bridge is our main access point in and out of Wales, and it is merely a short stretch of the M4.

Tolls are a major factor in hindering the economic development of Wales. This additional tax on our people is completely unjustified. For example, my constituents living in Caldicot will now have to earn more than £13 gross to pay £10 per week in toll charges when pursuing their employment on the other side of the channel. That is grossly unfair: it is a charge even before they get their cars out of the garage.

There are no tolls on the Avon bridge which serves nearby Bristol, our principal competitor in attracting new jobs. The old argument that vehicles could use other routes if they did not wish to use the Severn bridge is pretty ridiculous. Any significant increase in traffic in the Gloucester area now would cause chaos and a public outcry.

The Government tend to treat Wales as though it were the south-east of England, but our unemployment—even according to the official figures—is 9·5 per cent. I understand, however, that there have been no fewer than 24 changes in the method of compiling the statistics, and those changes have taken off the register many thousands of people perfectly capable of a normal day's work. Admittedly, the number of unemployed people has fallen in the past year or so, but we could ask who put it up in the first place. I feel that a little modesty in certain quarters would not go amiss. Even allowing for recent improvements, with the same method of compiling the statistics, unemployment is still roughly double what is was when Labour left office in 1979.

Unemployment is only one facet of our argument. Health problems in Wales compare unfavourably with just about any region. We have the highest proportion of pre-1918 housing and so many of those properties lack even basic amenities. I could say much more besides. It is hardly the time for the Government to bring forward a proposal to double tolls on the Severn bridge, when logic demands that they should be abolished.

When we examine the finances of the bridge, the position becomes simply farcical. The total cost of building the Severn crossing, comprising the Severn bridge, the Wye bridge and viaduct and the approach roads with all ancillary equipment was £14,362,334. That figure includes £1,710,143 in respect of interest capitalised during construction. The bridge was opened in September 1966 by Her Majesty the Queen, since when, until 31 March 1988, £48,547,086 has been collected in tolls. The bridge was paid for originally out of the Consolidated Fund, so there was no bank loan, yet I am now told that the debt on the bridge was £85,469,667 at 31 March 1988. All those statistics are from very recent parliamentary answers. The basic figures are the cost of construction at about £14 million, the tolls collected at more than £48 million, and the debt of £85 million.

It has to be recognised that those figures are nearly 12 months out of date. To add insult to injury, I am told that the debt on the bridge will be finally discharged in 2006, if the Government's proposal to double the toll charges is carried through. In other words there are to be 40 years of a superimposed Government tax on a depressed region.

The Government have the cheek to blame the Labour Government. The Thatcher Administration has been in office for nearly 10 years, with a large majority throughout. The Labour party was elected at the end of 1964 with a wafer-thin majority. The legislation for the Severn bridge had already been prepared by the late Mr. Ernest Marples, the then Minister for Transport. Welsh Labour Members had earlier tended to dissociate themselves from the crossing project because of the imposition of tolls. Also, when Labour was in power, unemployment was minimal compared with what it has been in recent years—so the need to remove tolls was not so urgent.

Still, the principle of a toll-free bridge has always been relevant. In bygone years, our Welsh ancestors fought bitterly over a similar principle, and their fight was symbolised by the famous Rebecca riots.

In a letter to me dated 9 February, the Secretary of State for Wales said:

"the main demand is to proceed as quickly as possible with the building of a second crossing".

He went on:

"This we will do."

Yet the response of the Department of Transport has been ringed about with ifs, buts and maybes. It has repeatedly stated that a second crossing will be provided if traffic needs justify it and Parliament decides to build it.

Now there are weird Government plans for a privately funded project. The £200 million estimated cost would be attractive to a private developer only if tolls were sky-high. What if tolls on the new crossing are significantly higher than on the present bridge? Motorists would tend not to use the new private crossing. That provides us with a clue to the reason for the proposal to double charges on the existing bridge—to make the whole proposition more attractive to private capital. That is a cynical exercise on the part of the Government.

What is the state of the bridge? In an Adjournment debate a few years ago, I revealed the contents of a report that until then had been secret and which had been written by an internationally renowned firm of consulting

engineers on the state of the bridge. It painted a frightful picture. Subsequently, the Government announced that £33 million was to be spent on strengthening and maintenance work. The Minister told me in a parliamentary written answer on 31 January that £38·9 million had already been spent, and that the estimate for the whole works is now £70 million. Those figures do not say much for the forecasting or technical expertise of the Department.

Meanwhile we suffer perpetual hold-ups and lane closures, the costs of which to the economy of Wales must be astronomical. A few years ago, the situation was summed up by Mrs. Shelagh Salter, then the chairman of the Welsh Consumer Council. She said:

"We have been paying tolls every day but if the Sale of Goods Act applied to the Severn bridge we would be entitled to get our money back . . . It is neither fit for the purpose, nor of merchantable quality."

The public would certainly endorse those remarks.

Surely my request tonight is a reasonable one. Why cannot Wales, with all its economic and social problems, have a decent, toll-free crossing at its main access point? The motorist is contributing hand over fist in taxes between £16 million and £17 million in the current year, I understand. Less than a quarter of this will actually be spent on roads and maintenance. The Treasury, in this run-up period to the Budget, is awash with money. In February 1986, we had the report of the Select Committee on Transport. It called for the abolition of toll charges on estuarial crossings and set out clearly and simply how this could be brought about.

Vast sums of money have been written off by this Government in pursuit of and to facilitate their privatisation ventures. By comparison, the amount involved in writing off the debt on the Severn bridge is simply peanuts, but such a decision on the part of the Government would be a tremendous psychological boost to Wales, and soon the economic benefits would be self-evident.

12.56 am

The Minister for Roads and Traffic (Mr. Peter Bottomley): I congratulate the hon. Member for Newport, East (Mr. Hughes) on making an extempore speech and for so nearly sticking to half the time available for this debate. I also recognise that he has raised this issue on many occasions. Perhaps I could also acknowledge the presence of my hon. Friend the Member for Monmouth (Sir J. Stradling Thomas), who takes a keen interest, and I think has been acknowledged to do so, whether or not he has been in a position to speak.

I make it plain that the convention in Adjournment debates is that the hon. Member who is fortunate enough to be chosen in the ballot can speak, but I recognise my hon. Friend's interest, and also that of the hon. Member for Clywd, South-West (Mr. Jones) and, just in case there are toll bridges to come in Wells, my hon. Friend the Member for Wells (Mr. Heathcoat-Amory).

The totally unjustified attack by the hon. Member for Newport, East on my right hon. Friend the Secretary of State for Wales makes it appear that the hon. Member believes that my right hon. Friend is a Labour Member and therefore the normal courtesies of the Labour party can be extended to him. I point out that he is actually a Conservative and he should be treated with courtesy.

The Severn bridge was opened and the tolls imposed when the Labour party was in government. The legislation governing the Secretary of State's power to levy tolls is the Severn Bridge Tolls Act 1965; that is a point which my hon. Friend for Monmouth would have made.

Section 1 gives the Secretary of State power to levy tolls subject to, and in accordance with, the other provisions of the Act. Sections 2 and 19 provide that he may make orders setting out toll levels for classes of vehicles. Section 3 prescribes the procedure for making orders. In particular, subsection (3) sets out the circumstances in which an inquiry is required. In the present case an inquiry is necessary because one has been demanded by several local authorities and representative objectors.

We must keep toll rates in perspective. When the bridge opened in September 1966 the toll paid by cars was 2s. 6d. That is not quite, but almost, equivalent to the £1 now proposed for cars. We must not forget that there have been only two increases in tolls since the bridge opened, one in 1979 and the other in 1985. The increase now proposed is in line with the Government's intentions to bring to an end the spiral of rising debt on the Severn bridge. Without an increase, debt would rise to abut £400 million by the end of the tolling period in the year 2006. That would be wholly unacceptable. The proposals are designed to enable all debts to be repaid over the period of 40 years that was envisaged by the Labour Government who enacted the legislation in 1965.

This is a rather inopportune moment for the hon. Member for Newport, East to raise the question of tolls on the Severn bridge. As he well knows, a public inquiry into the proposed toll increase starts next Tuesday, 21 February. The House will appreciate that I cannot speculate about the results of the inquiry. To do so would prejudice the role of my right hon. Friend the Secretary of State who must determine the outcome of the inquiry, having considered the report of the independent inspector and all the evidence put before him. I intend, therefore, to be careful about my remarks.

On a personal basis, may I say that if we had a Labour Government and if there were many talented Welsh Labour Members of Parliament, with the hon. Member for Newport, East being appointed a Minister with responsibility for issues affecting London, I do not think that I should insult him by making remarks of the kind that he made about me and Wales. The hon. Gentleman may not be aware that in 1968 I was in industrial relations with the Steel Corporation and was concerned with the R, T and B works—and, for that matter with Velindre as well.

I ought also to say that I go to Wales as often as I can to see the Severn bridge and to keep in contact with the police services in Wales that have done much by leading the battles for road casualty reductions. On both the economic and life-saving factors that affect Wales I give way to the hon. Gentleman, who can speak with such fluency about them, but it might be a courtesy and a kindness if he were to acknowledge that we live in the united kingdom and that there are many Welsh people who have an interest in England and that there are many English people who have an interest in Wales.

The hon. Gentleman has received and no doubt read the Department's published statement of reasons for the forthcoming inquiry. Copies have been placed in the Library. We have outlined the Government's policy

[Mr. Peter Bottomley]

towards tolling estuarial crossings, the legislation under which the toll increase is proposed, the history of tolling on the bridge and the justification for the proposed increase.

At the pre-inquiry meeting on 17 January, which the hon. Gentleman did not attend, the inspector made it clear that although he would report to the Secretary of State any views expressed at the inquiry, it would not be for him to make recommendations that related to the merits of Government policy. We can now look at that policy and at how little it has changed over the years, including the years when the Labour party formed the Government. It should enable the hon. Gentleman to resist the temptation to make too much of the matter at the public inquiry.

This Government's policy towards the tolling of estuarial crossings was set out in a memorandum submitted by the Department of Transport to the Select Committee on Transport in April 1985. The memorandum noted:

"Over the past 30 years successive governments have justified the policy of charging tolls on major estuarial crossings on the grounds of the high cost of provision and the exceptional benefits to users conferred by large reductions in journey lengths and times except where tolls would cause substantial diversion of traffic to alternative, untolled routes."

Section 4 of the 1965 Act provides for a toll period of 40 years, with the possibility of extensions for periods of five years. It also sets limits on the tolls that may be levied. In particular, subsection (2) says:

"In the exercise of his powers under section 2 of this Act the Secretary of State shall not specify scales of tolls exceeding those which in his opinion would be requisite to ensure that, taking one year with another, the revenue produced by the tolls during the toll period, if applied for the purposes mentioned in Schedule 2 to this Act, would be sufficient, but not more than sufficient, for those purposes."

Schedule 2 specifies the purposes to which toll revenue may be applied. These include the repayment, with interest, of the construction cost of the bridge and of any additions or improvements carried out during the toll period. It further provides for the defrayment of all expenditure incurred during the toll period on the operation, maintenance, repair or renewal of the bridge and the provision for defrayment after the end of the toll period of likely expenditure on the maintenance, repair or renewal of the bridge.

The bridge was built from national funds, but in order to set a limit on the power to levy tolls the 1965 Act introduced the concept of users paying for it as if the bridge had been built by means of a loan. On 1 December 1964, during the debate on the Ways and Means resolution on the Severn bridge, the Financial Secretary to the Treasury, Mr. MacDermot, said:

"the intention is that tolls should cover amortisation of the capital cost over a period of 30 to 40 years, with interest, and also the maintenance costs of the bridge and the cost of collection."—*[Official Report,* 1 December 1964; Vol 703, c. 413.]

I acknowledge the hon. Gentleman's interests in this matter. I note that the Welsh Nationalists do not appear to be here, nor do the Social and Liberal Democrats, and I am not certain that we have maintained the interest of the hon. Member for Clwyd, South-West. But perhaps I should let that pass.

It has since been the objective of successive Secretaries of State that, so far as reasonably possible, the toll levels should be such that revenue will be sufficient to meet, over a 40-year period, the expenses set out in schedule 2. In practice, the toll levels set in the past have proved insufficient to meet that objective.

It is quite clear that successive Governments since the war have pursued a consistent policy in relation to the tolling of estuarial crossings, including the Severn bridge. There are those who will argue that nothing should ever be tolled and that tolls are inappropriate on trunk roads and motorway crossings. These views were expressed by the Transport Committee in 1986 in its report on tolled crossings. The hon. Member is clearly in sympathy with them.

The Government's policy is quite clear. We said in our response to the second report of the Transport Committee:

"The Government does not accept the Select Committee's view that tolls are inappropriate on trunk road and motorway crossings. The provision of adequate estuarial crossings is a costly matter; where they offer a substantial time and cost saving to users, like the Severn Bridge and the Dartford Tunnels, the Government considers it appropriate for users to contribute directly to the cost through tolls.

The Government is also unable to accept that it should write off or discharge the debts of tolled crossings. It does not regard tolls as unfair, and it takes the view that there are more pressing demands on its resources."

We said that we were willing to consider reasoned argument for special treatment in particular cases. We did not accept that the write-off or discharge of all debt was justified.

In that response to the Select Committee's report the Government made it clear that they considered the Humber bridge to be a special case. We are currently considering a report by the inspector into proposals by the Humber Bridge Board for a toll increase. When that has been decided by the Secretary of State we shall consider the carefully reasoned case submitted by the Humber Bridge Board for writing off a proportion of that bridge's debts which cannot be met from tolls or other sources of revenue available to it under the Humber Bridge Act. As we said in our response to the Transport Committee, most crossings should prove to be viable under prudent financial management. That would certainly seem to be true of the Severn bridge.

Directly after the 1979 toll increase the annual deficit, which reflected the system of amortisation or capitalising the debts of the Severn bridge, fell. From 1980-81 onward, toll revenue has been insufficient to cover operating costs, and debts therefore continued to grow. It was clear that a further toll increase was required, especially in view of the need to provide for a substantial part of the cost of repair and strengthening works required on the bridge.

In successive reports on the Severn bridge account the Comptroller and Auditor General has drawn attention to the accumulating deficiencies on the account, having regard to the objective of recovering the total deficit over 40 years after the opening of the bridge. The debt to the Consolidated Fund had reached £46 million at 31 March 1984, and then increased by £10 million in each of the succeeding two years, to bring the total to over £65 million at March 1986. This figure had increased to nearly £77 million at March 1987, and to £85 million at March 1988.

Our current proposals for a toll increase have been embodied in a draft Severn Bridge Tolls Order, which, if made, will revoke the current order of 1985. The draft order proposes an increase in tolls for cars from 50p to £1, and for buses, coaches and goods vehicles having an unladen weight in excess of 1·525 tonnes an increase in tolls from £1 to £2.

I should say something about the second Severn bridge. On 28 July 1988 my right hon. Friend the Secretary of State for Transport announced the next step in the provision of this crossing, so we will be in a position to provide the bridge by the mid-1990s, if the traffic justifies it. We are well up to programme and hope shortly to announce a shortlist of companies who will be invited to tender. The construction of this second crossing will require new legislation. It has not been taken into account in considering the need for a tolls increase on the existing bridge.

The House will probably be grateful to the hon. Member for allowing some of these points to be made, but he will understand that I have not spoken with quite my normal articulation—though I am not sure that "articulation" is the word for a Transport Minister. I repeat that I welcome the fact that the hon. Member instigated the debate. He may have been outnumbered three to one—leaving aside yourself, Madam Deputy Speaker—by the Conservatives who are interested in the subject. I think we should look forward to the inquiry and to the results that will follow from it when the Secretary of State has been able to consider the inspector's report.

Question put and agreed to.

Adjourned accordingly at nine minutes past One o'clock.

House of Commons

Wednesday 15 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

Companies (Political Donations)

1. **Mr. Sean Hughes:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his policy towards shareholders' controls over company donations to political parties.

The Chancellor of the Duchy of Lancaster and Minister of Trade and Industry (Mr. Tony Newton): The law requires a note of donations to political parties to be shown in the directors' report for a company and for the report to be circulated to all members of the company before the annual general meeting. Shareholders may then comment on the donations and put down resolutions on them in the same way as they can for other aspects of the management of the company's funds. The requirement to report political donations in this way was introduced by the then Labour Administration in the Companies Act 1967.

Mr. Hughes: Does the Minister not see even the tiniest inconsistency in the fact that whereas this Government have legislated for trade unions to ballot on the question of political donations, even though trade unionists have the option of opting out, when it comes to political donations from companies they have not legislated because shareholders have the option of opting out? Is not that inconsistency more to do with the fact that most of the shareholders' money goes to the Conservative party?

Mr. Newton: It has rather more to do with the fact that the hon. Gentleman's analogy does not stand up. It is much easier for shareholders to change the placing of their investments than for trade union members to change their union.

Dame Elaine Kellett-Bowman: Will my right hon. Friend do nothing to discourage donations from the British School of Motoring Ltd. to the Social Democrats so that the saner half of the alliance may continue to survive?

Mr. Newton: I am not sure that I would wish to intervene in other people's sorrows in quite the way that my hon. Friend suggests.

Mr. Ron Brown: Is it not unethical for Scottish and Newcastle Breweries, for example, to hand over large sums of shareholders' money to the Tory party, especially at a time when the company expects the people of Scotland, who are mainly Labour supporters, to back it in its struggle against Elders? Is that not an important issue of principle on which the Government should make their position known?

Mr. Newton: I described the position in my original answer. It is open to shareholders to raise such matters along the lines that I described.

Sir Geoffrey Finsberg: Does my right hon. Friend agree that it is perfectly simple for shareholders who object to seeing their companies paying political donations to sell their shares, whereas trade unionists caught in a closed shop would lose their jobs if they acted in the same way?

Mr. Newton: My hon. Friend puts with his characteristic vigour the point that I made somewhat more delicately a few moments ago.

Mr. Gould: Will the Chancellor of the Duchy of Lancaster give a clear assurance that the Government will not try to overturn a clear decision on the subject in another place? Will he accept that any attempt to do so would give the lie to the Government's protestations about shareholder democracy and reveal it to be no more than a cynical sham being manipulated by the Tory party for crude party advantage?

Mr. Newton: The hon. Gentleman mentions a point which has no doubt been in the minds of many—the fact that these matters have been the subject of consideration in another place. That consideration is not complete and I certainly would not wish to trespass on their Lordships' discussions.

Mr. Harry Greenway: Does my right hon. Friend agree that the Conservative party is the only party which truly supports free enterprise, that it is entirely in the interests of free enterprise firms to donate money to the Conservative party and that the present rules are perfectly adequate to safeguard the interests of shareholders?

Mr. Newton: Obviously, I have a good deal of sympathy with what my hon. Friend has said. It is a matter for companies to make judgments and for shareholders to raise matter if they wish to do so.

Company Accounts

2. **Mr. Andrew Smith:** To ask the Chancellor of the Duchy of Lancaster how many times in each of the last five years consent has been given for companies to omit details of their overseas subsidiaries from their reports and accounts.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Francis Maude): One hundred and fifty-eight exemptions from disclosing the identity of subsidiaries have been granted since January 1984.

Mr. Smith: Will the Minister tell the House which companies are involved and how many of that large number involve subsidiaries in South Africa? Are not the Government throwing a cloak of secrecy over apartheid connections and thereby deceiving both markets and investors who are concerned about the ethics of what they do?

Mr. Maude: No, I will not disclose those identities nor how many of the subsidiaries relate to any particular

country. In doing that, I am simply following the policy which has obtained for the past 22 years since the provision was introduced in the Companies Act 1967 by the then Labour Government.

Mr. Cabom: In giving companies permission to omit subsidiaries from their reports and accounts, is the Minister aware of the growing criticism about giving positive support for trade with apartheid South Africa? Is he further aware that the Commonwealth and EEC agreements to which we are party are not being observed. When will the Secretary of State honour those agreements and stop giving succour to the South African regime?

Mr. Maude: The hon. Gentleman talks about giving support to trade with South Africa. He may have forgotten that the last Labour Government sponsored, with public money, no fewer than 62 separate trade missions to South Africa. We no longer do that. As I understand it, companies follow the voluntary ban on new investment with South Africa, so there is nothing for the hon. Gentleman to get so excited about.

Internal Markets

3. **Mr. Macdonald:** To ask the Chancellor of the Duchy of Lancaster what proposals he has to ensure that regions other than London and the south-east benefit from the European internal market after 1992.

Mr. Maude: The completion of the single European market by the end of 1992 will affect all regions, directly or indirectly. Our Europe-Open for Business campaign is therefore aimed at encouraging all firms, wherever they are located, to take action now to ensure that they benefit from the opportunities that the single market will bring.

Mr. Macdonald: Does the Minister agree that the loss to a Dutch fabrication yard of a British Aerospace order worth £10 million, to construct six platforms in the North sea as part of an air combat training facility, is an absolute disgrace when fabrication yards in the regions, and especially in my constituency, are crying out for such orders? Does the Minister agree that that shows that the Government have done nothing to prepare Britain for the single European market? Will he undertake to consult his colleagues in the Ministry of Defence and ensure that they will not make any commitment to utilise that British Aerospace facility until they have had the time to discuss in detail with British Aerospace how elements of that order may still be subcontracted to British yards?

Mr. Maude: I hear what the hon. Gentleman says and I am aware of his local concern in this matter. However, this is a decision for British Aerospace to take in the context of the most competitive and suitable tender offered. It is not for the Government to comment or interfere in the commercial decisions of companies. As I understand it, the contract was put out to tender and, in the ordinary commercial way, the best tender was accepted.

Mr. William Powell: Does not the prospect of completion of the internal market by 1992 offer a powerful incentive for inward investment into the Community from third countries? Does my hon. Friend agree that half the current inward investment in the Community is in Britain and that that is having a powerful stimulus on the economic growth of the regions of our country?

Mr. Maude: My hon. Friend is entirely right. There is a great deal of investment from overseas companies in the United Kingdom, partly for reasons connected with Europe, but principally because the United Kingdom is now the most hospitable and one of the most successful environments for manufacturing business.

Mr. John Garrett: Is it not the case that so far we have not done very well out of Europe, but Europe has done very well out of Britain? Does the Minister agree that official EEC statistics show that after 1992 manufacturing will decline in Britain in nearly every sector and that our manufacturing regions will lose out? Does he also agree that the Secretary of State's recent inept briefing of journalists showed that the Government had not taken on board the regional implications of 1992?

Mr. Maude: The hon. Gentleman could scarcely be more wrong. Britain has done and is doing extremely well in Europe, and will continue to do so because manufacturing industry is now more competitive, more profitable and has a sharper competitive edge than at any time for a generation.

Mr. Anthony Coombs: Does my hon. Friend agree that, far from the south-east alone benefiting from 1992, the areas that will benefit most are those areas such as the west midlands where unemployment is falling fastest, manufacturing investment is growing fast and infrastructure investments, such as the national convention centre, are taking place, and which attract nearly one third of manufacturing investment from overseas?

Mr. Maude: My hon. Friend is right to draw attention to the considerable amounts of investment taking place in the west midlands, in which both he and I have a close constituency interest. The benefits of this massive investment boom are being felt in every part of the United Kingdom, and he is right to draw attention to that as well.

Mr. Alton: Does the Minister not understand the concern in the north-west that the south-east, which already has a bloated and overheated economy, will be the beneficiary of 1992? Well he therefore do everything possible to support the north-west regional TUC and the Merseyside chamber of commerce proposals for the Landbridge development so that the north-west may take advantage of the internal market when it is created?

Mr. Maude: I understand the concerns that are expressed, but I believe that they are mistaken. I visited Merseyside not long ago and was most encouraged by the great and widespread optimism there. The optimism and confidence coming from increased prosperity, increased investment and increased economic growth are by no means limited to London and the south-east. They are spread throughout the country. Landbridge is not a matter for me directly, but I hear what the hon. Gentleman says and I shall pass on his concerns.

Manufacturing Productivity

4. **Mr. Boswell:** To ask the Chancellor of the Duchy of Lancaster what has been the growth in Britain's

manufacturing productivity since 1979; and what information he has on the figures for other major industrial countries.

8. **Mr. Cran:** To ask the Chancellor of the Duchy of Lancaster by what amount productivity in the United Kingdom manufacturing industry has increased over the last 10 years; and what has been the comparable increase among the United Kingdom's main industrial competitors.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Robert Atkins): Comparable figures for major industrial countries are available only up to the third quarter of 1988. These show that in the 12 months ending September 1988 manufacturing productivity, as measured by output per person employed, in Italy increased by 38 per cent., in the United States by 37 per cent., in Japan by 31 per cent., in Canada by 27 per cent., in France by 25 per cent. and in Germany by 20 per cent. In the United Kingdom, it was 46 per cent. higher.

Mr. Boswell: Do not those excellent comparative figures, linked as they probably are with the low corporate tax rate, show that other countries will simply have to try harder? Should not the strong financial position of our companies give them adequate scope for further investment, training, research and development?

Mr. Atkins: My hon. Friend is right. I am not sure that I agree entirely with his invitation to our competitors to try harder, but the statistics prove that the other countries to which I referred have a lesson to learn from our success.

Mr. Cran: Despite the considerable progress since 1979, does not a great deal remain to be done, as evidenced by the fact that recent OECD figures show that we still have a productivity gap of 30 per cent. vis-a-vis the United States and 25 per cent. compared with the rest of Europe?

Mr. Atkins: My hon. Friend speaks with authority on these matters—*[Interruption.]* Opposition Members may laugh, but my hon. Friend is regional director of the Confederation of British Industry and knows what he is talking about. In those circumstances, they should pay attention to what he says. My hon. Friend is right to draw attention to the fact that, while we have improved, we can always do better.

Mr. Hoyle: Should not the Minister, too, pay attention to the hon. Member for Beverley (Mr. Cran) as the hon. Gentleman was talking about OECD figures which show that we are 16th out of 21 in the productivity league tables and are ahead only of countries such as Spain, Portugal, Greece and Turkey? Far from being a success story, is that not a story of failure?

Mr. Atkins: I am fascinated as to why the hon. Gentleman always insists on bringing doom and gloom to all our discussions about the successful statistics that I offer to the House, which are a demonstration of what this country has achieved in 10 years of Conservative Government.

Mrs. Mahon: Does the Minister accept that those figures are no use at all to my constituents because 300 job losses have been announced since Christmas, and 650 jobs were lost last year after the KP closure? When will he accept that certain industries are under dire threat and that his figures mean nothing to the textile industries and the engineering and machine tool works in my constituency, all of which are under threat because the Government do not seem to have a coherent policy?

Mr. Atkins: I must take issue with the hon. Lady largely because, as she knows, I represent a northern constituency. In the north-west the signs are that while, of course, there are always problems in a competitive economy, none the less we have tried our best to ensure that the future for industry is bright. The statistics, facts and views that I have received from business men the length and breadth of the country seem to confirm that.

Mr. Batiste: Will my hon. Friend confirm that the best response by companies across the country to the challenges of 1992 is to improve productivity in the future in line with past increases so that they can face European competition not merely on equal terms but as leaders in important areas such as productivity?

Mr. Atkins: Yes, Sir.

Rev. Martin Smyth: Does the Minister accept that the recent figures from the P and A management consultancy, which show a decline in jobs in manufacturing and in the service industry in Northern Ireland, are a cause for concern? As we approach 1992, what can the Government do to improve the situation?

Mr. Atkins: Matters relating to Northern Ireland are dealt with by my right hon. Friend the Secretary of State for Northern Ireland, but I will ensure that the hon. Gentleman's concern is brought to my right hon. Friend's attention.

Hotol

5. **Mr. Atkinson:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the future of Hotol.

Mr. Atkins: British Aerospace and Rolls-Royce are pursuing the possibility of international collaboration on Hotol. The Government remain ready to assist in the search for potential collaborators. As I indicated in my reply to my hon. Friend the Member for Fylde (Mr. Jack) on 7 December last, I have raised this question with the United States authorities. The companies have initiated relevant contacts in the United States.

Mr. Atkinson: I am grateful that my hon. Friend accepts that such a high technology can be realised only by international collaboration. Does he agree that this country has a sad history of letting such inventions go with little return? Will he confirm that Hotol technology remains in British hands? Does he agree that a similar American project, WASP, for which Sheffield university recently received a development contract, offers a way forward for collaboration on our Hotol technology to be realised?

Mr. Atkins: My hon. Friend is quite right. The substance of my earlier answer to my hon. Friend the Member for Fylde (Mr. Jack) which I repeated today, was that the discussions that I had last year in the United States with the space adviser to the President were along those lines. The national aerospace plane, which the United States Government and American companies are trying to

develop, is a project in which British Aerospace and Rolls-Royce are having preliminary discussions. I hope that those discussions will prove successful.

Mr. Stott: When the proof of concept study has been completed, will the Minister support the recommendations made by the House of Lords Select Committee on Science and Technology which examined United Kingdom space policy? The Committee stated:

"HOTOL development costs, perhaps of the order of £5 billion, would be far too large for its development to be a mainly private venture, indeed it could be undertaken only as a major inter-governmental collaboration project."

What are the Government's views about that? Does the Minister agree with the recommendations?

Mr. Atkins: In relation to Hotol, we have said all along that the amount of money required to keep the project going at the moment is relatively small and could be afforded by British Aerospace and Rolls-Royce. However, as the hon. Gentleman rightly says, the long-term development will require many billions of pounds. That is why the Government have said that they are happy about collaboration and are positively encouraging it. However, a limited number of countries have so far said that they want to collaborate because they are not sure of the technology being developed in those countries. We are still considering the matter although, as the hon. Gentleman is aware, we have said that we are not prepared to provide the funding because we believe that it must come from a much wider collaboration. Nevertheless, the matter is constantly under review.

Sir Ian Lloyd: My hon. Friend will be aware that the European Commission, with some justification, recently expressed grave concern that western Europe as a whole was falling behind in space matters by comparison not only with the USSR and the United States but with Japan. The Commission suggests an elaborate programme of co-operation within western Europe to remedy that deficiency. Have the Government made any response?

Mr. Atkins: I believe that my hon. Friend refers to what was previously known as Euromart and related matters. We took a decision to participate strongly in that venture, although my hon. Friend will recognise that it is a wide-ranging area and one about which it is difficult to make predictions. Since Euromart has been subsumed into Brite Euram, we are supportive of it and are monitoring developments very closely. I hope shortly to be in discussion with industry representatives who are concerned about the matter so as to ensure that we represent the British case to the best of our ability.

"Not With Honour"

6. **Mr. Dalyell:** To ask the Chancellor of the Duchy of Lancaster if he will acquire "Not With Honour", an account of the Westland affair, by Magnus Linklater and David Leigh, for the library of his Department.

Mr. Newton: My Department already holds a copy of the book to which the hon. Gentleman refers.

Mr. Dalyell: I have two questions to ask the Secretary of State, of which I gave notice to Sir Brian Hayes' office. First, with reference to page 158 of "Not With Honour", is it true that Sir Brian Hayes and senior officials were against Leon Brittan going, and did they say so at any kind of official meeting? Secondly, with reference to page 143, knowing of the Prime Minister's displeasure that the Law Officer's letter had been leaked, did Leon Brittan use that information to demand a knighthood, as a token certificate of clean political health?

Mr. Newton: I am grateful to the hon. Gentleman for his courtesy in giving notice of his supplementary questions, but even with that notice I can add nothing to the full statements made to the House by my right hon. Friend the Prime Minister. If the hon. Gentleman expects otherwise, his optimism exceeds even his persistence.

Mr. Neil Hamilton: While I do not recommend that the book should be publicly burnt I hope that my right hon. Friend will take its conclusions with a pinch of salt. One of its authors, Mr. David Leigh, is hardly a dispassionate observer of the political scene but an embittered, Left-wing propagandist employed by Mr. Tiny Rowland. Mr. Leigh has just been taken to the cleaners by my hon. Friend the Member for Davyhulme (Mr. Churchill) for having written a pack of lies about my hon. Friend which were published in *The Observer*, which has just resulted in Mr. Leigh losing a libel action in the High Court.

Mr. Newton: The whole House will be grateful to my hon. Friend for the further intelligence that he has been able to give about that matter.

Toyota

7. **Mr. Kennedy:** To ask the Chancellor of the Duchy of Lancaster when he last met representatives of Toyota; what subjects were discussed; and if he will make a statement.

Mr. Newton: My right hon. and noble Friend recently held a meeting with the vice-president of Toyota, Mr. Tatsuro Toyoda, during which he made it clear that, were the company to decide to locate its project for a car manufacturing plant in the United Kingdom, it would receive a warm welcome from the Government. Toyota has been invited to work closely with our officials in pursuing its feasibility studies.

Mr. Kennedy: Given that welcome news of Toyota's interest in locating a plant in Britain—and that, if the venture is successful, there can be only one winner in terms of the fortunate site or region of the country that is chosen—what assessment have the Government made of the likely spin-off to the components industry, for example? Has Toyota given any indication of the type of trade union agreement that it would wish to reach for such a plant? Many of us in Scotland who witnessed the sad, sorry and disgraceful episode at Dundee, do not want a repeat performance of the Ford fiasco and the lost opportunity that occurred there.

Mr. Newton: I am sure that very nearly the whole House agrees with the hon. Gentleman's concluding remark. I am not in a position to speculate about Toyota's intentions, and I cannot make any authoritative estimate of the spin-off effects, but having seen some of the spin-off effects of Nissan's plant in the north-east it is clear that there would be substantial secondary business.

Mr. Jack: My right hon. Friend will be aware that the interest shown by Japanese companies such as Toyota in investing in the United Kingdom is a reflection of the

Government's economic policies, but what advice would he give areas such as Lancashire in which the rising sun has yet to be seen?

Mr. Newton: I would give them the advice, indeed the information, that the present significant amount of overseas investment is reaching all parts of the United Kingdom, which is very encouraging for the country and for its future in the single market.

Mr. Harry Ewing: Apart from the fact that the populist hon. Member for Ross, Cromarty and Skye (Mr Kennedy) does not know the first thing about what actually happened at Dundee, will the Minister bear in mind that Toyota is the only Japanese company that sponsors a pipe band? Is that not a good basis on which to hope that, when Toyota locates its new plant in Britain, I shall be able to welcome the company to the Central region of Scotland, where I assure the Minister that they will be very welcome?

Mr. Newton: I shall ask for the position of the pipe bands in the hon. Gentleman's constituency to be drawn to Toyota's attention in any further contacts that may take place.

Mr. Dickens: Is it not encouraging that countries all over the world are considering investing in the United Kingdom? Is that not because buying British now means travelling first class? It means obtaining goods of the right quality at competitive prices, delivered on time and with a good after-sales service.

It is the Conservative Government who have put the train back on the rails. Once again, British is best, and that is why the Japanese are looking towards us. If they would like to come to Oldham and Rochdale, they will receive a big welcome.

Mr. Newton: The answer to my hon. Friend's question is, broadly speaking, yes.

Interest Rates

9. **Mr. McFall:** To ask the Chancellor of the Duchy of Lancaster what has been the cost to industry of the rise in base rates since April 1988.

Mr. Newton: The cost to industrial and commercial companies to date of the changes in bank base rates since April 1988, compared with the cost if bank base rates had remained the same since April 1988, is estimated to be about £0·8 billion. The hon. Member should bear in mind, however, that a 1 per cent. increase in interest rates, even if sustained for a full year, costs companies far less than a 1 per cent. increase in pay settlements.

Mr. McFall: The rate has increased from 7·5 per cent. to over 13 per cent. in nine months, and the Government's own financial statistics have shown that that has penalised British industry by over £6 billion. Does the Minister agree with the latest CBI survey, "Economic Priorities for 1989 —Building on Business Success", which says that such a policy has a very detrimental effect on investment in British industry and gives an added twist to the inflationary spiral? How can the Minister possibly say that he is helping British industry with such a simplistic and blunderbuss monetary policy?

Mr. Newton: First, there is little doubt that most people in British industry would regard a major resurgence of inflation as a significantly greater risk than the present level of interest rates. Our policy is directed at ensuring that we maintain low inflation, as the hon. Gentleman knows.

Secondly, the scale on which British companies are investing speaks for itself. I understand that in the hon. Gentleman's constituency in the past month or two there have been a number of significant proposals aimed at creating 700 new jobs—for example, from Allied Distillers and Sterling Investments.

Mr. Tim Smith: Will my right hon. Friend confirm that such has been the transformation in company liquidity since the early 1980s that many companies now have substantial amounts of cash in the bank? For instance, GEC has £1,500 million. Will my right hon. Friend confirm that the figure of £0·8 billion that he gave the House is a net figure, and that many companies are actually better off?

Mr. Newton: I can certainly confirm—without going into detail for which my hon. Friend asks—that companies' profitability overall has increased considerably. That, of course, has been one of the main sources of funds for the recent rise in investment.

Mr. Campbell-Savours: May I add a little original thinking to the right hon. Gentleman's contribution? Is it not true that penal interest rates are no more than taxes paid to financial institutions and the private sector, as distinct from direct and indirect taxes which are paid to the Government and the public sector? What is the difference? Do not interest rates constitute no more than a form of taxation?

Mr. Newton: I am having some difficulty in following precisely what the hon. Gentleman has in mind. Interest rates represent the price of borrowing money, in the same way as other prices, including taxes levied, measure the cost of acquiring products. I do not understand what conclusion the hon. Gentleman is seeking to draw.

Mr. Andrew Mitchell: Is it not true that the average gearing of British companies has fallen from a near peak nine years ago of something like 45 per cent. to little more than half that today? Is not that an eloquent testimony to the success of the Government's economic policies towards the corporate sector as well as an important identification of the fact that companies will be well able to withstand the current temporary high level of interest rates?

Mr. Newton: I certainly agree with the general proposition that underlies my hon. Friend's question.

Trade Deficits

10. **Mr. Dunnachie:** To ask the Chancellor of the Duchy of Lancaster which Organisation for Economic Co-operation and Development countries are running a larger trade deficit as a percentage of gross domestic product than the United Kingdom.

The Minister for Trade (Mr. Alan Clark): In 1987 Greece, Portugal, Turkey, Spain, Austria and the United States had larger visible trade deficits than the United Kingdom in relation to their gross domestic product.

The OECD figures for 1988 are not yet complete, but we already know that at least four countries will have deficits larger than the United Kingdom when measured on that basis.

Mr. Dunnachie: It seems strange that the noble Lord Young and the Department of Trade and Industry seem to have ignored or not noticed that our trade gap for 1988 is some £13 billion. That gap is so great that it will require a reduction in demand of about £40 billion, or about £30 per week per household to bridge the gap. Does it not follow that safe supply measures should be taken to increase the ability of British industry to meet the demands of the British economy?

Mr. Clark: I wish that the hon. Gentleman had read more copiously from his notes as I did not entirely follow his question. There is no dispute over the component elements of the deficit. Presumably the hon. Gentleman would not wish to restrict the import of semi-manufactures which feed British industry. The import of consumer goods is a function of consumer spending and it is well know that Opposition Members wish to restrict that by credit controls, wage controls and, for all I know, by exchange controls.

Mr. Charles Wardle: Does not one important key for reducing the trade deficit and making British goods more competitive rest in the hands of employers and employees throughout the country in this year's wage round and all future pay settlements?

Mr. Clark: It is a factor certainly, but I am never comfortable arguing that work people should be paid less in the interests of some wider objective. If their productivity and the quality of the goods that they produce measure up, they have every right to negotiate separately and independently with their employers on the appropriate rate.

Ms. Armstrong: Is it not a fact that one of the major problems that has led to our incredible balance of payments deficit is that we have lost the capacity to manufacture in many areas, and that areas such as mine, which used to be the powerhouse of the country where we could manufacture and produce products that were sold all over the world, have now lost the capacity to do that? The Government ought to be involved in increasing investment in manufacturing particularly in areas such as the north where we do it well.

Mr. Clark: Government involvement in manufacturing is the last thing that the manufacturing industry wants. In fact, there is absolutely no reason why something should not be made from scratch, providing that it is competitive and is of the required quality. One has only to look at the production of Nissan cars in a green field site to see that if the product is competitive and meets a demand, it will immediately take a piece of the market.

Productivity

11. **Mr. Michael Brown:** To ask the Chancellor of the Duchy of Lancaster what are the latest figures he has for the productivity levels in manufacturing industry.

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): Productivity in manufacturing industry, as measured by output per person employed, in the three months to November 1988 averaged 121·4, based on 1985 equal to 100. Productivity has grown by 7½ per cent. in the last year and by 52 per cent. since 1979.

Mr. Brown: In view of that answer, will my hon. Friend confirm that Britain now has the fastest-growing manufacturing output? Will he speculate on how that compares with where Britain was in the two decades prior to 1979?

Mr. Forth: My hon. Friend, with his usual perspicacity, has put his finger on the comparison. The truth is that productivity in this country is growing and has been growing at record levels. We are now outstripping all our major competitors. My hon. Friend is right to draw attention to the fact that in the 1960s and 1970s the position was quite the reverse—we were then a picture of miserable failure. We are now a gigantic success.

Mr. Haynes: When will the Minister realise that in my constituency the hosiery and knitwear industry could increase its productivity if the Government did something about the massive imports? Those imports are crucifying that industry. When will the Government do something about it?

Mr. Forth: I do not know when the hon. Gentleman last consulted the consumers in his constituency on whether they would appreciate his removal of their freedom of choice in what they purchase. The hon. Gentleman appears to be suggesting that he would arbitrarily deny people the right to choose freely what they purchase. It is a matter of some regret that the hon. Gentleman undervalues the contribution being made by the workers and management in his constituency in their efforts to make their industry more competitive.

Mr. Devlin: Will the Minister confirm that in the north of England—where there is a significant part of our manufacturing industry—confidence is at an all-time high? The productivity gains that he has mentioned have been higher there than the national average.

Mr. Forth: My hon. Friend is correct. My colleagues and I often visit companies in the north and throughout the country and we find nothing but confidence in the present and in the future. I believe that that is something from which we should take great heart, and we can be confident that it will continue.

Post Office Counters

12. **Mr. Steel:** To ask the Chancellor of the Duchy of Lancaster whether, following the recommendations of the Monopolies and Mergers Commission in its report, "Post Office Counter Services", he will ensure that the board of Post Office Counters has received prior commitments from its major clients that its services will continue to be used by them before a multi-million pound investment is made in automating the network; and what are the implications of the absence of such long-term commitment for this investment.

Mr. Newton: The Post Office will conduct a comprehensive financial appraisal of the proposed investment before deciding whether to seek the Government's approval to proceed. The appraisal will be

based on a full evaluation of a pilot scheme, to begin later this year, and will take into account the possible future use of counter services by existing major clients.

Mr. Steel: I appreciate all that, but surely the point is that the Monopolies and Mergers Commission was quite explicit in saying that we must safeguard this public investment by ensuring that, if automation goes ahead, the DSS, the DVLC at Swansea and other users will guarantee that they will use it. Otherwise, public money will be wasted. Why has that recommendation not been accepted by the Post Office?

Mr. Newton: For the reasons set out clearly in the Post Office's response to the recommendations of the Monopolies and Mergers Commission it thinks that it is entirely right to seek the maximum possible commitment from potential customers, but to fall short of the absolute prior commitment of the kind that the right hon. Gentleman suggested. Frankly, I believe that few businesses would not wish to take account of customers' intentions as declared in investment decisions, but they would not regard firm commitments as an absolute sine quo non before making any such decisions.

Mr. Soames: I note what my right hon. Friend has said, but does he agree that the Post Office counter services are by and large quite disgraceful? It is ridiculous that members of the general public should be kept waiting in some cases for hours at the only times when they are able to get to the Post Office to get what they need. Will my right hon. Friend assure the House that, whatever the results of the investigation, he will ensure that services are greatly improved?

Mr. Newton: I note what my hon. Friend said. The Post Office is seeking ways of improving the efficiency of its services, including, as my hon. Friend will doubtless be aware, proposals for the future involving a number of offices being organised in a different way. I will certainly encourage the Post Office to pursue every way in which better services can be provided.

Mr. Henderson: Does the Minister recognise that since major changes have taken place in financial services in recent years, Post Office Counter Services has been operating with its hands tied behind its back? Does the Minister agree that if the Government want Post Office Counter Services to become more competitive in the high street marketplace, he should authorise an expansion of services to include such things as travel, financial services and ticket agency services?

Mr. Newton: We are prepared to look at specific proposals, if they make sense, on a case-by-case basis. The hon. Gentleman will probably be aware that I have recently agreed to the part of the Post Office dealing with television licensing taking on subscription management services in relation to satellite broadcasting because that was a sensible proposal. In general terms, one of the important things is the proposal to which the right hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel) referred in his initial question, and we have authorised the pilot scheme for the automation of some aspects of counter services.

Science Parks

13. **Mr. Stern:** To ask the Chancellor of the Duchy of Lancaster if he has any proposals to further the establishment and development of science parks.

Mr. Forth: Science parks are already well established and growing fast in the United Kingdom. There are now nearly 40, with the likelihood of five more this year. Some help is available in the assisted areas for the development of science parks from Government development agencies.

Mr. Stern: Does my hon. Friend agree that one of the advantages of such parks is the symbiosis they create with existing and new high technology industry in the area? Will my hon. Friend join me in welcoming the establishment of Emersons Green science park just outside Bristol, which will not only benefit existing high technology industry but will draw fresh industry to the area?

Mr. Forth: My hon. Friend is correct. Science parks are a success story of considerable magnitude up and down the country. He is right in welcoming the prospect of a science park near his constituency so that people in the area will be able to enjoy the benefits that have been enjoyed by others already associated with science parks.

Mr. David Shaw: Does my hon. Friend have any information on the number of jobs that have been created directly or indirectly by science parks? Can he compare those figures with the position between 1974 and 1979?

Mr. Forth: It is difficult to give my hon. Friend an exact figure, because the nature of employment in science parks is variable and difficult to define. I will endeavour to give my hon. Friend an accurate figure if he will allow me to write to him. It is evident to everybody that the science park venture has helped to combine education institutions and the world of business to bring us the best hope for growth in employment in the future.

Trade Balance

14. **Mr. Teddy Taylor:** To ask the Chancellor of the Duchy of Lancaster what was the surplus or deficit in trade in manufactured goods with the European Economic Community and the rest of the world, respectively, over the most recent 12-month period for which figures are available.

Mr. Alan Clark: In 1988 United Kingdom trade in manufactures was in deficit by £12½ billion with the European Community and by £2 billion with the rest of the world.

Mr. Taylor: As the deficit with the EEC has increased steadily in every year since 1973 to its present horrific level and as that puts at risk the Government's successful economic policies, does the Minister agree that there is a case for a special detailed inquiry into what is going wrong in our trade with the EEC, whether it is non-tariff protection or something else? Does he agree that in view of the December 1988 figures, which were the worst in recorded history, with £3 of goods coming in for every £2 going out, there might be a case for replanning the Channel tunnel to have two tunnels going in one direction and one in the other?

Mr. Clark: Over the years I have got into enough trouble by commenting on the Channel tunnel to prevent

me from doing so on the Floor of the House. The circumstances to which my hon. Friend has drawn attention cannot persist indefinitely. After 1992 the imbalances in that form will no longer exist. There is a school of thought which argues that after 1992 and the completion of the internal market, deficits will disappear in that form and the imbalances will be simply regional and sectoral.

Mr. James Lamond: Does the Minister understand that we know that he does not believe those views any more than we do? How do these disastrous figures square with the rosy picture that has just been painted about the alleged confidence of manufacturing employers in this country? When the Parliamentary Under-Secretary of State for Industry and Consumer Affairs says that his Department has received nothing but views of confidence from manufacturers, should not the hon. Gentleman tell him of the views he has received from textile manufacturers who, despite the increases in productivity and the investment that they have made, now find that this Government are the worst they have ever had to work under?

Mr. Clark: The hon. Gentleman does not do justice to the situation. Almost half our manufactured exports go to the Community, which is by far our largest single market. The level of confidence in the United Kingdom's economy and the amount of internal investment from, for example, the United States and Japan that it is drawing in, continuously—and now sharply—raises our level of manufacturing. It is probable—indeed, my right hon. Friend the Chancellor of the Exchequer expressed this opinion as recently as in the Autumn Statement—that this deficit will diminish over the medium term.

Mr. Churchill: Is my hon. Friend aware that, whereas private enterprise, particularly in the north of England, is well advanced in plans to take advantage of the opportunities afforded by 1992, the Government seem to have a long way to go yet in that direction? Adequate infrastructure should be in place by the time the Channel tunnel opens, so that we can run high-speed freight trains and passenger services. We also need an adequate motorway system to enable us to enjoy, and capitalise on, the benefits offered by the single European market. Will my hon. Friend have a word with our right hon. Friend the Secretary of State for Transport to ensure that proper progress is made?

Mr. Clark: I shall do so, but my right hon. Friend answers questions on this topic from time to time and I suggest that my hon. Friend addresses his questions directly to him.

Manufacturing Investment

15. **Mr. Pike:** To ask the Chancellor of the Duchy of Lancaster in which regions there is a lower investment in constant terms in manufacturing industry in the latest year for which figures are available than in 1979.

Mr. Atkins: The latest available regional data are for 1986. In real terms, capital expenditure in manufacturing industry in 1986 was lower than in 1979 for all regions in the United Kingdom, largely due to the world recession in the early 1980s. Since 1986, manufacturing investment in the country as a whole has risen sharply, and is predicted to rise even faster.

Mr. Pike: Will the Minister recognise that, in the north-west region, investment in manufacturing industry for the period he mentioned was down 38 per cent., jobs in manufacturing industries were down 38 per cent. and output from manufacturing industries was down 18 per cent.? Are not those figures appalling for a key manufacturing region of the nation? Will we not further suffer as a result of the Channel tunnel and 1992, unless the Government act positively to assist our manufacturing regions?

Mr. Atkins: As a north-west Member, I resent most strongly the hon. Gentleman's attempt to do down the north-west when he knows as well as I that the facts on the ground, in his and my constituencies, and in those represented by my hon. Friends, give the lie to what he suggests. Manufacturing investment and productivity are at an all-time high, and the gap caused by the recession in 1981-82 meant that any delay in the increase was to be expected. He knows as well as I just how good the position is.

Mr. Thurnham: Does my hon. Friend welcome the fact that once small manufacturers in the regions—such as Reebok in Bolton—have succeeded in developing into large international trading concerns and have brought great wealth to this country? Will he do all that he can to assist international companies with headquarters in the regions, instead of listening to the small-minded views of Opposition Members?

Mr. Atkins: My hon. Friend, along with many other Conservative Members who represent northern constituencies, spends as much time as I do trying to encourage people to come to our region, to build headquarters of companies and to invest there. The activities of Labour Members in doing down our region do not help.

Internal Market

16. **Mr. Jim Marshall:** To ask the Chancellor of the Duchy of Lancaster how many standards set under the development of the internal market are based on British standards; and how many are based on *(a)* German standards, *(b)* French standards and *(c)* those of other European Community countries.

Mr. Maude: The European standards bodies, Cen and Cenelec, adopt wherever appropriate agreed international standards. Very few European standards are based on an existing standard of any one Community country.

Mr. Marshall: Does the Minister accept that there is concern in the United Kingdom that other European countries appear to have more success in influencing EEC standards and that this can have significant consequences for industrial costs? Will he try with greater urgency to ensure that at least one EEC standard is based on a United Kingdom standard?

Mr. Maude: One European standard based on an existing standard is, for example, the commonly used BS 5750 on quality assurance. I am aware that there is concern about this issue and that it is, as the hon. Member says, an

issue which matters. Industry in this country has not taken the standard-setting process as seriously as it should, and certainly not as seriously as it has been taken by industry in Germany. But in the last year, since we have been urging industry in this country to do more in this respect—and it lies with industry and not with the Government to do it—the situation has improved greatly. But I join the hon. Gentleman in urging particularly those in manufacturing industry to take this matter extremely seriously and to attach as high priority to it as does industry in Germany.

Mr. Dykes: Now that we have been involved with the EEC for nearly 16 years and are gradually getting used to working constructively with our foreign friends at long last, is the Minister satisfied with the developing regime for origin marks and trade marks in the Community on the basis of being voluntary and not compulsory in each country, but with an agreed EC standard if necessary?

Mr. Maude: A directive and regulations on Community trade marks are being negotiated. Those will have the sort of beneficial effect to which my hon. Friend refers and will, at the same time, reduce costs to business and make life easier for it.

Mr. Gould: What confidence can British industry have in a Government who have themselves failed lamentably to make adequate preparations for 1992? Is the political briefing prepared by the Minister's civil servants in response to the Labour party's analysis of the Giacconi report the best they can do, and why were civil servants involved in that exercise in the first place?

Mr. Maude: The hon. Gentleman has so little of substance to offer that he has to make use of that tawdry little effort. I sympathise with him, because he has no experience of Government and has so few colleagues with such experience, that he will not understand that it is not only proper for civil servants, but that it is their duty, to brief Ministers on any report that comments on Government policy. The document to which I believe he refers mentioned two reports about 1992. One was by the London business school and was rather good. The other was on behalf of the Labour party and was rather bad.

Cars

17. **Mr. Adley:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the implications for the most recently published trade statistics of the practice of United States-owned car manufacturers importing into the United Kingdom cars assembled outwith the United Kingdom.

Mr. Alan Clark: The complex pattern of trade between national plants is subject to so many variables as to rob any estimate based thereon of tangible significance. *[Interruption.]* I must draw the attention of the House to the fact that I wrote that personally.

Mr. Adley: Will my hon. Friend accept that that is intellectually interesting but politically unsatisfactory? Does he agree that the label "British", as applied, say, to cars manufactured by American-owned companies and assembled in Belgium, Spain or West Germany, is inaccurate? Does he agree also that, for example, Japanese cars, which are also foreign-owned, are at least being built in this country? In view of the constant advice to "Buy British", is it not important that the statistics that he does not know should be known so that we may use the phrase "Buy British" to mean something?

Mr. Clark: There is a lot in what my hon. Friend says. The mass manufacturers have a comprehensive interchange of component supply which entails some confusion. The engines for the Fords that count in the German production total are made in the United Kingdom, just as the engines for the Vauxhalls and Peugeots that count in the United Kingdom production total are made in Germany or in France. It depends how narrowly my hon. Friend wishes to draw his definition. It might mean that the British consumer, if he really wanted to buy British, would be left with a choice of only Jaguar, Range Rover or Morgan.

Business Rates

3.30 pm

The Secretary of State for the Environment (Mr. Nicholas Ridley): With permission, Mr. Speaker, I shall make a statement on business rates.

The Local Government Finance Act 1988 provides for a uniform business rate in England and in Wales and for a revaluation of non-domestic property. These changes will take effect on 1 April 1990. The new arrangements will mean the end of wide variations in rate poundages between different areas; and rateable values will be brought up to date to reflect accurately the relative benefits of different types of property in different locations. This will provide a welcome incentive for businesses to expand in the currently less economically buoyant areas.

My right hon. Friend the Secretary of State for Wales and I have considered the Inland Revenue's preliminary sample survey of the likely combined effects of the 1990 revaluation and the introduction of the uniform business rate. The results of the survey must be interpreted with caution: they give only a general indication of possible changes in rate bills from 1990. Subject to that important qualification, the survey suggests that rateable values will increase from 1973 levels by around seven and a half times on average in England and by around eight times on average in Wales.

It is our intention to fix the business rate poundage in 1990-91 so as to raise in real terms broadly the same amount of rates from private business and nationalised industries as in 1989-90. So this increase in rateable values by seven to eight times does not mean that rate bills will go up by seven or eight times. That is because, to secure the same overall yield as in 1989-90, the rate in the pound will fall to between one seventh and one eighth of the present national average poundage. On this basis the poundage would be in the range 30p to 35p if the business rate were introduced today. This means that the average rate bill payable by businesses will be the same as before the change in real terms. But there will, of course, be wide variations in actual bills, depending upon how the rateable value of the particular property changes relative to the average, and whether the present local rate poundage is above or below the average.

The survey suggests that the broad effects of the uniform business rate and the revaluation, taken together, will be that businesses in the north and midlands will tend to pay less, and businesses in southern England will generally face increases. As a general rule, factories and warehouses will tend to pay less, while shops and offices will pay more. Overall, business in the north and midlands is projected to enjoy rate reductions of some £800 million once the transition is complete. In Wales businesses in the valleys will tend to gain, but the shift in burden between the valleys and the rest of Wales will not be very large.

To give businesses time to adjust to their new rate bills, we are proposing transitional arrangements to introduce the changes gradually. Those arrangements will be self-financing. There will be limits on the percentage by which the rate bill for any property may change from one year to the next, for the first five years of the new system at least. For properties in England and Wales facing increases the limit will be 20 per cent. generally, but to help smaller businesses there will be a lower limit of 15 per cent. for small properties, those with new rateable values below £7,500 in London and £5,000 elsewhere. Arrangements in Scotland are, of course, a matter for my right hon. Friend the Secretary of State for Scotland, but he proposes comparable protection for business ratepayers facing increases in rates as a result of the revaluation in Scotland in 1990.

For properties in England due to benefit from rate reductions, I shall decide finally on the percentages by which changes will be phased when I have fuller information in the summer, but present projections imply that limits on annual reductions of 15 per cent. for small properties and 10 per cent. for large would offset the cost of the protection for losers. My right hon. Friend the Secretary of State for Wales will, similarly, base his final decisions on phasing of reductions for Welsh ratepayers on later information, but present projections indicate that slightly higher limits would be sufficient in Wales to offset the cost of protection for losers.

Compared to present rate bills, the percentage increase for losers is greater than the percentage reduction for the gainers because the losers as a group have substantially lower rate bills at present. All these limits are net of the annual change in the rate poundage resulting from the link to the retail prices index, and they are compound, in that, after the first year, the maximum percentage increase or decrease would be calculated from the rate bill in the preceding year.

We wish to give the highest possible priority to preparing fully and promptly for the new business rating system, and have therefore concluded that it would be right, in order to reduce the incentive for business ratepayers, to propose changes in the old 1973 rating list, if the sole purpose is to secure a slightly better position under the transitional arrangements. We therefore propose that in 1990-91 the base liability, to which the transitional limits will be applied, should be calculated using the rateable value in the list today, adjusted only for any changes resulting from ratepayers proposals to amend the value received by the valuation office by yesterday.

Ratepayer proposals to amend the 1973 list received by the valuation office today or in the future, including those posted before today but not received until today, will not be reflected in the transition. Any changes in rateable values in the 1973 list resulting from existing or future proposals made by the valuation office will, however, be taken into account in the transition.

Ratepayers will still have the right to propose changes to the 1973 list, and, if such proposals lead to reductions in value, will get the benefit until March 1990, but not thereafter. They will, of course, have the right to make proposals in relation to the 1990 list.

We believe that business ratepayers as a whole will welcome our intention to concentrate on getting the new system right and thus to discourage further attempts to change rateable values which have stood for up to 16 years.

The powers in the 1988 Act to make regulations are inadequate to facilitate transitional arrangements of the kind I have described. We shall therefore propose amendments to the 1988 Act in the Local Government and Housing Bill. In order to give businesses and local authorities as much certainty about the transition as possible, it is our intention, after consultation, to bring forward amendments setting out the arrangements in the Bill itself rather than in subsequent regulations.

We are today issuing and placing in the Library a consultation paper, which includes the results of the Inland Revenue survey referred to earlier, setting out the details of the transitional arrangements and inviting comments.

Dr. John Cunningham (Copeland): The Secretary of State has made a long, on the whole vague and generalised statement which is apparently meant to calm fears about what is in store for business ratepayers, particularly in the south of England. It will not do so, because it leaves people in the dark. It does not take us any further, except that the Secretary of State has admitted that the 1988 Act is inadequate to deal with the scale of the increases in their taxes that business people will face.

The idea of a national business tax was always a bad one, but does not the Secretary of State recognise that within one year of the reality of change business people still have no clear or accurate idea about what will hit them as a result of the Government's proposals?

The Secretary of State carefully and partially mentioned a reduction in bills of £800 million in the north. He was far less candid about who would pick up the tab for that. Nor does his statement mention exactly what the increases in bills will be for people in the south. Is it not clear from his proposals that many business people will see their bills double, treble or even quadruple as a result of the proposals?

Why does not the Secretary of State publish exemplifications, or perhaps he will be able to tell us that they are included as worked examples in his consultation paper, which we have not yet seen? I hope that one way or another, either in the consultation paper or in some other way, he will publish real worked examples about the implications of his national business tax. If he argues, as he and his colleagues have done, that rates increases drive out jobs, what are the implications of the increases in London and the south-east for employment in businesses?

Can the Secretary of State say what size of property in London will benefit from his proposals for small businesses? Is not he really talking about an office which will accommodate simply one or two people? Judging by the scale of the figures in the statement, it certainly would not be much bigger than that. Will multiple shop and office owners or occupants gain on each of their premises, and will not that be a distortion of the idea of what he is proposing—to help small businesses?

When the reality of the increases on businesses is realised, there will be uproar. Will the Secretary of State assure the House that the Chancellor of the Exchequer will not use his powers set out in the poll tax legislation to give business a tax holiday at the expense of poll tax payers?

Mr. Tony Favell (Stockport): What about Cumbria?

Dr. Cunningham: Cumbria does not want the poll tax or the national business tax: I can tell the hon. Gentleman that for nothing.

Is not all this the reason why the Confederation of British Industry says that it cannot support a national business tax, and why the Institute of Directors says:

"A good local tax must be fair and accountable and the proposal for a uniform business rate runs totally contrary to that principle"?

Is not that why the National Chamber of Trade says that a uniform business rate is not acceptable to it, and why the Forum of Private Business says that the Government's rate reform proposals will have a disastrous effect on most of the United Kingdom's small business sector? Is not that why the National Federation of Self-Employed says that a national business tax is most unwelcome?

The Secretary of State should recognise that there is not a scintilla of support for any of this in the business community.

Mr. Ridley: The hon. Gentleman confessed, despite the fact that he had the statement an hour or so ago, that he was in the dark about what it meant.

Dr. Cunningham: That is not true. I did not have it an hour ago, and the right hon. Gentleman knows it. That is a lie.

Mr. Ridley: That was the case yesterday. Yesterday the hon. Gentleman had had the Bill for 10 days, but he was still in the dark. He is short on argument—*[Interruption.]*

Mr. Speaker: Order. I draw the attention of the House to the fact that we have a Committee stage under the guillotine later today, so I must limit the time on the statement. Will the Secretary of State get on with the answer, please?

Mr. Ridley: The hon. Gentleman is short on argument and long on adjectives.

Mr. John Watts (Slough): On a point of order, Mr. Speaker. I distinctly heard the hon. Member for Copeland (Dr. Cunningham) use the word "lie".

Mr. Speaker: That is unparliamentary, but I did not hear it myself.

Dr. Cunningham: Further to that point of order, Mr. Speaker. The hon. Gentleman is right. In a moment of anger, I used the word "lie" because the Secretary of State said that I had had the statement for an hour. That is not true, and he knows it. I have had the statement for 25 minutes. I withdraw willingly my use of the word. However, I hope that everybody is now well aware of the way in which the Secretary of State deliberately uses misleading statements in the House.

Mr. Ridley: The hon. Gentleman says that he has had the statement for only 20 minutes—[HON. MEMBERS: "Twenty-five minutes."] If he cannot understand it in 25 minutes, he is no damned good—*[Interruption.]*

Mr. Speaker: Order. I must repeat to the Secretary of State and to the whole House that we have a timetable motion today on the Official Secrets Bill. I hope that we can get on with the substance of the statement, rather than seeking to score party points.

Mr. Ridley: I was hoping to do so, Mr. Speaker. I shall now answer the questions.

First, the Local Government Finance Act 1988 is not inadequate to deal with the problem except in relation to the legal powers contained in it to bring in the transitional schemes. Secondly, the reduction of the rate bills in the five midlands and northern regions, based on this year's figures, would be about £800 million after the transitional period and in the north-west region, part of which the hon. Member for Copeland (Dr. Cunningham) personally represents, it would be £310 million.

I do not know whose side the hon. Gentleman is on. It is his Labour councils in the north-west that have been extorting that amount of money from business, with

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disastrous effects on the economy and employment, which are Labour's legacy in the north-west. Our proposals will release business and workers in the north-west from the tyranny that Labour has imposed on them for its expensive and expansionist policies.

All that I have sought to do with the new business rate is to base the tax paid on genuine capital values. The Labour party's policy is to base the taxation of domestic ratepayers on up-to-date capital values, so it can hardly complain because we seek to base business taxation on up-to-date capital values. The survey is in the Library at the moment, so the hon. Member for Copeland can see the information currently available to the Government from the Inland Revenue.

The hon. Gentleman asked about the small business relief. It will be £7,500 rateable value on the new lists in London and £5,000 elsewhere. Businesses included in that will be 60 per cent. of total ratepayers. That is not the small minority that the hon. Gentleman suggested. Of course, it will include multiples because there is no way of separating them out from those who have single small premises. Nevertheless, it would be churlish and stupid of him not to realise that the added transitional relief for small businesses will be welcomed.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House of my earlier comments. I shall allow questions to continue until quarter past 4 because of the timetable motion. I draw the attention of the House to the concluding remarks of the Secretary of State when he said that the consultation paper was being placed in the Library and that comments on it would be invited. We shall undoubtedly return to this subject on other occasions.

Mr. John Heddle (Mid-Staffordshire): Will my right hon. Friend acknowledge that industry and commerce in my constituency and in the west midlands will be grateful for the transitional arrangements? Will he confirm that if the Labour Government had not fudged commercial revaluation in 1978 these transitional arrangements might never have been necessary? Will he further confirm that as this increase in rates will be absorbed ultimately in a stabilising of rents at a time when commercial and industrial tenants will have to absorb VAT on rent, fuel and power despite a robust defence against that in the European courts, the five-year provision should be read with at least flexibility?

Mr. Ridley: My hon. Friend is absolutely right. The likely reduction in the rates bill in the west midlands will be about £200 million per year after the transition. My hon. Friend's other point—that the 1978 revaluation should have been undertaken—is absolutely sound. If we do not have revaluation, how can we possibly have a property tax because we shall not know the value of the property?

I confirm what I said in Committee. If at the end of the first five-year transitional period there are still major anomalies and large increases pending at the second revaluation for a significant number of businesses, we have the power to introduce a second transitional scheme for the second quinquennium. Indeed, as it is no concern of the Labour party, I am quite prepared to think of one for the third, fourth or fifth quinquennium, when no doubt we shall still be responsible for such matters.

Mr. Matthew Taylor (Truro): Does the Secretary of State accept that many smaller businesses will be disappointed that the transitional protection is to limit increases to between 15 and 20 per cent. when they have been pushing for a limit of 10 per cent.? Does he agree that it is difficult for smaller businesses to make up that sum annually, especially if they are shops? Will he accept that he was wrong to suggest that only areas in the north have problems of poverty, because many rural areas also have such problems and they have deliberately held down the national business rate and their provision of services to help with employment? Businesses in Cornwall will be disappointed that the national business rate will mean that they will not only have to pay increased rates but continue to sacrifice services.

Mr. Ridley: If we had a tax based on property—after all, rents tend to be based on property values—we would achieve a better distribution of business if we valued the property and charged the rent, and in this case the rates, on the true value of the property. I do not believe that small businesses will suffer with the transitional arrangements because those that are paying far too much at present are severely disadvantaged against their competitors. It is right from the point of view of fair competition that small businesses, in whatever part of the country they are located, should pay the tax based on the true value rather than the value of 16 years ago.

I realise that the south-west is not a gainer from this. However, my point is a true one. If we are talking about a property tax and the Social and Liberal Democratic party is not averse to property taxes, that party cannot quibble at the thought that a property tax should be based on the true value, just like income tax.

Mr. Michael Grylls (Surrey, North-West): Does my right hon. Friend agree that most sensible businesses throughout the country will recognise that the introduction of a universal business rate is a good step forward and that it will give small independent firms, especially in Labour-controlled areas, protection from irresponsible Labour councils, which have so often done their best to put such firms out of business?

I thank my right hon. Friend for listening to the representations made by the small firms organisations that I brought to see him. The fact that he listened and has introduced these transitional arrangements is something to be pleased about. However, if there are any problems with this, will my right hon. Friend listen again to any representations that are made on his consultative paper because obviously he, I and everyone else do not want to damage any of the firms that are, at last, doing so well in this country?

Mr. Ridley: I entirely agree with my hon. Friend, and I am grateful for what he said. It might bring the point home if I say that the reduction in rates in a local authority such as North Tyneside will be as much as 26 per cent. after the transitional period. Rates are one of the chief reasons for the appalling unemployment problems in such an area. I also agree that it was right to make a specially slower transitional period for the smaller businesses, and

Conservative Members who have argued that case have made the case sufficiently well for the differential that I have announced today.

Mr. Donald Anderson (Swansea, East): As there is a separate business rate for Wales, was there any reason in principle why there should not be a separate statement for Wales? The Secretary of State said that the shift in burden from the valleys to the rest of Wales will not be large. Can he give some sign of the scale of that shift? Does this imply a substantially reduced phasing period?

Mr. Ridley: My hon. Friend the Minister of State, Welsh Office will have heard what the hon. Gentleman has said, but I hesitate to say much more about Wales. Little other than crude data are available, either for England or Wales, because we are working only on summary figures from the Inland Revenue. I think I am right in saying that changes in Wales are unlikely to have a great effect on any by-elections taking place there at the moment.

Mr. Robin Squire (Hornchurch): Will my right hon. Friend confirm that the central purpose behind the introduction of the unified business rate was to reduce rates in areas of relatively cheap property, if only to provide an extra incentive for investment in those areas? Will he also confirm that in recent years, in two parts of London alone, Ealing and Waltham Forest, the increase that businesses faced was massively more than the maximum increase that he has announced today will be faced by businesses?

Mr. Ridley: My hon. Friend is right. The advantages are to those in areas where there has been a deliberate policy of exploitation due to Labour councils trying to extort money from defenceless industry, which cannot even vote. This relief will be welcome in such areas. Its incidence is different in different parts of the country, and in some council areas in the south of England, which are also pressing their business men, there will be benefits as well.

Mr. Harry Ewing (Falkirk, East): Is the Secretary of State aware that the reference in his statement to Scotland is a gratuitous insult to Scottish Members of Parliament? The Secretary of State for Scotland should have made that reference. It reveals the extent of the betrayal of Scottish industry by Scottish Office Ministers. When the Secretary of State talks about the Labour Government's failure to revalue in 1978, he should bear in mind that he has had 10 years to revalue in England and has done nothing about it. With the revaluation in 1990, Scotland will have had four revaluations as opposed to one in England and Wales. The Secretary of State should be aware that his Scottish Office colleagues have put the petrochemical industry in my constituency at a serious disadvantage compared with petrochemical industries in the rest of the United Kingdom, and the same is true of other industries. Scottish Office Ministers should resign en bloc today for their betrayal of Scottish industry.

Mr. Ridley: I am sure that my right hon. and learned Friend the Secretary of State for Scotland will take note of what the hon. Gentleman has said. Perhaps it will be some comfort for him to know that we are pressing on with aligning the basis of assessment for rates as between Scotland and England, which is the fundamental problem in this respect, and it will not be long before I am able to announce changes to the decapitalisation rate, which is again different as between Scotland and England. I hope that those two moves will, between them, be a big step towards achieving a better balance between the treatment of businesses in Scotland and Wales.

Mr. Allan Stewart (Eastwood): Does my right hon. Friend agree that Scottish Office Ministers have the fullest support of Conservative Members? Does he also agree that the reason why certain sections of Scottish industry have problems is that we have somewhat perversely pursued an independent and separate rating system? Opposition Members should bear that in mind. Can my right hon. Friend say anything more about the progress that is being made in the joint talks between the assessors in Scotland and the Inland Revenue in England? There is some concern that progress has not been as fast as it might have been.

Mr. Ridley: I confirm that the two problems with which we are grappling in relation to the difference between Scotland and England are the basis of assessment and the decapitalisation rate. As I have said, the Government hope to make a reasonably early announcement about the latter. However, the former requires two different sets of valuers or assessors to reach an agreement about the best practical means of going about their business. I do not have direct control over that. I hope that the two sets of valuers will hear what my hon. Friend said and will speed up their discussions to agree a common basis. I am sure that the English would not wish to have the Scottish system imposed upon them any more than the Scots would want the English system imposed on them.

Mr. Andrew Welsh (Angus, East): The Secretary of State said that there will be a comparable measure for Scotland. Will he confirm that that would still leave Scottish businesses with a massive disadvantage built into the system? Is he aware of the effects of water rate changes which will add burdens of 100 per cent. or more to Scottish businesses in comparison with their English competitors? Does he accept that the measure that he is bringing forward is bad news for Scotland because of the failures of the Scottish Office? When can we expect a statement from the Scottish Office?

Mr. Ridley: If the hon. Gentleman looks carefully at the figures, I suspect that he will find that there is another problem. Scottish local authorities spend even more than Labour-controlled English authorities.

Mr. John Butterfill (Bournemouth, West): I thank my right hon. Friend for honouring the commitment which he gave me in Committee on the Local Government Finance Act 1988 when I withdrew my amendment about small businesses. Many small businesses will be pleased to hear my right hon. Friend's statement, but he will appreciate that the rateable value limit which I suggested in my amendment was somewhat higher than the one he has suggested today. I know that my right hon. Friend's figures are based on estimates, but if there are anomalies in the valuation and some areas suffer much worse than others, will he consider not confining his exemptions simply to London, but include other areas which need to be singled out for special treatment?

Mr. Ridley: I pay tribute to my hon. Friend for having the foresight to move his amendment on the transitional

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basis suggested and for including a speciall provision for small businesses, which the Government thought was exactly the right way to proceed. This is only a consultative document and we will listen to what people say about it. It is based on a survey by the Revenue which is by no means more than a summary survey. It does not include vast numbers of individual properties which we could consider in detail.

It is certainly right that there should be flexibility when we design the final scheme. I am sure that my hon. Friend will agree that some finality is also necessary so that when we include an amendment in the Bill we have the opportunity to give business men the full knowledge of the situation. On the information available, we have got the balance about right for larger and smaller businesses.

Mr. John Battle (Leeds, West): Will the Secretary of State clarify his statements? He said twice that the position was based on capital values, yet in his original statement he said that it was based on rental values. Does he understand his statement? It seems that the proposal is a cushioning of the worst impact of the unified business rate. It is now a misnomer to call it a unified business rate because of the distinction between the service economy and the manufacturing economy which is built into the statement. Is it not the case that a company like McDonald's will do slightly better while manufacturing industries in constituencies like mine will suffer as a result of the statement and will not gain?

Mr. Ridley: The hon. Gentleman is technically right. Rates are based on rental values, but in terms of business premises they are closely and directly allied to capital values, as he is aware. That is the basis which the Labour party has selected for one part of its system of local taxation of domestic consumers.

The hon. Gentleman said that there is a distinction between retail and manufacturing businesses. That is not right. Businesses are valued according to the value of their properties, not according to the nature of their activities. However, we have attempted in the consultative document —which is in the Library—to analyse the relative effect on different classes of businesses such as retail, industrial, wholesale and offices. That is not because we single out those activities, but because the apparent results of the survey show that those activities have moved in their values in different directions.

Sir Peter Horden (Horsham): Is my right hon. Friend aware that, unpalatable though his proposals may be to the south-east, they are manifestly fairer than the present system, which is based on an out-of-date valuation? It is extraordinary for the Labour party to complain about shift in resources amounting to £800 million to the regions, which badly need it. During the process of consultation, will my right hon. Friend take into account the need for an adequate transitional period? Will he also consider the effect of the new rate support grant proposals which are under discussion and that they must be based on ability to pay rather than on some obscure system?

Mr. Ridley: My hon. Friend is entirely right. I receive a welcome—sometimes qualified—from my hon. Friends who have businesses in their constituencies which will be asked to pay a little more, while the Opposition are so deep in their desire to oppose at any price, that they seem to resist benefits to businesses in areas where the Opposition are strongly represented which are of considerable importance to prosperity and employment in those areas. That is carrying the principle of opposition beyond the call of duty.

My statement does not deal with the basic concept of the unified business rate. It deals with the transition to moderate the influence of the UBR on the areas which are adversely affected. Today's proposals should benefit the area represented by my hon. Friend the Member for Horsham (Sir P. Hordern).

The needs grant, as we like to call it, must be adequate to meet the needs of every area because the combination of the needs grant and the effect of the UBR will mean that if every local authority spends according to the Government's standard the community charge will be the same in every local authority. Therefore, the citizen will be able to define whether the local authority is extravagant or economical. As my hon. Friend has said, it is most important that we get it right.

Mr. Speaker: Mr. Maxwell-Hyslop. No, Mr. Campbell-Savours.

Mr. D. N. Campbell-Savours (Workington): There is a slight difference, Mr. Speaker.

How can the Secretary of State guarantee Cumbria that there will be a reduction in the business rates paid when he knows that it is impossible to set out the position of west Cumbria until the revaluation is finished? He is producing mythical figures. He cannot give that guarantee. Is not the simple truth that, if any businesses in west Cumbria will benefit from the changes, the people who will pay will be those in west Cumbria who will pay double, treble or quadruple their present rates by way of higher levels of poll tax? They will pay for this nonsense.

Mr. Ridley: The current rate poundage in Allerdale is 286p and it is that in Copeland as well. If the unified business rate were in existence for 1988-89, in Allerdale and in Copeland there would be a reduction of 16 per cent. in the business rate poundage. On revaluation, it is likely that the north-west region will lose £300 million of its rate burden. If the hon. Member thinks that those figures are anything but good for his constituents, he is causing needless concern among them—because his pathological desire to oppose is greater than his interest in his constituents.

Mr. Speaker: I apologise to the hon. Member for Workington (Mr. Campbell-Savours). It is a good thing that the House does not know what goes through my mind all the time.

Mr. Gary Waller (Keighley): Is my right hon. Friend aware that businesses in the north of England anxiously await implementation of the revaluations? To the extent that the transitional arrangements extend the period beyond which businesses are unable to compete on a level playing field, will my right hon. Friend resist calls to prolong the process unreasonably?

Mr. Ridley: Companies that have been overcharged by Labour authorities in the north, and which see relief coming through the national business rate, will not relish the transitional agreement—any more than will those businesses that have to pay more. We sought to get the

balance right between the gainers and the losers, but it is intolerable when the gainers—who, apart from my hon. Friend, are represented mainly on the Opposition Benches—will not accept the benefits that the Government have brought to their constituents and to their chances of gainful employment. That is indeed callous.

Mrs. Ann Clwyd (Cynon Valley): As the right hon. Gentleman's statement has been particularly obscure in respect of the valleys of south Wales, can he give some optimistic figures for my constituency? Cynon Valley is the poorest district in the whole of Wales, and its second largest town, Mountain Ash, has no new industry and declining commerce. Three major retail chains—Boots, Dewhurst and Woolworth—are pulling out of the town. Can the right hon. Gentleman produce figures to prove that my constituents have cause for optimism resulting from his proposals?

Mr. Ridley: I do not have breakdowns for particular local authority areas or constituencies, because the Inland Revenue has not yet done that work. I understand from my hon. Friend the Minister of State, Welsh Office that the valleys will benefit from the transitional arrangments I announced—though the amount of benefit to each business will depend on when the revaluation is made.

Mr. Tony Favell (Stockport): Will my right hon. Friend confirm that, if Opposition Members do not want the £800 million he mentioned earlier, he will redirect it to Conservative-held seats in the north where people do not look a gift horse in the mouth?

Mr. Ridley: My hon. Friend's suggestion is both slightly improper and impracticable. I am not sure how many seats in the north will be held by Conservatives; on 5 May there may be many more of them.

Mr. Tam Dalyell (Linlithgow): Is the Secretary of State aware that members of the all-party retail group were the guests this morning of David Sieff and of senior management of Marks and Spencer? Is he aware also of their concern about certainty in business? They ask, as do many other businesses, why the rate cannot be set earlier than two weeks before it is likely to be implemented. Is there any reason why it cannot be set sooner?

Mr. Ridley: I was not aware of that meeting or of Mr. David Sieff's remarks. However, in future the rate will be set by the Government on a national basis, and it cannot be set at a higher level than is dictated by the increase in the retail prices index. The only uncertainty will be whether the increase will be at the level of the RPI, or a little lower. That arrangement is a vast improvement on having the business rate at the mercy of a local authority, which may announce an increased rate in March for payment in April. I feel sure that the retail group to which the hon. Gentleman refers and Mr. Sieff will unanimously welcome that vast improvement—against which the hon. Gentleman voted.

Sir George Young (Ealing, Acton): Is my right hon. Friend aware that the business community generally is grateful to him for the long notice that he gives of the rate for 1990-91? Such advance notice was not available under the present system. The figure of 30p to 35p that my right hon. Friend mentioned is at the lower end of the forecast, which will bring pleasure to the business community. Can my right hon. Friend say whether, because of transitional relief, businesses in Ealing already facing a 35 per cent. rate increase next year will be penalised in future years, because that high rate will form the basis on which transitional relief will be given? Will businesses in Ealing have to pay for next year's rate increase for another five or six years hence?

Mr. Ridley: I am grateful to my hon. Friend for his comments. He is right to say that we are trying to give businesses as much notice as we can of every part of what is a complicated picture—and my statement today is evidence of that. I believe that it will surprise many businesses that the unified rate will be between 30p and 35p, because many people forecast a much higher poundage rate.

My hon. Friend is also right to say that, if a local authority behaves extravagantly in setting its rate for next year, while that will not affect the basis on which a business starts on the new rate basis in 1990, it will affect the totality of the business rates pool. Some local authorities may imagine that they can increase the total business rate pool by imposing extravagant rate increases next year, but the Government are not bound to base the first year of the business rate on the yield of 1989-90—and possibly, if we thought that local authorities were trying to do something that silly, we would not allow the full increase in rates to feed through.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am sorry that, for reasons that I have already given, I have not been able to call every right hon. and hon. Member wishing to speak—but I shall certainly bear them in mind when we next debate this matter.

Points of Order

4.17 pm

Mr. Chris Mullin (Sunderland, South): On a point of order, Mr. Speaker. You have informed me that you have disallowed two questions of mine about the responsibilities of certain public servants who have recently been present in the parliamentary precincts. In doing so, you cited the rule about secrecy set out on page 343 of "Erskine May". Would you be kind enough to confirm that that is so, and give the House any further information that may be helpful?

Mr. Speaker: I thank the hon. Member for Sunderland, South (Mr. Mullin) for giving me notice of his point of order. As the House appreciates, when I have to apply the secrecy rule to a question or to questions, I am in difficulty if I am asked to amplify my ruling in any substantial way. Suffice it to say that, having examined the hon. Gentleman's questions with great care, and having taken advice, I am in no doubt that his questions relate to matters that are themselves secret. Therefore, they fall within the ambit of the rule set out on page 343 of "Erskine May", which states that

"there are certain matters, of their nature secret, relating to the secret services and to security, and questions on these matters are not in order."

I can add nothing more.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Further to that point of order, Mr. Speaker. Are there really unauthorised and unaccredited MI5 spies in the Box whose names are in my hon. Friend's possession? If so, what access have they to the rest of the building?

Mr. Jeremy Corbyn (Islington, North): Further to that point of order, Mr. Speaker. Many would consider it a matter of great disquiet that you have sought to rule out questions relating to the security services, which apparently means that we cannot even ask what security action has been taken for the surveillance of Members of Parliament. I should have thought that the point at issue would be that the House ought to be immune to surveillance by the security services, as should Members of Parliament, just as the Prime Minister claims that we are immune from telephone surveillance by the security services.

Mr. Alan Williams (Swansea, West): On a point of order, Mr. Speaker. Is it not an abuse of the House that the Secretary of State for the Environment and the Government's business managers have today taken up 47 minutes of the time allocated for a time-limited debate —although we realise that that will be embarrassing for the Government? Is it not a further abuse that we have had to hear from the Secretary of State that he got it so wrong a year ago when he guillotined the debate on the measure that he has been talking about that he will now have to amend that Act?

What can you, Mr. Speaker, do to protect us? Is there any way in which we can have the time back, or must we face the abuse of not only having a guillotine, but having the guillotine time that is supposed to be available taken up by the Government?

Mr. Speaker: The right hon. Gentleman knows that I am not responsible for what statements are made. That is patently a matter that should be taken up through the usual channels. I do not disagree, however, with the right hon. Gentleman's point that on a timetable day time has been taken up. That is why I have had to restrict the number of questions on the statement.

BILL PRESENTED

SELF-GOVERNING SCHOOLS ETC. (SCOTLAND)

Mr. Secretary Rifkind, supported by Mr. Norman Lamont, Mr. Ian Lang and Mr. Michael Forsyth, presented a Bill to make provision as regards the acquisition of self-governing status by certain public schools in Scotland; to make further provision as regards education in Scotland; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 73.]

Junior Hospital Doctors (Regulation of Hours)

4.21 pm

Mr. Terry Davis (Birmingham, Hodge Hill): I beg to move,

That leave be given to bring in a Bill to regulate the hours worked by junior hospital doctors.

In recent weeks there has been great public concern about the excessive hours worked by many junior hospital doctors. In my opinion, the public are right to be concerned, and my Bill would put a limit on the hours that a junior hospital doctor can be required to work in the course of a month.

Like many other people, a junior hospital doctor is contracted to work a basic 40-hour week, from 9 am to 5 pm from Monday to Friday. As it is essential to provide cover during nights and weekends, however, he is also required to be on call at such times on a rota with other junior hospital doctors. The rota can be one in two, one in three or one in four, meaning that the doctor must be available for work on every second, third or fourth night and every second, third or fourth weekend in addition to the basic 40-hour week, without any time off in lieu of those extra hours.

If we take the Government's own target of a one-in-three rota, that means that, after working a 40-hour week, the doctor is required to be on call for one third of the remaining 128 hours in the week—that is, for 43 hours on top of the basic 40 hours—making a total of 83 hours a week. A junior hospital doctor must also cover for any other junior hospital doctor who is ill or on holiday, so the actual total can be even higher.

The position varies between specialties and hospitals, but it is not surprising that the Government's own figures show that junior hospital doctors are required to be available for work for an average of 86 hours a week. As that is only an average, the Government's figures also show that for some doctors the position is much worse than I have described. In England and Wales in September 1987 12,689 junior hospital doctors—half the total—were contracted to be available for work for 89 hours or more each week, and 2,528 of them were contracted to work or to be on call for more than 100 hours a week. That is more than 14 hours a day for seven days a week.

It is not simply a question of long hours, however. It is a matter of being on call for long periods at night and at weekends without a break. If a doctor is on call throughout the night, the night shift is added to the normal 9-to-5 working day, so that the doctor is there all day from 9 am all through the night and then through the next day until 5 pm—for 32 hours at a stretch. At weekends he will work from 9 am on Friday until 5 pm on Monday, without any guaranteed breaks for sleep or even rest at any time.

As I have said, this is not happening in all specialties and all hospitals—some doctors who are on call will still get a good night's sleep—but it does happen in some specialties and some hospitals, and it is most likely to happen in acute services, where patients need the most intensive care—and it is a scandal that it happens at all. It is against the interests not only of doctors but of patients. When a member of my family goes to hospital, I want the best possible care from the best doctor available, and I want that doctor to be on top form. I do not want a doctor who is overtired, and I do not want a doctor who has gone without sleep for a couple of nights.

The fact is that tired doctors can kill patients, through no fault of their own. There are plenty of stories from doctors themselves about potentially lethal mistakes that they have made as a result of fatigue. The true scale of the scandal, however, was established by a confidential inquiry in three regions of the country in 1986. The inquiry was into the deaths of people who had had operations during the 30 days before they died.

The inquiry found 28 cases of deaths that could have been avoided, and in which fatigue was one of the factors. If those figures for three regions are extended to the whole country, the number of people who died and need not have died becomes 140—and that is only the number who have died unnecessarily after operations. We shall never know how many people have died as a result of a wrong diagnosis, or the wrong treatment from an exhausted doctor, without ever having reached the operating theatre.

The scandal was first brought to the attention of the House by the Select Committee on Social Services in 1981. At that time, junior hospital doctors were contracted to work for an average of 89 hours a week. The Government's response was to issue a circular and set up some working parties. During the next few years they issued two more circulars. When they came to take stock —after four years and three circulars—they found that the average had fallen by the pathetic figure of three hours a week, from 89 hours to 86. At this rate we shall be into the next century before we reach the Government's target of 72 hours a week.

What has been the Government's response to the latest figures? They announced what Ministers described as a "programme of action": they issued another circular, set up some more working parties and asked for more reports before the end of the year. With respect, I do not call that a programme of action; I call it a programme of procrastination. The House has been waiting for eight years for the Department of Health, the consultants, the hospital administrators and the health authorities to get their act together. We have waited long enough. It is time for Parliament to do something about the problem, and that is the aim of the Bill.

Clause 1 would put a limit of 72 hours a week on the hours for which a junior hospital doctor can be required to be available for work, averaged over a month. It would allow considerable flexibility in the arrangements to be made. It would also give plenty of notice to hospital administrators, as it would not come into effect until 1992. But our junior hospital doctors would still be required to be available to work more hours each week than their colleagues in the other member countries of the European Community, where the average is less than 60 hours a week. Clause 2 would therefore enable the Secretary of State to make further reductions to 60 hours a week at his discretion. Clause 3 would allow variations in cases of major emergencies, disasters and accidents, and clause 4 would enable the Secretary of State to approve variations and exceptions for particular specialties in particular hospitals if he were convinced that they were necessary.

The Bill is very reasonable and modest. It has been drafted by my trade union, Manufacturing Science Finance, which includes the Medical Practitioners Union,

[Mr. Terry Davis]

which should be congratulated on its campaign to bring the scandal to the attention of the public. It has also been endorsed by the British Medical Association.

The Bill is in the interests of patients and doctors. It is identical to the Bill which has been introduced by my noble Friend Lord Rea in another place, where it received an unopposed Second Reading. I hope that the House will give me permission to introduce it here today.

Question put and agreed to.

Bill ordered to be brought in by Mr. Terry Davis, Ms. Hilary Armstrong, Mr. Frank Cook, Mr. Jim Cousins, Mr. Derek Fatchett, Mr. Martin Flannery, Mr. Doug Hoyle, Dr. John Marek, Dr. Lewis Moonie, Ms. Jo Richardson, Mr. Chris Smith and Mr. Robert N. Wareing.

JUNIOR HOSPITAL DOCTORS (REGULATION OF HOURS)

Mr. Terry Davis accordingly presented a Bill to regulate the hours worked by junior hospital doctors: And the same was read the First time; and ordered to be read a Second time upon Friday next and to be printed. [Bill 75.]

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. I would not have dreamt of raising this matter before my hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis) introduced his valuable Bill, which I strongly support. However, used it not to be the case that, on days when the guillotine was in operation, there were neither statements, unless they were designated by Mr. Speaker, nor ten-minute Bills. Has there been a change in the rules?

Mr. Deputy Speaker (Mr. Harold Walker): I was present when Mr. Speaker dealt with the point of order about statements being made on guillotine days; I am advised that the rule has been relaxed in respect of ten-minute Bills on guillotine days.

OFFICIAL SECRETS BILL (ALLOCATION OF TIME)

Ordered,

That the Report [14th February] from the Business Committee be now considered.—*[Mr. Wakeham.]*

Report considered accordingly.

Question, That this House doth agree with the Committee in their resolution, *put forthwith, pursuant to Standing Order No. 80 (Business Committee) and agreed to.*

Following is the report of the Business Committee:

That—

(a) the Bill shall be considered in Committee in the order shown in the Table set out below;

(b) the two days allotted under the Order [13th February] to the remaining proceedings in Committee shall be allotted in the manner shown in that Table, and, subject to the provisions of that Order, each part of the proceedings shall, if not previously brought to a conclusion, be brought to a conclusion at the time specified in the third column of that Table.

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	Clause No. 1 (remaining proceedings)	6.00 pm
	Clause No. 2	9.00 pm
	Clause No. 3	Midnight
Second day	Clauses No. 7 and 4	7.15 pm
	Clause No. 5	10.00 pm
	Remaining proceedings	Midnight

Orders of the Day

Official Secrets Bill

[1ST ALLOTED DAY]

Considered in Committee [Progress, 2 February]

[MR. HAROLD WALKER *in the Chair*.]

4.33 pm

Mr. Julian Amery (Brighton, Pavilion): On a point of order, Mr. Walker. I understand that you have decided not to select new clause 11. I have no intention of challenging your decision on that, but I seek your guidance on a point which involves the House of Commons and which may be of constitutional importance.

During the Second Reading debate on the Official Secrets Bill, my hon. Friend the Minister of State gave me certain detailed assurances relating to the publication of memoirs by members or former members of the secret service. It later transpired that my right hon. Friend the Secretary of State sent me a letter which appeared to repudiate those assurances. I shall not go into detail, but I do not think that my right hon. Friend would wish to repudiate assurances given in detail over about half a column of the *Official Report* without some explanation.

The purpose of new clause 11 was to discover whether he wished to repudiate or modify the assurance which my hon. Friend has given. If the new clause is not selected, I do not see how he will get the opportunity to explain to the House what has happened. I do not think that anyone in the Committee would accept that a single letter to an individual Member of Parliament would suffice as a repudiation of those assurances.

I seek your guidance, Mr. Walker, as to what should be done. If the new clause is not selected, may I have an assurance that it will be selected on Report? How is this matter to be cleared up? A long list of assurances was given in good faith, covering half a column in *Hansard*, and an apparent repudiation was contained only in a letter to me and not to the House and has not been made in any statement by my right hon. Friend the Secretary of State. How do we get out of that difficulty if we do not debate the new clause in Committee or on Report? I should be perfectly happy if you were to say that the new clause will be considered on Report.

The Minister of State, Home Department (Mr. John Patten): Further to that point of order, Mr. Walker. I have listened with great care to my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery). The issue was referred to not only during the debate on the guillotine motion a night or so ago but in Committee, when new clause 6 standing in the name of my hon. Friend the Member for Torbay (Mr. Allason) was debated.

Mr. Michael Foot (Blaenau Gwent): Further to that point of order, Mr. Walker. I am rather surprised by the Minister's intervention, because he seemed to be discussing the merits of the matter, but we are discussing whether new clause 11 should be selected for discussion. Anyone who listened to the debates over the past few days would be most astonished that we are not to have the chance to debate this subject on the basis of the new clause that the right hon. Gentleman has tabled.

I am astonished that new clause 11 was not selected, because it raises a particular matter of special importance which was raised during previous debates. Whatever anyone thought about the argument, we went away from that discussion fully imagining that there would be a chance to debate the issue. We certainly did not imagine that a Government Front Bench spokesman would say that there was any good or satisfactory reason for not having such a debate. Therefore, if that new clause, or something that achieves the same result, is not selected for discussion now, I seek your assurance that there will be immediate discussions, as is the normal process, so that by tomorrow at least we shall have an absolute assurance that there will be the possibility of a discussion on new clause 11.

Mr. Roy Hattersley (Birmingham, Sparkbrook): Further to that point of order, Mr. Walker. May I draw to your attention a parallel problem? Questions were raised in Committee about the relationship between solicitors and their clients, and it became clear that the assurances given by the Government were inaccurate in every particular. As the discussion continued, the Minister of State intervened—I think it was from a sedentary position, but we all heard him—to say that a chance for clarification would be provided.

I make no complaint, but I understand that the amendment on that subject is not to be discussed in Committee. Were we not subject to a guillotine we would press all these matters on clause stand part, but the guillotine makes that impossible. I wish to record my belief that a matter as important as that raised by the right hon. Member for Brighton, Pavilion (Mr. Amery) will be ignored unless special consideration is given on Report.

Mr. Richard Shepherd (Aldridge-Brownhills): Further to that point of order, Mr. Walker. We are in some difficulty when undertakings and interpretations are given by my right hon. and hon. Friends on the Floor of the House and subsequently repudiated. That denies us the possibility of an authoritative statement. You will recall that my hon. Friend the Minister of State gave clear assurances to my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) which were subsequently repudiated. We have a series of such instances within the timetable. It is difficult to identify things that my right hon. and hon. Friends have said as the basis of the Bill, and the timetable constricts that.

Mr. Jonathan Aitken (Thanet, South): Further to that point of order, Mr. Walker. In support of the point of order made by my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery), I would emphasise that the present state of affairs is unsatisfactory in the eyes of those of us who wish to explore this matter further, and that it should be so in the eyes of the Government. The uncomfortable fact must be faced that, if matters are left to stand in their current unsatisfactory position—and there is not a proper correction of the record in *Hansard* —it will regrettably leave my hon. Friend the Minister of State perilously vulnerable to a serious charge of having misled the House.

It is not satisfactory for assurances to be given in private correspondence between my right hon. Friend the Home Secretary and my right hon. Friend the Member for Brighton, Pavilion. We have now had a reversal of those assurances in correspondence and surely the Government

[Mr. Jonathan Aitken]

and the Minister of State would wish to acquit themselves completely of any charge of having double-crossed the House and would instead make it absolutely clear that there is a repudiation and that it is on the record as part of our proceedings.

The Chairman of Ways and Means (Mr. Harold Walker): It is difficult for me to see how these points arise on matters of my selection or non-selection of amendments or new clauses which have been tabled.

Mr. Aitken: I shall explain why. I understand that part of the Chair's thinking in deciding not to select this new clause may have been because it was to some extent covered in the debate on amendment No. 71. If that is true, I submit——

The Chairman: Order. We cannot have a debate about what may or may not have been the considerations which I took into account in determining my selection. The hon. Gentleman and certainly right hon. and hon. Members will know that I am required not to give reasons for my selection or non-selection of amendments.

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Mr. Walker. Is not the basic trouble that there is a remarkable absence of good will from Home Office Ministers? There is a fundamental problem. We are in Committee and the occupant of the Chair is likely to jump down my throat. Surely in Committee, when those who have been here throughout and who have taken the most interest in the Bill on the Back Benches of both sides of the House are almost uniformly unhappy, is it not reasonable that there should be some explanation, because a similar thing has happened over the serious degree of harm——

The Chairman: Order. I recognise that the hon. Gentleman is unhappy, but these are not matters for the Chair. Those grievances lie not with the Chair but with Ministers. I listened, as we all did, to the earlier exchanges about the amount of guillotine time that had been taken by questions on the statement. It appears that we are now resurrecting the very matters about which complaints were made.

Mr. Foot: On a point of order, Mr. Walker. My previous point of order was a matter directly addressed to you and not to the Ministers, and my point of order now is addressed directly to you. I have heard this happen many times in Committee stages of Bills. We have seen the selection you have made and we have seen what we believe is a grave deficiency in that selection. We are not asking you to give the reasons, because that is understandable, but on behalf of many right hon. and hon. Members I am asking that you should reconsider the matter and see whether we should not tomorrow have a proper opportunity to discuss this matter. I believe that would be the satisfactory way of doing it. It is certainly a matter of procedure that I am entitled to raise with you.

The Chairman: Perhaps I should try to give the Committee a considered view from the Chair. I say to the right hon. Gentleman that, if I were persuaded that I had grounds for reconsideration, I do not believe that it would help him and other right hon. and hon. Members, because I believe that the very matters which he seeks to discuss could not be raised until the very end. It is highly likely that, given the circumstances and timing of the guillotine, we should be able to exhaust all the proposals on the Notice Paper.

The Ministers and others on the Government Front Bench will have heard the exchanges. It is not for me to anticipate or pre-empt what Mr. Speaker may select for debate on Report, but doubtless these matters will be considered and there may be an appropriate opportunity when the points can be dealt with in a manner which will be satisfactory to hon. Members.

In the light of my comments, perhaps we can make some progress.

4.45 pm

Mr. Amery: Do I understand from what you have just said to the right hon. Member for Blaenau Gwent (Mr. Foot), Mr. Walker, that in your view this could and perhaps should be raised on Report, if not before? Otherwise, if the clause is not to be called, how do we extract from Home Office Ministers whether they have repudiated, or whether they want to modify, the assurances given by my hon. Friend the Minister, which occupied half a column of *Hansard*? If it cannot be done in this clause, what other way of doing it would you recommend to the Committee?

The Chairman: The right hon. Gentleman is showing the accumulated Housecraft of the many years that he has been here. I have been here a few years, too, and I shall not be lured into the trap which I believe he is setting for me. However, if it is any encouragement, I shall ensure that Mr. Speaker is made fully aware of these exchanges. I am sure that Mr. Speaker will share my anxiety that, so far as is possible within the time parameters that have been set —both at this and later stages of the Bill—there should be an opportunity for the House to satisfy itself on matters which are clearly of considerable importance.

I have noted that Ministers, too, are responding sympathetically and I hope understandingly— *[Interruption.]* I understood their heads to be going up and down rather than from side to side. I think that up and down is more encouraging than from side to side.

Mr. Hattersley: You anticipated, Mr. Walker, the nature of my point of order. I was about to say that all these matters are in the hands of the Government. The Government have been unhelpful about many matters concerning the procedure of this Bill. All that the Home Secretary has to do is to indicate his intention to do his best to make these debates possible, and then we can proceed.

Mr. John Gorst (Hendon, North): Further to the point of order of my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery), Mr. Walker. I wonder whether your reply means that your customary and entirely proper exorcism of the martinet in matters of relevance means that you were indicating that you would be less of a martinet in terms of what is not relevant to the clauses which we are discussing.

The Chairman: If the hon. Gentleman were to interpret my remarks as suggesting that I would convey to Mr. Speaker the anxiety that has been expressed on this occasion and the hope that, before the Bill completes its

proceedings in this House, there will be an opportunity for these matters to be cleared up on the Floor of the House, he is interpreting me correctly. I hope that that is helpful.

Sir Ian Gilmour (Chesham and Amersham): On a point of order, Mr. Walker. As one would expect, you are seeking to help the Committee, for which we are most grateful. Obviously I would not question your reasons for not selecting the new clause of my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery), because I would find the reasons unfathomable anyway. When a serious point has been raised by a right hon. Member who is experienced in these matters, and contradictory things have been said, it is extraordinary that the Government should not seek to clear those matters up straight away. I honestly do not believe that it is good enough to wait until Report. I should have thought that the Government would wish to satisfy the anxieties of my right hon. Friend straight away.

The Secretary of State for the Home Department (Mr. Douglas Hurd): On a point of order, Mr. Walker, and responding to what my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) and the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said. This matter was discussed on the initiative of my right hon. Friend the Member for Pavilion on Second Reading, then in Committee on a new clause moved by my hon. Friend the Member for Torbay (Mr. Allason) to which my hon. Friend the Minister of State responded. I believe that my right hon. Friend the Member for Pavilion, through no fault of his own, was not there. It was raised, too, by my right hon. Friend on the timetable motion, and I replied to him then.

However, we are not in any way party to the decisions of the Chair on the selection of amendments. On behalf of the Government, I am happy that the matter should be aired again, if that is the view of my right hon. Friend, when it is procedurally in order to do so. If that is on Report, as you have suggested, Mr. Walker, we will fall in with whatever arrangements suit the Committee.

Mr. Aitken: Further to that point of order, Mr. Walker. I should like to respond to the comment made by my right hon. Friend the Home Secretary. Whatever may or may not have been said during the first day of the Committee stage in response to the amendments moved by my hon. Friend the Member for Torbay (Mr. Allason) is largely irrelevant. If I have the date right, I believe that those exchanges took place on 26 January; but the correspondence from my right hon. Friend the Home Secretary repudiating the comments of the Minister of State was dated 31 January. Therefore, it was several days later, and the repudiation could not have been debated.

The Chairman: We are straying from points of order into the substance of the matter. I hope that the hon. Member will find the earlier exchanges helpful in respect of that matter and that he will accept that there may be the opportunity for debate which right hon. and hon. Members have sought.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Further to that point of order, Mr. Walker. I would appreciate your guidance. I understood that the Committee stage was supposed to provide an opportunity to study legislation in detail. I am not privy to correspondence between the right hon. Member for Brighton, Pavilion (Mr. Amery) and the Minister. However, I was in the Chamber when the Minister commented at length and gave assurances about the arrangements for allowing ex-members of the security services to publish their memoirs. I understand from the points of order that the Secretary of State has repudiated those assurances. At the time——

The Chairman: Order. The hon. Lady is repeating the error committed by the hon. Member for Thanet, South (Mr. Aitken). She is discussing the substance of the matter rather than the question whether an amendment or a new clause should be selected and debated.

Clause 1

SECURITY AND INTELLIGENCE

Mr. Richard Shepherd: On a point of order, Mr. Walker. I wish to seek your guidance on amendment No. 14, which was discussed in a previous debate. It deals with the absolute nature of the lifelong duty of confidentiality. Is this the stage at which it is in order to call a Division on that amendment?

The Chairman: If the hon. Gentleman were to press for a Division, it would be difficult for me to refuse. However, I hope that he will have regard to the limitations imposed by the guillotine and the anxiety of the Committee to make progress. I hope that we can move to amendment No. 3.

Mr. Shepherd: I think that I should press the amendment to a Division, because it concerns a fundamental element of the Bill.

Amendment proposed: No. 14 in page 1, line 9, leave out 'discloses' and insert

'makes a damaging disclosure of'.—*[Mr. Richard Shepherd.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 175, Noes 275.

Division No. 94] **[4.52 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Allason, Rupert
Allen, Graham
Alton, David
Amery, Rt Hon Julian
Anderson, Donald
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bermingham, Gerald
Blair, Tony
Blunkett, David
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Budgen, Nicholas
Caborn, Richard
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cousins, Jim
Crowther, Stan
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George

Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Gould, Bryan
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Salmond, Alex
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mrs. Alice Mahon and
Mr. Harry Barnes.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dunn, Bob
Durant, Tony
Eggar, Tim
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
McCrindle, Robert
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Molyneaux, Rt Hon James
Monro, Sir Hector
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim

Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tristan Garel-Jones and
Mr. Kenneth Carlisle.

Question accordingly negatived.

Mr. Robin Corbett (Birmingham, Erdington): I beg to move amendment No. 3, in page 1, line 14, leave out subsection (2).

Not content with silencing members of the security and intelligence services, any person the Minister chooses to identify and Government contractors, the Government now want to find ways to send the jokers and jesters to prison. That, in part, is what the subsection means. We have come close to the heart of never-never land if the Government can seriously propose that a lowly notified person should be prosecuted, and perhaps gaoled, for a disclosure that is not merely unsubstantiated or untrue but a total fabrication. It is no good the Minister saying, as I suspect that he might, that the Government would never be so daft as to go ahead on that basis—it would certainly be a rum Attorney-General who so advised—because, if that is so, why is this silly and dangerous provision in the Bill?

This great reforming Bill, as the Home Office press release describes it, contains a subsection which achieves something that even section 2 of the Official Secrets Act did not—it invents an offence. Under the present Act, the offence is committed only if an unauthorised disclosure of real information takes place. The Bill widens that to include any information. Under the Government's proposals, an officer could be prosecuted and imprisoned, for example, for falsely alleging that some hon. Members' telephones were being tapped for party political reasons. We know that that has never happened in the past—certainly not in relation to the lawful activities of the Campaign for Nuclear Disarmament—but it could happen. Pc Plod would arrive, arrest the officer and a man wearing a wig could send him to prison. The Government could say that there was not a word of truth in the allegation. The allegation might not even be mentioned in open court because the hearing could be held in camera. We are talking about the absolute offence.

I imagine that other hon. Members have met people, usually men, who claim in a roundabout way to have been members of the SAS. I do not doubt for a moment that anyone casually mentioning that to a stranger in a pub would be unlikely to be telling the truth. Let us envisage the scene in the Swan public house in Erdington high street shortly after 11 o'clock on Friday night. It is likely that I shall be in there enjoying a pint after a busy advice bureau —[HON. MEMBERS: "After hours?"] We have 20 minutes Turner time. When I am in the pub people come up and speak to me, as no doubt happens to other hon. Members in similar circumstances. Some people—this may be an unusual experience for Conservative Members—have been known to offer to buy me drinks.

Let us suppose that one man asks for a quiet word with me and makes an allegation concerning the security and intelligence services. He tries to give me the impression that he is, or has been, an officer or a notified person. He is full of sad pride that the Home Secretary thought him important enough to be notified. The man tells me that all special branch officers in Birmingham and the west midlands have been called by MI5 to a meeting in London next week because there is a panic on about terrorism. I listen, as I must, and he tells me that he expects me to take some unspecified action. It turns out that the man is indeed a notified person. We shall not know whether it would be safe for me to tell someone what he told me until the Leader of the House has spoken tomorrow.

Under the clause, that man could be charged and gaoled when, all the while, he was having me on and there was not an ounce of truth in what he told me about the meeting of special branch officers. He was doing it simply to try to impress me. He was just a bar room poseur.

Mr. Tony Banks (Newham, North West): There are a few of those around here.

Mr. Corbett: What about the real risk of entrapment?

Mr. Gerald Bermingham (St. Helens, South): Will my hon. Friend take the matter further and consider a serious point which I raised recently? If my hon. Friend returned to Parliament because he thought it his duty to raise the matter on the Floor of the House, he would, as I understand Mr. Speaker's recent ruling, be privileged. Would we then have the farcical situation where the bar room poseur would be prosecutable in respect of a non-offence over a non-event? The matter could not be mentioned in court because it might be contrary to the Official Secrets Act, so the case would be held in camera, but it could be mentioned in this place and, no doubt, reported in the United States, Ireland, Europe and everywhere else.

Mr. Corbett: My hon. Friend is right to remind the Committee of the ruling on privilege which was given on Monday evening. The circumstances which my hon. Friend set out are correct, and what he describes could follow from the Bill.

Mr. Gorst: I fear that the hon. Gentleman is not right in leaving it as far as he has taken it. After all, poetic licence might be taken. A notified person might, for

[Mr. Gorst]

example, be called Graham Greene, Alexander Pope or George Orwell and he might communicate within the terms of the Bill, making

"a disclosure of . . . information . . . intended to be taken by those to whom it is addressed as being such a disclosure."

He might use the sort of coded communication often inherent in the works of the people whom I mentioned —for example, "Animal Farm" and "Gulliver's Travels". Surely he will have to go to prison as a result of that sort of communication.

Mr. Corbett: I shall be coming to that point because it concerns an issue to which the hon. Member for Torbay (Mr. Allason) referred, but first I wish to complete the point about entrapment.

Let us suppose that a notified person was suspected by the security services of making the odd disclosure and this was of concern to the security services. What would be the position if a security officer, unknown to the notified person, struck up casual conversation with him in a pub for the deliberate purpose of encouraging him to make a disclosure? If it happened, it doubtless would be defended on the grounds of the needs of security, but perhaps the Minister will confirm that it would constitute entrapment nonetheless.

As some of us know, drink tends to loosen some tongues, and with the encouragement of an experienced and friendly stranger it is not far-fetched to imagine that sort of entrapment being attempted or actually occurring. The notified person who has been entrapped then goes home and says to his wife, "I met a nice man in the pub —who was ever so interested in what I did for a living —you must meet him," but before that can happen, the law will arrive and a prosecution may be put in train.

Can the Minister assure the House that in circumstances where entrapment is used in the manner that I have described, no prosecution could follow? I do not think that he can safely give that undertaking in view of the way in which the provision is drafted.

Mr. Bermingham: As entrapment is not a defence known to English law, we shall be laying ourselves wide open to the possibility of people being enticed into criminal offences on bogus and spurious points without a defence being available to them. This makes the position far worse than currently exists.

Mr. Corbett: I am grateful to my hon. Friend—perhaps I should refer to him as my hon. and learned Friend—for his legal advice, the more so because he is not charging for it at the moment. I should have been more careful in my choice of words. The Minister will appreciate the point that I was making.

What would be the position of a person such as I who, before being allowed to do national service, was required to sign the Official Secrets Act?

Mr. Tony Baldry (Banbury): The hon. Gentleman does not look old enough to have done national service.

5.15 pm

Mr. Corbett: Sadly, I am.

I understand that once signed, the piece of paper cannot be unsigned—one cannot pull the signature back. From the earlier part of the Bill, we know that a signature of that sort will follow me into and beyond the grave. Let us suppose—following the example of the hon. Member for Torbay—I wrote a fictional book in which I purported to make

"a disclosure . . . intended to be taken by those to whom it is addressed as being such a disclosure."

There would be no point in writing it in any other way if one was writing that sort of book. Suppose that I unwittingly and accidentally disclosed something which was true, and to that extent caused some perceived harm or potential harm to the security interests of the United Kingdom, although I could not have known it. Could I, or any other person in those circumstances, be prosecuted? Never mind what possible defence there might be, will the Minister say whether such an unwitting accident could lead to prosecution? It would seem from the way in which the clause is drafted that that could be the case.

I suspect that the Minister will say that in the three circumstances that I have outlined there would be no prosecution. Doubtless he will say that I have overlooked the test of harm, but there is no test of harm in the clause, even though the Minister's interview with *The Times*, and perhaps on other occasions when he listed the famous nine hurdles, he gave the impression, no doubt accidentally, that in every case there would be a harm test.

Mr. John Patten: There is a distinction.

Mr. Corbett: If the Minister wishes to make a fine distinction between journalists and writers, I suppose that he is entitled to do so, but for these purposes it is a difference without any meaning.

Mr. Patten: The distinction that I was making, albeit from a sedentary position, was between members of the service or notified persons on the one hand and journalists and writers on the other.

Mr. Corbett: I do not know what has got the Minister so excited about journalists. I was speaking basically about notified persons and just threw in the example of writers. Let us suppose that the author of the fictional book which makes the unwitting disclosure is a notified person. What would be the position in those circumstances?

What is so obnoxious about the Government wheeling in this new offence—an offence which is not in the original Act—is that they seem unwilling on the face of the Bill to distinguish between the idle barroom boast and the release of information which causes or could cause serious injury to the public interest. The Minister need not tell me that that is not so, because, on my reading, that is what is in the Bill. It is the Bill with which we are concerned, not with remarks from the Minister which will find their way into *Hansard*.

In reality, the catch-all provisions of the Act that the Bill seeks to replace are being extended. I hope that on reflection the Government will admit that this is potentially stupid, time-wasting and money-wasting, and that they will agree to remove the provision and return to the offence involving disclosure of information which would cause serious injury.

Mr. Baldry: I am sure that the hon. Member for Birmingham, Erdington (Mr. Corbett) does not mean this, but, if his amendment were passed, we would introduce a liar's charter into the legislation. It would mean that a defence counsel in the Crown court might say, "Your honour, my client accepts that he is a security and

intelligence officer as defined by section 1 of the Act. He accepts that he is a notified person. He accepts that he has written a book upon his experiences as a security and intelligence officer. But everything in that book is a lie. Therefore, he does not come within the provisions of the Act."

Let us relate that defence to the experiences which we have had with Peter Wright and others. When we had the debate a couple of weeks ago on the Right of Reply Bill, I think the whole House agreed that often the media and the press are not capable of distinguishing between fact and fiction, fantasy and reality. A security officer who purports to write about his experiences, whether they are fact or fiction, can do just as much damage.

If one makes a judgment that a limited number of people—security and intelligence officers—should have a ring fence, and if they are allowed to publish information about their work and then say in court, "I have a defence against prosecution because what I have written is not true; it is a lie," it makes the position worse for the Crown. The Crown then has to prove to the jury, so that the jury is sure, that the allegations which the man is making are true. It further underlines the damage that that man might be doing by his revelations.

The hon. Member for Erdington seems to think that there is some jest in the prosecution having to justify to the jury beyond peradventure that what the intelligence officer disclosed was true. That underlines the harm that may be done to the community by the revelations. If one takes a decision, as the Committee has done, that security and intelligence officers should not disclose information coming from their work, one has to see that through. Therefore, the amendment, if passed, would make the clause a liar's charter. I am sure the hon. Gentleman did not mean it to be so, but that would be its effect.

Mr. Robert Maclennan (Caithness and Sutherland): If there was any doubt about the sense of the amendment proposed by the hon. Member for Birmingham, Erdington (Mr. Corbett), it was removed by the speech that we have just heard from the hon. Member for Banbury (Mr. Baldry). The idea that people should be sent to prison for two years for lying does not normally commend itself to the House of Commons, which is concerned about the rule of law.

Mr. Baldry: I did not say that. What I said was that people should not be given a defence that they should not be sent to prison simply because they were lying throughout.

Mr. Maclennan: The hon. Gentleman is even more confused than I thought he was.

The subsection does not provide a defence; it creates an offence. It is a bizarre suggestion that it should be possible to impose a lifelong duty of confidentiality on people which makes it impossible for them to say something which is not true. It is a farcical proposal and the hon. Gentleman has not made it any less farcical by his intervention. I hope the Minister can clarify what the Government think they have in mind.

Mr. David Winnick (Walsall, North) *rose*——

The Chairman: I think the hon. Member for Caithness and Sutherland (Mr. Maclennan) had concluded his speech. Mr. Gorst.

Mr. Gorst: I want my hon. Friend, when he replies, to give me an assurance that no work of fiction, no work of allegory, no poem and no satire, however much based on truth, will be caught by the provisions of the paragraph under discussion.

Mr. Rupert Allason (Torbay): I am very concerned. First, I have to declare an interest as an author. Until this year I have always written non-fiction. I propose to write some fiction this year. This is not a commercial; I want to ask the Minister a serious question.

I shall give him three examples of respected intelligence officers who had long careers, two of them in the secret intelligence service and one in MI5. John Le Carré, or David Cornwell, and Kenneth Benton were in the secret intelligence service for a number of years. They retired from that occupation and neither of them has ever written any non-fiction. But it is surely the case that part of their attraction is that they are perceived to be speaking from the inside. Is it not the case that the subsection would directly affect them, particularly as their publishers are adept at pushing that kind of literature by saying that although it is fiction, it is also "faction"—fact dressed up as fiction?

Perhaps I may give the Minister another example from the security service. John Bingham, who had a long and distinguished career in the security service and who died last year, might well have been caught, I suspect, by this provision. It is ludicrous to legislate for people writing fiction.

Mr. Nicholas Budgen (Wolverhampton, South-West): I had intended to play no part in the details of the Bill. It was not until the matter was guillotined that I felt that my hon. Friends who were taking a proper interest in it needed a little help.

I cannot understand the argument put forward by my hon. Friend the Member for Banbury (Mr. Baldry). If we take the Home Secretary's proper view that this is a matter for a jury, one of the things that juries are required to do is to decide whether people are telling lies. If, on the other hand, the Government's position is that it would be embarrassing for the prosecution to have to prove its case, let them say that, and not pretend that the proper discipline of persuading a jury is the one thing that informs them. I fear that when my hon. Friends encouraged my hon. Friend the Member for Banbury to make that intervention, they harmed themselves greatly.

Mr. Bermingham: I do not intend to say much. I raised a point in the speech of my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett). I am extremely concerned that we run the risk of encouraging entrapment, because, as I said earlier, that is unknown as a defence in criminal law. Therefore, a man will be denied a defence simply because he has been induced into committing an offence, even though he may not have known at the time that he was committing an offence because he was becoming the recipient of something which he should not know. He in turn may pass the information on. Let us face it; very few people wander the land with a copy of Archbold and a full index to the criminal law under their arm. This is an intensely sensitive point.

I am further concerned—I raised the point on Monday night in an intervention, and I raised it earlier today, and if the hon. Member for Banbury would listen he might receive a little bit of education—*[Interruption.]* I say that

[Mr. Bermingham]

with great care because it is so easy to be glib about the subject. *[Interruption.]* Does the hon. Member for Solihull wish to intervene as a Whip?

Mr. John M. Taylor (Solihull): No.

5.30 pm

Mr. Bermingham: If the hon. Gentleman does not wish to intervene, would he kindly desist from making sedentary comments?

As I was saying—I used this as an example, when I intervened in my hon. Friend's speech, on the question of privilege—we are really getting ourselves into a terrible tangle simply because the Government will not understand that there is a possible defence, which gets us out of every conceivable problem, where disclosure becomes almost the duty of somebody, and then the courts can decide on the question of public duty. That takes us out of all these problems of entrapment, because, of course, such a defence could be raised where somebody had been entrapped. It could be argued very simply—and the jury could be left to decide at the end of the day—that the person had been led unwittingly into an offence.

Then, of course, privilege appears. I worry greatly about the situation that will exist when this Bill passes into law, because the Government have shown, by their attitude towards it, that they intend to have their way—as they did with the Security Service Bill, when they did not intend to allow any amendments.

Mr. Hurd *indicated dissent.*

Mr. Bermingham: The Home Secretary shakes his head. That is perhaps the first piece of good news we have had during the Committee stage of this Bill. If the Home Secretary is prepared to listen to reasoned arguments and to accept amendments, perhaps we will make speedy progress. Perhaps he could indicate in what areas he is prepared to accept amendments.

What worries me is the situation in which someone is told something as a Member of Parliament, and repeats it on the Floor of the House—where, I have been assured, we have absolute privilege. I have to wait until tomorrow night to hear whether the Government seek to interfere with that privilege. I trust not. Information given on the Floor of the House can be broadcast by the media. Of course, it can be broadcast abroad, and even if something had been broadcast all over Europe and the United States it could be an offence to repeat it here.

On the question of entrapment, if only we had the defence that was discussed at great length—I do not intend to repeat all the arguments that have already been used during the Committee Stage—then we would not have any of these problems. It is a simple issue but a very, very important one.

Mr. John Patten: It might be of help to the Committee if I were to outline briefly the Government's attitude to these amendments and then try to answer specific questions that my hon. Friends, and most of all, the hon. Member for Birmingham, Erdington (Mr. Corbett) asked. We all know now where to go for a bit of advice at closing time on a Friday night in Erdington high street.

I should like to draw to the attention of the hon. Gentleman, and, indeed, of the whole Committee, what I think is the key word in subsection (2)—"intended". That is of critical importance in the arguments about this group of amendments.

First of all, let me deal with the Government's attitude overall. The amendments would provide a loophole—it is a conscious decision to block that loophole, as the White Paper said—through which members of the security services and those working with the security services could damage the work of the services. As my hon. Friend the Member for Banbury (Mr. Baldry) said, it would mean that the most damaging of disclosures might escape prosecution altogether, since it might not be in the public interest to compound the damage they had caused by confirming in court that the information disclosed was actually true.

Under this offence a member of the security or intelligence services——

Mr. Budgen: Will the Minister give way?

Mr. Patten: If I may just expand the argument, then of course I will give way.

Under this offence, a member of the security or intelligence services or a notified person is not liable unless the prosecution can show that he has held out the information he has revealed as being true, or that he has intended that it should be taken as true. We see absolutely no reason why he should then be able to escape the consequences of his damaging action by telling the court that the information is in fact false, and actually challenging the prosecution to prove that it is true. In those circumstances the prosecution would not be able to do so without perhaps making further harmful disclosures about security or intelligence, and, as a result, it would not be possible to pursue the issue.

I now give way to my hon. Friend.

Mr. Budgen: It is an inevitable consequence of a prosecution that the jury will have to know the facts. Once the Government have decided to have this sort of legislation, they will not be able to go on saying "Well, it is too damaging to prove it." Surely they would be adequately safeguarded by having the proceedings in camera and perhaps by means of some surveillance—that may not be the right word—of the jury. But it is not good enough to say, "Well, we really do not think that we can possibly parade these arguments before a jury."

Mr. Patten: I rest my case on what I have just said to the Committee, despite what my hon. Friend has said.

In any case, the disclosure of false information by a member of the security and intelligence services, or a person notified because of the nature of his or her work with the services, can actually be as damaging as the disclosure of true information under certain circumstances, particularly since the Government cannot——

Mr. Richard Shepherd: Will my hon. Friend give way?

Mr. Allason *rose——*

Mr. Patten: May I finish the sentence?

—confirm or deny the truth of stories about the work of the services without risking the effectiveness of their operations and the lives of those who rely on them. The removal of this provision in clause 1(2) would actually allow the services to be traduced without challenge or any

effective restraint by those whose words on those matters must carry particular weight because of the trust that they actually hold.

Mr. Richard Shepherd: I should like to make an inquiry about the way in which this clause is drafted. Does this mean that Mr. John Le Carré is liable to prosecution? He purports to write about things in a fictional way. He is clearly game for prosecution.

Mr. Patten: I was just about to try to deal with points of that sort—and that one was raised specifically by my hon. Friend the Member for Torbay (Mr. Allason). *[Interruption.]* May I please address myself to the questions that were raised earlier? The hon. Member for Erdington mentioned the man in the Swan. The point that has escaped the hon. Gentleman is that, if this person is a notified person, as he said, they, he or she is in a position of trust. If that trust were abused by making allegations, that person would indeed be committing an offence.

On the issue of entrapment, the hon. Member for St. Helens, South (Mr. Bermingham) was right in his interpretation of the English law, but, of course, under section 78 of the Police and Criminal Evidence Act 1984 —I believe that the hon. Member for St. Helens, South served on the Standing Committee—the court may refuse to allow evidence on which the prosecution proposes to rely if it appears to the court that the admission of the evidence would have such an adverse effect on the fairness of the proceedings that the court ought not to admit it, and it is a question for the court in the circumstances of the case.

Mr. Bermingham: Does the Minister not agree that, under clause 78, where the court has discretion to allow or permit evidence, the only evidence that the court would be asked to allow or deny is the evidence of the complainant; the court could not be told whether the evidence of the complainant was true or false? Therefore, the court would have nothing to rely on in coming to its decision under clause 78. What the hon. Gentleman is saying is nonsense in law.

Mr. Patten: What I am saying is that it is at the discretion of the court.

The third question that was asked by the hon. Member for Erdington concerned the man who writes a novel and gives information unwittingly. That point was picked up by a number of my hon. Friends. My hon. Friend the Member for Torbay was interested in the case of Mr. Le Carré—I regret to say that I have not read many of Mr. Le Carré's novels—as was my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). My hon. Friend the Member for Hendon (Mr. Gorst) was interested in works of satire and poetry and whether they might be caught in this way. If the defendant does not have reasonable cause to believe that the information is true, and does not hold it out as true, or intend—that is such an important word —it to be taken as true, he of course commits no offence at all.

I accept that it would be absurd if a former member of the security services writing a genuine spy novel were in danger of prosecution simply because some people took his fiction as truth. That is why we require the prosecution to show that it was the defendant's intention that the information be taken as true.

The Bill does not inhibit the writing of a genuine spy novel such as you, Mr. Walker, or I might read on our holidays from this place, but it will prevent the use of fiction where the real purpose is to disclose fact.

Mr. Allason: This is an important point. My hon. Friend has in effect said that an author will be committing an offence only if he intends what he has written to be taken as fact. In the publishing world, the author produces a manuscript which goes to the publisher, who then produces a dust jacket on which is something called the blurb. That is written by the publisher, not the author. John Le Carré's next book—I hope that he will not be next in the dock—will unquestionably carry the publisher's blurb saying that the book comes from somebody with inside experience.

Mr. Patten: An author will be caught only if he uses the pretence of fiction to make disclosures relating to security intelligence. Only then would such a person be liable to prosecution.

Mr. Hattersley: With the passing of two Committee days, we have grown sceptical of the Minister's assurances when they do not relate to the Bill. When he gave his assurances a moment ago that authors of fiction would be covered, he misread the line of the Bill on which the assurance was based. I think that he was reading lines 16 and 17 when he said:

"purports to be a disclosure of such information and is intended to be taken by those to whom it is addressed as being such a disclosure."

Mr. John Patten *indicated assent.*

Mr. Hattersley: The Minister agrees, but what I have just read is not what the Bill says. The Bill says:

"purports to be a disclosure of such information or is intended".

Either of the two conditions is enough to prosecute and convict. That is quite different from what the Minister just told us.

Mr. Patten: The right hon. Gentleman will have to read the record tomorrow. What I have said is entirely consistent. It would be a member of the service, or, more likely, a former member of the service, who would be using the cover of fiction to reveal something that was true, or putting about through some blurb, as mentioned by my hon. Friend the Member for Torbay (Mr. Allason), something which purported to be true and was thus intended to damage the service.

Mr. Hattersley *rose*——

Mr. Patten: I shall not give way. I have answered the right hon. Gentleman in terms. The right hon. Gentleman is fond of mistaking disagreement for misunderstanding. He has used that line throughout our discussions.

Mr. Maclennan *rose*——

Mr. Patten: No, I shall not give way for a moment; I have given way a great deal. I shall give way later. In Committee, both upstairs and on the Floor of the House, it is normal to allow an hon. Member who has given way to respond to the questions that he has been asked.

That is why we require the prosecution to show throughout that it was the defendant's intention that the information should always be taken as true.

Sir Ian Gilmour: My hon. Friend has given way a great deal and has shown the Committee every consideration and courtesy. I am still slightly worried about his answer to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). At least twice earlier, he stressed the importance of the word "intended". That is obviously important for the last phrase of the subsection, but I cannot see how it has any relevance at all to the first part. If the word were "and", my hon. Friend's defence of the clause would be very able, but as it is "or", my hon. Friend seems to be rather wide of the mark.

Mr. Patten: The word "purports" is on the face of the Bill and that means what it says.

Mr. Hattersley: What does "purport" mean?

Mr. Patten: The right hon. Gentleman and the hon. Member for Erdington have got themselves into a terrible state of confusion about this. We recognise, and we made it clear in our White Paper, that this provision is not at present covered by section 2 of the Official Secrets Act. We believe that without clause 1(2) there would be a serious loophole in the Government's defences. Since the Government have produced the carefully focused and tightly confined provisions of the Bill, I urge the Committee not to allow a flaw in the very area that the Committee should be seeking most to protect. That is why I must ask the Committee to reject the amendment.

5.45 pm

Mr. Norman Buchan (Paisley, South): Let me first pick up the Minister's last point. This becomes almost a matter of grammar, let alone anything else. With the word "or", the words

"purports to be a disclosure"

cannot mean the same as the following passage. That cannot mean "intended". The Minister must reconsider that. If he does not, we must be able to interpret it in the way that we are properly doing at present.

The Minister also appears to be misreading another aspect—that of the agent provocateur. He seems to be doing a disservice to some of his own people in the field who, as part of their work, use precisely the same tactics that are dealt with in the clause and which the Government are now saying are illegal.

Thirdly, there is the development of "faction"—the kind of writing that bases itself upon an accuracy in milieu —an accuracy in the atmosphere and in the tools and methods that are employed. John Le Carré is accurate in many ways. There are others. The Home Secretary himself is almost an agent provocateur in relation to the Scottish situation in his novel "Scotch on the Rocks". We may be too sensible to be taken in by some of his characters who purport to be creating the situation in that book, but there are many matters of astonishing accuracy.

One thinks of the cause celebre two or three years ago with the fictionalised version of the Etaples mutiny, when all hell broke loose because people insisted on treating every word as if it purported to be, or was intended to be, the truth. In fact it did purport to be, but was not intended to be, not an accurate version but a fictional version. Yet it was undoubtedly taken as a disclosure of fact by those people to whom it was addressed.

One thinks of those who have been close to the Secret Service. Graham Greene's novel "Our Man In Havana" has the extraordinary theme of the man in Havana who keeps his job by purporting to be providing drawings and sketches of a new secret weapon, which turns out to be a vacuum cleaner.

The fictionalised version of "Tumbledown" was also close to fact and was taken to be fact, in the sense that the feel of the thing was right, even though individual episodes and language were not true. This is a grey area that the Minister has ignored and it is a dangerous area to leave as it is in the Bill.

One thinks of the Prime Minister's favourite reading. When she was asked what she was reading, she said that she was re-reading Frederick Forsyth's novel "The Fourth Protocol". As my wife pointed out—if I may bring her into this—the Prime Minister must be the only person in Britain who has read a whodunnit, knows who done it and then has to read it again to make sure. We get such examples in Frederick Forsyth's novels.

This subsection is an offence to accuracy and grammar, and must be withdrawn. It seems to drive a horse and cart through some of the other subsections of clause 1.

Mr. Dalyell: On a point of order, Mr. Walker. It would be greatly to the advantage of the Committee for a Law Officer to be present.

The Chairman: It is open to the Law Officers, as to any hon. Member, to attend our proceedings.

Sir Nicholas Bonsor (Upminster): I am grateful for the opportunity to intervene briefly. I followed what my hon. Friend the Minister said with great interest and I have some sympathy with a great deal of it, but he is wrong in what he appeared to be saying about the technical effect of subsection (2) containing the word "or", which he appears to have represented as "and". I shall read out the subsection so that it is on the record:

"(2) The reference in subsection (1) above to disclosing information relating to security or intelligence includes a reference to making any statement which purports to be a disclosure of such information".

In effect, there is a full stop there, because it then says "or", and as an ex-practising barrister, I believe that what follows does not qualify what has been said up to that point.

Mr. Budgen: Does my hon. Friend agree that proper sympathy should be given to the Government Benches on this? In the Wright case, it was obvious that every judge before whom the case came had a different interpretation of the law, and it is possible for many people in good faith to have wholly different interpretations of these difficult subsections.

The scandal is that, rather than bothering to explain that carefully, the Government are trying to railroad the Committee. They are not trying to have their will accepted by argument.

Sir Nicholas Bonsor: I agree with my hon. Friend.

Mr. Kenneth Hind (Lancashire, West) *rose*——

Sir Nicholas Bonsor: What is needed here is clarity. It is clear from the disagreement within the Committee among hon. Members with legal experience, that there is no such clarity in the clause at present. I agree with the hon. Member for Paisley, South (Mr. Buchan) about works of fiction. Many of them are partly based on fact, which the author must have obtained in the course of work as a secret agent. The mixture of fact and fiction is very much

to the benefit of the works of such authors and it makes reading their books so much more exciting than reading works of pure fiction, in which there is not a word of accuracy.

Is my hon. Friend the Minister telling the House categorically that such works will still be permitted if the Bill is passed in its present form? On my reading, that would not be the case. People such as John Le Carré will be liable to prosecution, although there will be some discretion, and it is possible that they will not be prosecuted. [HON. MEMBERS: "That will make it worse."] The clause will not make it worse, because I am sure that it is not the Government's intention to put authors of the highest calibre into a position where they would risk their own safety and security by going to prison.

Mr. Hind: Will my hon. Friend go back to the point he made earlier and look at clause 1? If subsection (2) were divided into two parts, after

"The reference in subsection (1) above to disclosing information relating to security or intelligence includes",

there should be, to make it clear, a figure (i) preceding

"a reference to making any statement which purports to be a disclosure of such information or",

and a figure (ii) preceding

"is intended to be taken by those to whom it is addressed as being such a disclosure.".

In those circumstances, does my hon. Friend agree that, if one takes the second category, any jury would have to be satisfied—in, for example, the case of John Le Carré—that the author intended his work to be taken by those to whom it was addressed as such a disclosure? That would clearly not be satisfactory for a conviction.

Sir Nicholas Bonsor: With the greatest respect to my hon. Friend, who is learned in law, he has added to the confusion. If there were such a subsection (2) as he proposes—which there is not—it would help to distinguish between the one and the other alternatives. That would at least be a move towards it. However, I do not agree that the fact that the disclosure had to be

"intended to be taken by those to whom it is addressed as being such a disclosure"

would necessarily form a defence, because it would be possible for a jury to read John Le Carré and to decide that he meant "M" to be taken to be the genuine nickname given to the chief of MI5. If a jury came to that conclusion, which would probably be correct, under the Bill, John Le Carré would be guilty and would have no defence. If my hon. Friend can answer that point, then it may be that I am mistaken, but that seems to be what the Bill says at present.

Mr. Gorst: Would my hon. Friend, with his legal background, care to give an opinion on whether, if the intention mentioned here is to reveal information but to do so in a fictionalised form, and supposing that such information was one third correct, two thirds correct or 90 per cent. correct, he would expect a prosecution to take place because the intention was there and the information, or at least the idea, was communicated? Or would my hon. Friend expect that the information would have to be 100 per cent. true? In that case, the law would be nonsense as a fictional setting can never be 100 per cent. accurate. From what my hon. Friend the Minister says, such works would be caught by the Bill.

Sir Nicholas Bonsor: That is absolutely true. If any of the information disclosed in works of fiction is true, is intended to be taken as true or purports to be true, the author will be caught under subsection (2). If that is so, the subsection must be wrong.

Sir Ian Gilmour: With his legal background, can my hon. Friend say whether, if "or" actually means "and", it means "and" everywhere else in the Bill? That would make the Bill confusing.

Sir Nicholas Bonsor: I take that question to be rhetorical. I hope that my hon. Friend the Minister will be able to deal with my point.

Mr. John Patten: It may be for the convenience of the Committee if I reply to my hon. Friends the Members for Upminster (Sir N. Bonsor), and Hendon, North (Mr. Gorst), to the latter of whom I failed to give a full answer on a matter that he raised earlier. I welcome the contribution of my hon. Friend the Member for Upminster, with his legal background. I must tell my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) that the word is "or" not "and". The correct questions to be asked first are whether the author makes a statement that purports to make a disclosure or whether the author intends it to be taken as such. Genuine fictional matters cannot be caught by the Bill.

To answer the question raised by my hon. Friend the member for Torbay (Mr. Allason), a publisher writing a blurb would not be caught by that offence. A statement purports to be a disclosure of information relating to the work of the services if it says it is. If it does that, it is not necessary to consider the author's intention. That is right. If it does not, the prosecution must prove the intention.

Mr. Allason *rose*——

Mr. Patten: I can assure my hon. Friend the Member for Hendon, North, to whom I omitted to reply properly earlier, that nothing written, whether it is fiction, allegory, satire or poetry, which is not intended to be taken by those to whom it is addressed as a disclosure about the work of the services, could be subject to the offence in subsection (2).

Mr. Allason *rose*——

Mr. Corbett: That is as clear as mud. It is no good the Home Secretary saying that such an explanation is crystal clear. We are dealing not with Home Office press releases, but with the words in the Bill.

Mr. Maclennan: On a point of order, Mr. Walker. I am conscious of the time, but bearing in mind the unsatisfactory nature of the Minister's answers and the evidence that many hon. Members have received from Justice, the British branch of the International Commission of Jurists, which does not support what the Minister has said, is it possible to make representations that the matter can be considered on Report? Clearly, the Minister's reply is misleading and we simply cannot accept it.

Mr. Allason *rose*——

Mr. Corbett: The Minister appears to be saying that all parts of the Committee are confused about this, apart from him. That cannot be so. It is not possible. The Minister has confirmed—this is obvious to a blind man—that the word we are arguing about is "or", but he then insisted that it is treated as if it were "and". The Minister

[Mr. Corbett]

completely avoided the point. He referred several times to an author seeking to use fiction as a cloak to reveal something that is true, but how in God's name can the Minister tell the Committee——

It being Six o'clock, THE CHAIRMAN *proceeded, pursuant to the order [13 February] and the Resolution this day, to put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The Committee divided: Ayes 191, Noes 296.

Division No. 95] **[6 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Allason, Rupert
Allen, Graham
Alton, David
Anderson, Donald
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bermingham, Gerald
Blair, Tony
Blunkett, David
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crowther, Stan
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilbert, Rt Hon Dr John
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Nigel Griffiths and
Mr. Frank Cook.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Norman

Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Molyneaux, Rt Hon James
Monro, Sir Hector
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tristan Garel-Jones
and Mr. Kenneth Carlisle.

Question accordingly negatived.
Clause 1 agreed to.

Clause 2

DEFENCE

Mr. Hattersley: I beg to move amendment No. 6, in page 2, line 31, leave out 'damaging disclosure' and insert 'a disclosure which would cause serious injury to the interests of the nation'.

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): With this, it will be convenient to take the following amendments: No 7, in page 2, line 34, leave out 'damaging' and insert
'is one which would cause serious injury to the interests of the nation.'.

Government amendment No. 86.

No. 8, in page 2, line 36, leave out 'prejudices' and insert 'causes actual harm to'.

No. 20, in page 2, line 36, leave out 'prejudices' and insert
'causes serious injury to'.

No. 21, in page 2, line 37, after 'their', insert 'defence'.

No. 22, in page 2, leave out lines 40 to 44.

No. 9, in page 2, line 41, leave out 'jeopardises' and insert
'causes actual harm to'.

Mr. Hattersley: Amendment No. 6 provides the Committee with an opportunity, or as much opportunity as the timetable motion allows, directly to examine one of the protections that, according to the Home Secretary, run through the Bill and provide a safeguard against prosecution and conviction for trivial or inconsequential offences. The amendment specifically refers to the provision in clause 2(1), in line 31, that a disclosure is unlawful only if it is damaging. Through this amendment, we seek to replace the general motion of "damaging disclosure" with the more precise concept of
"a disclosure which would cause serious injury to the interests of the nation."

The amendment relates exclusively to matters concerning defence. I assume that the Home Secretary will not object to that, as it is the sort of example that he

[Mr. Hattersley]

enjoys. I remind him, in the hope that a vestige of shame is retained in his attitude towards the Bill, that he told the Conservatives at Cambridge last week that a public interest defence would provide an excuse for disclosing the battle plans of the British Army of the Rhine.

Mr. Hurd *rose*——

Mr. Hattersley: The shame manifests itself.

6.15 pm

Mr. Hurd: It was esprit d'escalier. I thought of an argument after the debate here that I had not thought of before. If the right hon. Gentleman considers his previous amendments, which the Committee rejected, he will find that they are open to the description that I gave.

Mr. Hattersley: One of the difficulties of the debate is that the Government always use their best argument outside the Chamber. We must hope that the Minister of State can think of some better arguments outside the Chamber than those that he advanced in defence of the Government's position in the previous debate. We look forward to hearing the Home Secretary justify his position when we come to Report.

We have chosen to take the example of defence in part because it is a hard case. It is one that we should have to justify were we to say that a more stringent definition of damage, harm or serious damage or harm would be acceptable. The amendment would make the criteria against which harm is judged a great deal more precise. While it is explicitly concerned with information relating to the armed forces, it provides the Committee with an opportunity for general examination of our strongly held view that prosecution should be limited to matters which affect the security of the state.

The Home Secretary may argue that such is the case even now, for the clause refers to, and therefore prosecutions are limited to, something described as "damaging disclosure". In the Home Office press release announcing the publication of the Bill, he equated that concept of "damaging disclosure" with specific tests of harm to the public interest. Equating those two things was wholly unjustified because the definition in the Bill gives a whole new, much wider and, I would argue, more vacuous meaning—if, indeed, it has any meaning at all—to the word "damaging" as the Bill intends it to be understood.

In clause 2(2)(a), line 36, the term "damaging" is defined in its relationship to the armed forces. It begins with the assertion that a disclosure is damaging if

"it prejudices the capability of, or any part of, the armed forces of the Crown to carry out their tasks".

That means any task—not serious tasks, tasks in defence of the realm, or tasks in pursuit of their role within the North Atlantic Treaty Organisation. Farcical though it may seem, within the terms of the Bill it would be "damaging" and therefore a criminal offence if, by unauthorised publication, an official made it more difficult for troopers of the household brigade to arrive on time at Smith's lawn to act as labourers during a polo match.

One is always torn between pointing out the triviality of aspects of the Bill by giving trivial examples and reminding the Committee that, although the trivial examples show how wide the Bill's application might be, they also reveal a serious issue in the extent of its coverage. The Smith's lawn case which I gave as an example of triviality is not beyond the bounds of possibility. I decided on that as an example after reading newspaper letters which suggested, rightly or wrongly, that at a time when the defence budget is under pressure, members of the armed forces should not be employed on such social tasks.

It is easy enough to imagine a demonstration delaying the progress of a bus from Knightsbridge to Windsor and the time of departure of the bus being revealed to the protesters by a dissentient in the Civil Service. I would regard that dissentient's conduct as deplorable, but we are not concerned with our subjective judgment about the behaviour of individuals. We must ask ourselves whether such an individual should be prosecuted under an Official Secrets Act and what kind of Bill would confer the power to make such a criminal prosecution in such admittedly and intentionally trivial circumstances.

My next example is perhaps clearer, more obvious, more meaningful and more practical. On Second Reading I told the House about the prospects of a fraud being committed at a Government defence establishment. I asked the House to assume that a civil servant had discovered corruption at a royal ordnance depot and that the news of that scandal was suppressed by authority. The hon. Member for Wycombe (Mr. Whitney) was scandalised that I could suggest that such a thing might happen. Since that debate, I have received several letters from old soldiers giving examples of my hypothesis.

I wish to pursue the example as a hypothesis. There is corruption and internal complaints are suppressed. A member of the armed forces reveals the scandal so that it can be cleaned up. There is no doubt that under the Bill the man or woman who made the revelation would be prosecuted. The protection of the harm clause would not apply, because harm would have been done. The revelation would almost certainly prevent the depot from operating with its normal day-to-day smoothness and the operation of the armed forces would have been prejudiced in that particular. That would be enough to convict. Few sensible people would doubt that the revelation was in the national interest. If amendment No. 6 is carried, the prosecution would not in those circumstances succeed. Far from doing serious injury to the interests of the nation, my hypothetical disclosure would, in the long term, benefit the armed forces and the country.

The distinction between the harm test not providing protection in that case and my amendment doing so rests on the nature of the harm test as described by the Home Secretary—wholly accurately—when we debated the matter on Second Reading. The Home Secretary told the House:

"The Bill does not allow the defendant to argue that although his disclosure has caused the specific harm, and he knew that it would, the court should weigh that against some other consideration."

When pressed by me, he was absolutely clear and absolutely right when he said:

"the defence would simply argue that harm had not been done or that capability had not been damaged . . . but neither the prosecution nor the defence could import vague arguments derived from other matters."—[*Official Report*, 2 February 1989; Vol. 146, c. 470-71.]

By that he meant that it would be impossible for the defence to argue that, although a little harm had been done, a great deal of good had come from it. There would be no test of what I shall call net harm—weighing the harm

against the good and deciding which predominates. If that were the case—if we could judge what I call the net harm—it would in all but name be a public interest defence.

Whatever the terms or description, the fact that a small harm results in prosecution and the large good which comes from it does not constitute a defence seems to most reasonable people to undermine the Home Secretary's idea that the harm test is a defence against trivial prosecution and removes one of the eight, nine, 10, 12 or 15 protections that the Minister of State has told us about in one debate after another.

Mr. Terence L. Higgins (Worthing): I believe that this is an appropriate point to intervene. Is there not an intermediate stage in the story that the right hon. Gentleman is recounting? Does not the civil servant go up the Civil Service hierarchy, if necessary to the head of the Civil Service, to seek a remedy before the events that the right hon. Gentleman described take place?

Mr. Hattersley: Yes, that is within his power and according to the Government that is what he should do. From the history which has been drawn to my attention since the previous debate—from letters on the subject—it is reasonable to imagine occasions when all attempts to object through the proper machinery have failed. Even if that only happens once, only happens in theory or does not happen very often, is it right that a person who discovers wrongdoing should not be able to offer as a defence the fact that although revealing the wrongdoing caused embarrassment, inconvenience or disruption, the revelation was a service to the nation?

The extent of the harm must be weighed under the terms of the amendment. The right hon. Member for Worthing (Mr. Higgins) must remember the other point. By stating that harm is the criterion and by defining it in the way in which it is defined in the Bill, no matter how trivial the harm, it is automatically a cause for prosecution and for conviction. On both criteria, the Bill is at fault.

The concept of harm and the serious injury concept which extends it, had their origins in the Franks report, which came down clearly on the side of serious injury being the measurement against which criminal prosecution should take place. That report proposed that a serious injury test should apply to criminal prosecutions in cases were unauthorised information about foreign relations, defence and the security and intelligence services was revealed.

The Home Secretary always asserts—and no doubt he will reassert it today—that the Franks espousal of the specific damage test is irrelevant because the Franks report was based on the notion of ministerial certification establishing what was an official secret and what was liable to prosecution in consequence. He has never done more than assert that the two things—certification and serious injury tests—are necessarily linked. I see no justification for his assertion that they go hand in hand. I look forward to hearing the Home Secretary's justification later.

I will explain why I cannot accept the connection. Under the Bill, prosecutions will conclude with the jury making a judgment about the effects of revelation. That was not anticipated by Franks, but that is no justification for refusing to include a test of serious injury against which the jury will make judgments about the effects of the revelation.

The jury must take a decision after direction on law. As the Bill stands, the law requires conviction if a disclosure

"prejudices the capability of, or part of, the armed forces of the Crown to carry out their tasks"

and that applies whatever the task, no matter how trivial or temporary. That is how harm is defined. That is a wholly unreasonable criterion against which to measure guilt, to obtain conviction and justify a prison sentence. A much more reasonable test for the jury would be to decide whether disclosure was damaging, and seriously damaging, to the national interest.

There are other reasons why the definition of what sort of information is revealed should be changed. As things stand, the definition of information which if revealed results in prosecution is extraordinarily wide. Not only is it a criminal offence to disclose any information which prejudices any action by the armed forces; it is similarly an offence to disclose any information which is likely to have that effect.

Technically at least, revelation of information which is likely to make the bus carrying the band turn up late at the garden party is an offence under the Bill. Information which is likely to have the effect of making the military band turn up late for the garden party is an offence under the Bill. The Home Secretary smiles, and I am glad to see him do so, but my belief is that that is not the result which the Home Secretary intended. I ask the Home Secretary to take a more rational view of the criteria against which harm and damage to the nation and the real effects of the Bill are measured.

Throughout our discussions, we have tried to draw a distinction between the suppression of information that, if revealed, will be genuinely damaging to the national interest and the allowance of, or support for, the revelation of information that will have no lasting damage. Without the criterion that we propose, that distinction is not made. If the Home Secretary cannot accept our amendment, only one conclusion can be drawn—that the Government want to retain the catch-all powers, but in a concealed way.

6.30 pm

Mr. Buchan: I wish to continue the argument about the balance between harm done and public interest in regard to a clause that refers to an absolute power in defence matters. My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) gave the example of an individual exposing corruption. I shall give a hypothetical example, although it may prove to be not so hypothetical after all.

First, I refer to the case of the radiation leak at Windscale. What would have happened if Windscale had been a military establishment, and if an individual had revealed that leak in the interests of public safety? Under the Bill, he would automatically be guilty, because he would have done damage by prejudicing the capability of that defence establishment.

On the Clyde, there is a major nuclear base. Anything disclosed about that base which could be to its detriment might be said, under clause 2, to cause harm. But if a radiation leak occurred at that base, harm would be done to a number of nearby towns, and even to Glasgow itself. It would be necessary to reveal such a leak in the interests of the nation. But even under the amendment proposed by the Home Secretary, damage would be done to the

[Mr. Buchan]

nation's defence capability, in the sense that the efficacy and efficiency of that base's nuclear deterrence would be brought into question.

There is a clear balance of interest, but not a balance of judgment. There is a balance of interest in favour of defence secrecy, but not a balance of interest relating to the need to disclose facts affecting public health—so that public authorities could deal with the situation by evacuation, for example. There is no balance of judgment, because the clause deals only with the question whether damage is done to the nation's defence capability, and allows for no judgment to be made between the relative balance of those two interests.

Government amendment No. 86, which proposes to change the word "prejudices" to "damages", does not go anywhere near tackling the situation. What is needed is the precision of amendment No. 6 and the wording

"a disclosure which would cause serious injury to the interest of the nation."

There is no doubt that the interest of the nation would be damaged if a radiation leak at a military establishment were disclosed and if no action were taken by the civilian authorities to deal with it. Our amendment would deal with that real problem. I say that it is a "real problem" because I am dealing with an actual case. After the experience of Windscale in 1957, there is no doubt that something similar could happen in relation to a military establishment. The Home Secretary looks as though he wishes to make a point.

Mr. Hurd: The hon. Gentleman seems to be switching his argument between civilian and military installations, and assuming that Windscale is a military installation. In the case of a civilian institution, a different range of arguments apply. Such a case would fall outside the scope of the Bill, but not outside section 2 of the present Act.

Mr. Buchan: I am aware of that. I make the point that a leak took place at Windscale, and that it was covered up.

Mr. Hurd: Windscale is not a military installation.

Mr. Buchan: I know. The right hon. Gentleman does not get my point. I shall repeat it, in monosyllables if possible.

A radiation leak occurred at Windscale, which was not disclosed. Today, we have on the Clyde a military defence establishment. If a leak at a civilian installation was covered up, a leak on a military base is likely to be covered up also—it may be considered even more important to do so. If a radiation leak occurred on a warship, when the potential damage would be much greater, and if an honest whistleblower, with the interests of the public in mind, disclosed that leak, there would be no balance of judgment between the damage done to defence interests and the protection against the potential damage to the local community.

Clause 2 makes the individual responsible for such a disclosure automatically guilty. I cited a real example involving a civilian installation, but one that could recur in respect of a military installation. The Government's provision does not hold, and the clause should be amended so that there will be a balance of judgment between national interest and greater public safety. Now does the right hon. Gentleman understand my point?

Mr. Hurd *indicated assent.*

Mr. Allason: First, I apologise if, when I spoke before, I sounded as though I was acting as John Le Carré's agent —I have no interest in him whatsoever.

I draw the attention of the Committee to what I suspect is retrospective notification in clause 2. There has been a Front Bench admission that there will be no retrospective notification of people under section 1 of the Official Secrets Act 1911. However, clause 2(4)(c) gives a definition of defence that includes "intelligence". I am worried in case that is a back-door method of restrospective notification. It suggests that anyone who has been a Crown servant at any time will be subject to that provision.

Clause 2 defines defence, very broadly, as intelligence. That is a matter to which the Committee should give its serious consideration. In the past, there have been occasions—this relates specifically to the test of harm and serious damage—when disclosures relating to intelligence have been made that, although not damaging, have caused great controversy. I give three examples concerning advice to the Prime Minister, where disclosure was subsequently demonstrated to be clearly in the public good. My concern is that, if clause 2 is interpreted as offering retrospective notification, it will be prohibitive.

The first example must be the case of Anthony Blunt, which sank the Government's last attempt to undertake a bit of reform. It failed miserably; but why did it fail?

In November 1979, Anthony Blunt was contemplating defamation proceedings against an author. The Government had a clear choice. They could stand back and watch Blunt perjure himself in the witness box, which was the advice that they received from the Security Service, or they could make a statement which would expose Blunt's treachery. The Security Service argued at the time that it would be fatal for the Prime Minister to make any kind of statement relating to Anthony Blunt, because it would turn the potent weapon of immunity from prosecution into something completely useless: no one else would ever believe an offer of immunity from prosecution if it were disclosed officially that an individual had been given such immunity. Thanks to the intervention of the then Attorney-General—and, I suspect, to her own background as a barrister—the Prime Minister declined to take that advice, and made a very full statement.

Let me cite a related case with which I was involved. This was another important disclosure, which I think was made very much in the public interest and did not jeopardise security or the nation. At the time of the Blunt disclosure, the House was given an assurance that no one else had been given immunity from prosecution, and that there had been no other traitors who had confessed. Hon. Members will recall that, within a matter of months, a man called Leo Long was revealed to have been a spy and a traitor, and had made a statement to the Security Service. When the matter came before the House, the advice of the Security Service was, "Of course, Leo Long is an entirely different case. He did not receive immunity from prosecution; he was simply told that he would not be prosecuted." That definition surprised many people, especially lawyers.

I cannot believe that the Government Front Bench can be sanguine about this subject, in view of the advice given to the Prime Minister recently about Sir Roger Hollis. There was a clear implication that no Soviet penetration of the security or intelligence services had taken place after

the second world war—that all the evidence of such penetration was pre-1945. That is very relevant, because it was the one statement that prompted Peter Wright to say, "Hang on a second: I know that that isn't true. There is evidence of Soviet penetration, particularly of the Security Service, in 1963."

This is a minefield. Great care must be taken, and I would be very nervous about any kind of back-door notification. In my view, disclosures of this kind can certainly be in the public interest.

Mr. Gorst: Would any of my hon. Friend's three examples be prohibited under the Bill at some future time?

Mr. Allason: Certainly those disclosures could not have been made under clause 1.

Members of the security and intelligence services understand their position, although they may not like the idea of being told retrospectively that they are now covered by an entirely new form of legislation that restricts their human rights. And who knows—many of them may well be prompted to go to the European court in the future. They have experienced, or are about to experience, retrospective legislation. But my argument does not concern people who are already members of the intelligence and security services, or are joining them now. They accept the burden of responsibility knowing full well the implications and, indeed, the restrictions. I am concerned about the business of notification.

6.45 pm

Clause 1 would not only include members of the intelligence and security services—who, as my hon. Friend the Member for Thanet, South (Mr. Aitken) suggested, are now members of a unique group like a leper colony, never able to make any kind of disclosure or to discuss their work in any circumstances. It would also include those who would be subject to notification. Although we have received an assurance from the Government that there will be no retrospective notification, I believe that the clause, and the subsection to which I have referred, can be interpreted as exactly that: back-door, retrospective notification.

Let me give a more specific example of what could be described as a dilemma. Some years ago a British business man was imprisoned in the Soviet Union for espionage. He was subsequently swapped and brought back to this country. We now know that he was in the employ of the Secret Intelligence Service at the time.

That man would have an interest, would he not, in learning that his case officer—the man who recruited and employed him—had been revealed in documents, declassified in the United States, as having been in touch with the Soviet military intelligence service, the GRU, in 1946? It would certainly be of considerable interest to someone who had spent eight months in the Lubianka to learn that not all his difficulties might have been at the hands of the Soviets—that there might have been an entirely different aspect of his case. Yet not only will he be unable to pursue or investigate the matter; he will be unable to discuss his experience or to seek advice.

I urge the Government to recognise that they are not legislating to deal with some obscure future threat. At present 75 books are published in England and America each year on the subject of intelligence, and 300 universities in America offer intelligence courses. This is an open, legitimate topic for study, and it is absurd to try to prevent people from providing the benefit of their experience. We are limiting their human rights if we do that.

Mr. Winnick: Allegations have been made before that Sir Roger Hollis may have been a Soviet spy. I have not a clue whether he was or not, but is it not true to say that the same accusations are made from the other side? I well remember that when Beria, Stalin's Himmler, was charged with all kinds of offences and executed, he was accused not of the crimes of which he was really guilty, but—in 1953, shortly after Stalin's death—of being a lifelong agent of British intelligence. I was most surprised that British intelligence had been successful enough to have an agent who was No. 2 in the Kremlin.

Mr. Allason: The hon. Gentleman will be amused to know that the first three heads of the NKVD, the MVD and the KGB all came to a sticky end. They were all executed for exactly the same reason—that they were members of the British intelligence service. Taking up the hon. Gentleman's point about Sir Roger Hollis, I was not making an accusation, and I apologise if that was not clear. I was making the specific point that people within the intelligence community knew for an absolute fact that there was Soviet penetration of the Security Service in 1963. That caused considerable anxiety when the House was assured that the evidence of Soviet penetration could be explained by Anthony Blunt, Kim Philby and Guy Burgess. That was blatantly untrue because the proof related to 1963, not prior to 1945.

I shall now turn briefly to Anthony Cavendish. The Committee will be interested to know that Anthony Cavendish has already written one book and has been the subject of legal proceedings, but that does not concern us. However, his new book contract is for a biography of Sir Maurice Oldfield. As I understand the Bill, he will be in the queue behind John Le Carré—and probably behind me as well—for the No. 1 court at the Old Bailey, because he will be banned from writing anything on any subject. That ban will include not only his own experiences but a legitimate biography of someone else.

I urge my right hon. and hon. Friends on the Front Bench to realise that the legislation will not work. We will have egg on our faces for so long into the future. I cannot imagine that the Government believe that by turning the legislation into a laughing stock and by guillotining the time allocated to it they will achieve anything except one great objective—to boost the business and profits of publishers in New York and not in London.

Mr. Merlyn Rees (Morley and Leeds, South): Clause 2 involves the serious matter of defence and it is important that we get it right. I am not sure that the procedures that we are following are the best way of doing that.

The hon. Member for Torbay (Mr. Allason) made me realise the importance of the meaning of words. Although I understand that we have decoupled the Franks recommendation of gearing the matter to classification, certain words still have to be interpreted when the Attorney-General decides to prosecute or when decisions are taken in court. The hon. Member for Torbay referred to the definition of intelligence in one context. I am involved with other contexts in research into terrorism. Only the other day we discussed what is meant by intelligence information. All too often intelligence is no more than information, but the word has a much wider

[Mr. Merlyn Rees]

meaning than simply a collection of facts. When the terms "intelligence" and "intelligence officers" were used in the armed forces they were not used in the sense in which they are used in books and in general.

The hon. Member for Torbay spoke about the past, and of course time is an important consideration. When does information cease to inflict serious injury? Something may have been important 20 or 30 years ago but is not important now—I am not referring simply to the 30-year rule. The accountability of the Security Service is also important in that context. The hon. Gentleman mentioned the Prime Minister's statement about Blunt. That statement, word for word, had been prepared when I was Home Secretary. If the hon. Gentleman's allegation is true, either in the statement or in the questioning afterwards, that more than three people were involved, there is no way that I would have known many years later whether the answer with which I was provided was true or false, because no information is given to an incoming Government about a previous Administration. Therefore, one is not au fait with all the matters when something breaks.

As the hon. Member for Torbay demonstrated, clause 2 contains many matters that ought to be discussed thoroughly. I shall concentrate on amendments Nos. 6 and 7, tabled by my right hon. and hon. Friends and supported by others, with particular reference to the words

"serious injury to the interests of the nation."

I remind the Committee, as I always have to remind myself, that section 1 of the Official Secrets Act, 1911 is the spy provision and that is not affected by the changes made in clause 2 of the Bill. No one has any time for the spies who, for a variety of reasons, engage in selling one country to another for some purpose. We are discussing clause 2, but the real spy provision is section 1 of the Official Secrets Act, which will remain on the statute book.

Let me deal with what is meant by the words "serious injury". Ministers have suggested repeatedly that the Bill deals with disclosures which cause serious harm. The Home Secretary used those words. The amendments use exactly the same words, so there should be no disagreement on that. The Home Secretary said:

"it will be for the jury to decide whether a disclosure caused or was likely to cause the form of serious harm to the public that the Bill specifies."—[*Official Report*, 2 February 1989; Vol. 146, c. 469.]

The Minister of State said:

"The Government do not accept that the criminal law is the right place to balance one Crown servant's perception of the public interest against the specific and serious damage that his disclosure has caused."—[*Official Report*, 21 December 1988: Vol. 144, c. 540.]

"Serious damage" and "serious injury" are the theme song of the Ministers and of letters that they have written to hon. Members.

In his usual way, my hon. Friend the Member for Linlithgow (Mr Dalyell) put 14 questions to the Home Secretary. The Minister of State replied:

"Your fourteenth question is based on the assumption that the object of the Bill is to stop leaks."

The reply continues:

"The object of the Bill is to ensure that in future the criminal law will penalise only those unauthorised disclosures of official information which cause a serious degree of harm to the public interest".

The Leader of the House, in the guillotine debate, talked about the Bill being a radical

"narrowing of the scope of the criminal law".

He also said that what we will now be dealing with is

"official information whose unauthorised disclosure would cause a serious degree of harm to the public interest."—[*Official Report*, 13 February 1989; Vol. 147, c. 71.]

In preparing myself to deal with amendment Nos. 6 and 7, I asked myself first why I am deploying an argument when the Home Secretary, his Minister of State and a letter from the Home Office talked about serious injury. What is there against putting "serious injury" into the Bill, because everybody uses those words?

7 pm

Mr. Corbett: The Home Secretary has been more helpful than he has told us. On 21 December, the right hon. Gentleman spoke about an unacceptable degree of harm to the public interest, implying that there were different degrees of harm or injury. That supported the argument of my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) that, as the Franks committee said, criminal law should apply only to the area where it is serious harm, and disclosures which did not cause serious harm should not fall within the provisions of the criminal law.

Mr. Rees: I had not paid much attention to the question of official secrets until I was appointed to the Franks committee, where I learned a great deal.

The question of classification may be important to right hon. and hon. Members at later stages of the Bill. I understand that the Government have decoupled classification, as in the report, from the Bill. I understand, too, that that is why the Home Secretary referred to juries in the extract from his speech which I quoted. It is important to my argument to use the classifications, whether it is coupled or uncoupled.

On the Franks committee, we decided to repeat briefly where the criminal law should apply to the classifications used in the Civil Service. "Top Secret" means exceptionally grave damage to the nation. "Secret" means serious injury to the interests of the nation. It said in the debate last week that we felt at the time—I never put my mind to it very much afterwards, but I should have done—that the classification "secret" was given to documents to which it should not apply. When the classification "secret" was used in the leaked National Health Service document, it should not have been. The leaking of that document would not have caused serious injury to the interests of the nation. Whether anybody supports the leaking of that document by a civil servant or not, it would not have caused serious injury to the interests of the nation.

When I re-read our report the other day, it caught my eye that we put in a separate section entitled "Confidential". Under that heading we said:

"It is worth noting that in common parlance 'confidential'"—

which is the third classification—

"means something less than 'secret'.

In the Government's system, the marking CONFIDENTIAL represents a secret".

We discovered that "confidential" was a pretty high classification. When one looks at documents which have the classification "confidential", we can see how the

classification has been misused. Whether coupled to prosecution or not, we decided that serious injury should be the key on which prosecutions should be decided.

Mr. Hurd: I have been following the speech of the right hon. Gentleman with great interest, but will he accept that under the Bill that Cabinet document on health, whatever its classification—"confidential", "secret" or whatever, and whether it was a good or bad classification—would not have been covered under the criminal law, regardless of the damage that might have been alleged? Is the right hon. Gentleman saying that it should be covered by the law, provided that it did serious damage, or is he as liberal as we are?

Mr. Rees: I have never reached the point of having to declare myself a liberal. I shall leave that to the right hon. Gentleman. Of course, I understand that point. What I said was that, in deciding whether or not there should be a prosecution, it does not help if the word "secret" is stamped on documents that should not be classified in that way. It is time that the classification was changed. That document should have had a classification which said that it should not be revealed until next week, after which it would be public knowledge.

I shall quote what the Franks committee said about the security of the nation and the safety of the people. The Franks report has been the bible on which I worked when I was Home Secretary and when I was in Northern Ireland. I recommend that hon. Members read part II, chapter 9, of that report. Paragraph 116 says:

"National security is widely accepted as the prime justification for employing criminal sanctions to protect official information."

Paragraph 117 says:

"It is in this context that strong measures are clearly justified in preventing serious injury to the nation."

I want to prevent serious injury to the nation. I do not want there to be any dubiety about that when the legislation is passed. Paragraph 117 continues:

"It is less clear that the criminal law must be brought in to reinforce other means of protection where the possible injury is of a less serious nature. The most obvious example is defence."

I quoted that passage because the most obvious example is defence, and clause 2 refers to defence.

The report says:

"It is less clear that the criminal law must be brought in . . . The most obvious example is defence. Some defence information is highly secret: its unauthorised disclosure would cause serious injury to the nation, and it requires full protection. Some defence information is public knowledge."

Some defence information may be classified and protected in this country, but one can read all about it in the United States. We shall come to that point when we deal with information which has already been published.

Paragraph 117 goes on:

"In between these two extremes, there is a continuous gradation . . . In our view, the appropriate test on this basis, in relation to national security, is that unauthorised disclosure would cause serious injury to the nation."

Paragraph 118 says:

"This means that the criminal law would not apply to information the unauthorised disclosure of which would cause some injury to the interests of the nation, but short of serious injury."

That was not a weekend article in the quality press but an inquiry under the chairmanship of Lord Franks, with all his great proconsul experience in government during the war and as an ambassador in the United States. It does not apply to all defence information. Some information would not be caught.

I want to ask the Home Secretary whether the way in which the Bill is drawn—forget the decoupling—means that the disclosure of information which would cause less than serious injury to the defence of the nation would be caught by this clause and the Bill in general. If it would be, we have moved a long way from Franks, as well as decoupling the classification, which is neither here nor there. The Home Secretary smiles in his diffident way. Is there something wrong in my argument?

Mr. Hurd: The right hon. Gentleman is missing out the other side of the coin that he is minting. The other side of the coin is that the Frank's analysis would lead to a great deal of information—which we are proposing to liberate from the criminal law—remaining under the criminal law, providing that the prosecution could prove in the case of Budget secrets or secret documents on education that serious harm was done. The right hon. Gentleman has not admitted that.

Mr. Rees: I have with me the statement I made in 1976. If the Home Secretary looks at it, he will see that we did the same thing. Therefore, there is nothing new in that. I am talking about defence. Franks said that the test for defence should be one of serious injury only, but is there a departure from Franks which makes the clause more restrictive?

Mr. Gorst: Will the right hon. Gentleman comment on another aspect? If the Home Secretary were to find that the Ponting case and "Spycatcher" arose under defence, he might argue that the words "serious damage" would not have led to a conviction but the word "harm" would. Perhaps the difference between ourselves and my right hon. Friend the Home Secretary on this matter is what would be included and would lead to a conviction and what would be left out.

Mr. Rees: That is an interesting point and is one reason why we should consider the clause in more detail than we will have a chance to do. I appeared as expert witness, or whatever it is in legal parlance, in the Ponting case at the Old Bailey. That is not my wont because, as the Home Secretary points out, I am not noted for liberality.

Mr. Tony Banks: True.

Mr. Rees: I have received confirmation from my hon. Friend the Member for Newham, North-West (Mr. Banks).

I appeared at the Old Bailey after discussing the matter with a colleague from the previous Government and I went on one basis. The Government had said that it was not a security matter, did not involve a serious injury to the state and did not warrant the use of the criminal law. Before I made my statement in 1976, the late Sam Silkin, who was then Attorney-General, had a word with me in his diffident way. He was a Law Officer, and was therefore divorced from the ways of government. I said in 1976 that I was authorised by the Attorney-General to say that, because I had made that statement, from that time criminal prosecutions would take place only for serious injury to the state or classifications above that. Therefore, from that time, for a period of three years, Sam Silkin gave effect to those words.

[Mr. Rees]

I am not talking about what happens at the Department of Education and Science or the Ministry of Agriculture, Fisheries and Food, because that is a different argument. We are talking about defence. The Government have gone too far. The test should still be one of serious injury. I accept that classification has gone awry over the years under all Governments and we have to consider how the test should be applied in terms of the words which appear on documents.

I understand from words used earlier in the debate that there is some information in Northern Ireland, which, over here, would be seen as unimportant—not just in the seamless robe argument—but which should be protected. Unfortunately, just outside Belfast some soldiers at a sports meeting were killed because a bomb was placed in their unit truck. It is clear that information about the movement of soldiers in Northern Ireland, whether in vehicles leaving Aldergrove and going to Armagh or going to a sports meeting at Lisburn, has to be protected because it is vital to the lives of those soldiers. Some information can be revealed in some places but not in others; I understand that.

7.15 pm

How will the system work in practice? I do not want to refer to the clause dealing with the role of the Attorney-General, but he is still in control of prosecutions. I presume that his decision will be based on public interest. That is why I was astonished that the Government continued to act against Wright in Australia under the civil law when permission had been given to Chapman Pincher to publish the same information a year or two before. I know that I am dealing with the clauses dealing with pre-publication, but information is worth protecting only because one is protecting the defence or security services. It is not worth protecting it when it is too late.

Will notification mean that every part of clause 2 will, to the Attorney-General, be worthy of prosecution? Will the words "public interest", which I presume still apply to the Attorney-General, mean that he can say, "Let us not proceed with this because it is palpably silly"? Clause 2 is more widely drawn than I expected, and it is important to know for the record what the role of the Attorney-General will be in defence secrets.

It is important to get things right when we are dealing with defence secrets. It is important when the lives of individuals are at risk. The chapter from the Franks report from which I quoted talks about the security of the nation and security of the people. That is true when we deal with prisons, prison information and certain types of information collected by the police. We do not do a service to the community if we go too far.

These will be the last words that I utter in this debate because I have to go to my home town where there is a local by-election. I cannot resist the temptation to go there as I was involved in the first by-election there many years ago.

Mr. Buchan: Is that confidential or secret?

Mr. Rees: It is classified as secret.

It is important that the Attorney-General and other Ministers should know where they stand. It is also important that the people working in the defence services should know where they stand. I believe that the Government have gone too far and that their actions will lead to the law being broken in defence matters more often than it should be. They should think again.

Mr. Richard Shepherd: I delayed speaking because I wanted to hear the contribution made by the right hon. Member for Morley and Leeds South (Mr. Rees). I wanted to hear his comments on "serious injury" and Franks, which underwrites many of our views and our approach to the matter.

The right hon. Gentleman mentioned several statements made by the ministerial team. He pointed out that on 2 February 1988 in column 469 of *Hansard* my right hon. Friend the Secretary of State talked about "serious harm". He pointed out that my hon. Friend the Minister of State referred to "serious damage", on 21 December in columns 540-41 and that on 13 February my right hon. Friend the Leader of the House also referred to that. I saw the transcript and heard the reports and I know that in his address to the Royal Television Society my right hon. Friend the Home Secretary again referred to "serious damage", and it is mentioned in the letter to the hon. Member for Linlithgow (Mr. Dalyell).

That shows the difficulty that we have had. Terms are used inside and outside the House which convey a spirit or sense of the Government's intent. If the Government wanted to legislate with a test of "serious harm", I would have no objection and would support entirely the intention of my right hon. Friend. Government amendment No. 86 reads:

"Clause 2, page 2, line 36, leave out 'prejudices' and insert 'damages'."

That is where the difficulty arises. My right hon. Friend the Home Secretary told us in the course of one of our debates that he had listened carefully to the arguments, and he picked up his distinguished former colleague Sir Leon Brittan's observation about the word "prejudice". Sir Leon Brittan said:

"It would be easier to prove that the material that is disclosed prejudices something than that it does serious harm . . . I do not see any justification for what amounts to a tightening up of proposals that were originally put forward in 1979."—[*Official Report*, 22 July 1988; Vol. 137, c. 1430.]

Then, in taking account of what was said in that debate on the White Paper, the Government respond with a significant shift—an amendment to leave out "prejudices" and insert "damages". I am not sure what the Government are trying to do. They talk in terms of serious injury and harm and then eschew the concept in legislation. I know that my right hon. Friend the Home Secretary has shrugged off my comment, but too much of the Bill has been legislation by Home Office press release and statements outside the House, resulting in a failure to give attention to what is proposed in the Bill.

A few minutes ago we were debating another matter and I heard the Minister of State, who I take it has now been elevated to the position of a Law Lord, no less, make statements about a judicial interpretation. One reason why my right hon. Friend said that he wanted reform of the law was that he wanted clarity so that everyone would know where they stood. However, every step of the debate has shown confusion, not clarity. What we discussed in the previous debate and shall discuss in this one is our understanding of the Government's intent.

I understand that it is not the Government's intention to prosecute Mr. Le Carré. It would be ridiculous to do so, and no Government would attempt it.

Mr. David Owen (Plymouth, Devonport): Do not be so sure.

Mr. Shepherd: The Bill is drafted in such a way that the Attorney-General still has that option. The matter remains unclarified. It would be useful if the Government, having listened to these debates, came forward with amendments to clarify the issue. Clarity is one thing, obfuscation is another; and much of the Bill is obfuscation.

Mr. Gorst: I suggest to my hon. Friend that, although they cannot admit it, the Government distrust the jury system. If the words "serious damage" were used, some cases that they might wish to bring would fall. On the other hand, if the word "damage" were used, unqualified, the jury would not be given the option—having heard the arguments in court—to bring in a verdict of not guilty. I fear that distrust of what juries may do may lie behind the Government's position.

Mr. Shepherd: I accept that point and I understand that the Government, feeling seriously and strongly about an issue that they believe causes serious damage, may fear that the definition may fail to meet the test of a jury. The Government therefore set the barrier of prosecution so low that it would be quite exceptional if a case failed to meet the test. That is why we always return to the Franks committee's definition of what should constitute the level of damage caused by leaked information which would trigger off a criminal prosecution that could render the leaker liable to two years imprisonment. That is what the debate has been about.

I respect my right hon. Friend's concern for the security of information that can damage us all as citizens. However, the way in which he has gone about the matter has not helped his cause. He has determined that no amendments should be taken and that there should be no discussion. That is counter-productive. He then imposes a guillotine which arouses suspicions that the Government are unable to argue their case on the Floor of the House. That damages not only the Government but the Conservative party. It is absurd that we cannot form a consensus on such an important issue. We have a common object—to ensure that information which seriously injures our national interests triggers off a prosecution which is likely to lead to the person who caused the damage being convicted and imprisoned. I have not heard any hon. Member dissent from that principle. It is all that we are trying to establish.

In grasping for so much, the Government have placed themselves in deeper difficulty. Had they been more measured about whom they actually wanted to catch, they would have received the whole-hearted support of the House. Now, however, the Bill is proceeding to the House of Lords under threat of a guillotine.

I shall make a point about this process because there may not be another opportunity. My right hon. Friend the Home Secretary will recall that the original 1889 Act—the first official secrets legislation—was introduced in the House by the Attorney-General. Anyone who has seen the performance of the Minister of State or the Home Secretary—I mean no disrespect—will appreciate why it was necessary for the Attorney-General to present such a complex legal matter to the House.

During our short debate on the possibility of the publication of works of fiction, there was a clear conflict over the legal interpretation of what the clause meant and whether the word "or" should be "and"—or, in the words of my hon. Friend the Member for Hendon, North (Mr. Gorst), whether we wanted "one" or "two". At the end of the day, the House was united in thinking that there was no doubt that the clause would trigger the prosecution of Mr. Le Carré—*[Interruption.]*—apart from my hon. Friend the Member for Banbury (Mr. Baldry), who took an individual view. Those were legal matters, and with the best will in the world we cannot say that my hon. Friend the Minister of State has inspired us with the confidence to use him to represent our interests in court. *[Interruption.]* The Government Whip calls out, "Steady on," but on a question of one's liberty, one seeks good advice. We feel that we have been missing good advice on the meaning of

I intended to read through all the passages referred to by the right hon. Member for Morley and Leeds, South and what he said about the Franks debate, because it is essentially to that that we have been returning. However, I know that my right hon. Friend the Home Secretary is familiar with the arguments. He was in the private office of the then Prime Minister—my right hon. Friend the Member for Sidcup and Old Bexley (Mr. Heath)—when the Franks committee was set up. He will have heard the drift of the arguments that the former Prime Minister adduced during the course of those debates. He may chuckle now, but only last week, he seemed extraordinarily respectful about some of the comments made by my right hon. Friend the Member for Sidcup and Old Bexley.

Of course, I support amendment Nos. 6 and 7, but I also want to speak to Nos. 20, 21 and 22. Amendment No. 20 removes the word "prejudices" from clause 2(2)(a) and inserts the words "causes serious injury" in line with the general theme of the arguments from both sides of the House. Amendment No. 21 inserts the word "defence" before the word "tasks" in line 37 of clause 2(2)(a) so that it reads:

"to carry out their defence tasks".

That is an important point but not a major one. The Army carries out ceremonial duties, and performs a range of duties about which the revelation of information could be said to be slightly damaging, but that is in no way related to the armed forces' defence capacity. Amendment No. 22 is to leave out the whole of clause 2(2)(b). There is concern that, under the Bill as drafted, information vital for us to improve our armed forces' capacity could be ruled "damaging".

A case in point was when, during the Falklands war, the boots used by the Army rendered a high proportion of the Welsh Guards unfit for service. To have revealed that information would have been a wonderful signal to the Argentines, who would have known when confronted with a platoon or regiment that they faced only two thirds of the expected forces. On the other hand, if we are prepared to conceal for ever defence information such as that, we could never put the pressure on an Administration to improve the Army's equipment or material. The gain to our armed forces' capacity could be much greater.

Mr. Baldry: My hon. Friend talks lightly about ceremonial duties. I had a constituent who was murdered in the bandstand incident when the IRA blew him up and killed him. There is a definition of "harm". What harm my hon. Friend and those who support his amendment regard as acceptable before it becomes serious harm? I do not

[Mr. Baldry]

understand the distinction that he makes between harm and serious harm. He must explain what harm he thinks is permissible.

7.30 pm

Mr. Shepherd: I had hoped that the reference by the right hon. Member for Morley and Leeds, South to the Franks report was a shorthand method, as it were, of dealing with that. My hon. Friend the Member for Banbury (Mr. Baldry) claims that there is a definition of "harm" in the Bill. I am waiting for that definition to be spelt out. I have been looking for it. I have not found it in the Bill and if my hon. Friend will explain where it appears I will address my remarks to that. Part of the argument that we are making to the Government is designed to coax them into providing such a definition. Many of the harms that are said to exist are triggered off by, say, prejudice —that is why, at any rate as a pro-tem measure, I support Government amendment No. 86.

Mr. Baldry: The test of harm as an issue was canvassed thoroughly on Second Reading. Clearly, when one is talking about harm and serious harm—if my hon. Friend studies the *Official Report* of the Second Reading debate he will see that the issue was examined in detail—we go to my hon. Friend's definition of "damage" and "serious damage". Will he explain what damage he would allow without it becoming serious damage? He is arguing that it should be permissible to cause damage to the community so long as it is not serious damage.

Mr. Shepherd: On Second Reading we took the trouble to explain to my hon. Friend and to those who take his view exactly what the Government claimed was being done. We are simply trying to enact what the Government have said that the clause means. The Government rely on the description "serious damage" and "serious harm", and that is what we are trying to incorporate.

Mr. Hattersley: The hon. Member for Aldridge-Brownhills (Mr. Shepherd) has helped me on so many occasions that he will not object to my making a suggestion to him. Will he remind his hon. Friend the Member for Banbury (Mr. Baldry) that in clause 2(2)(a) we at least know how the Government define "harm." It is the prevention and inhibition of the armed forces from doing anything that they might want to do, no matter how trivial or inconsequential. Whatever definition of "harm" is superior to that, it is difficult to think of one that is inferior to that, for it is using the word in a different way from its common usage.

Mr. Shepherd: I am grateful to the right hon. Gentleman for that assistance. The expression "serious injury" or "serious harm" has a place in our preface to all these debates—the Franks report—and it was linked with an internal level of classification which was understood and could be argued by counsel. It was related to serious injury to the interests of the nation and corresponded to secret documents encompassing exceptionally grave damage to the nation. Under these proposals, it is ultimately the jury who determine the level of harm and whether it is serious or trivial. After all, I could make an argument to a jury that to comment that uniforms were unattractive constituted damage to morale. The jury would think that ridiculous and no serious prosecution could be mounted on it, but at the end of the day the jury will determine whether it falls within the criteria.

Mr. Aitken: My hon. Friend may be aware of the Official Secrets Act case in 1916, R *v.* Crisp and Homewood, which was known as the War Office tailors and fly buttons case. The gist of the case was that a War Office tailor was prosecuted for disclosing the contract prices of fly buttons on uniforms, and was correctly prosecuted. Undoubtedly that was a damaging disclosure of commercial danger in the somewhat limited world of tailors and prices.

In answer to the point raised by my hon. Friend the Member for Banbury (Mr. Baldry), I can think of no clearer example of a definition of what might be called damaging from one somewhat narrow viewpoint, which is different from the serious injury and serious damage point to which we are referring in connection with the amendments.

Mr. Shepherd: There is the old test of the difference between damage and serious damage. If I stub my toe, I can say that that is damage. If I break my leg, I can say that it is serious damage. One can then argue about that.

Mr. Buchan: In a sense the word "damaging" is absolute. A damaging disclosure, even if it harms only to a slight degree, remains damaging. So in a literal, linguistic sense, "damaging" might be something extremely trivial. That is why we want to amend it.

Mr. Shepherd: That is the point that we have been trying to make across the Floor of the Committee—that a very low level, almost anything, could constitute a damage. Our fear is that something trivial which could be accepted as slightly damaging or a little damaging should be characterised as seriously damaging.

This Bill is linked with the Security Service Bill. The important difference is that we often legislate in a vacuum in this country, whereas other countries do not. A great advantage that we have with this piece of legislation is that while it has caused some difficulty for the Government, we are not legislating entirely in a vacuum. We have had a committee of inquiry through Lord Franks which has given us an education in the problems that arise.

The Government should accept the concept that serious injury is the appropriate test to put to a jury. It is on that basis that the Government should prosecute, rather than on the basis of damage or prejudice or something of a lesser level. This is criminal law. We want to be sure that we secure prosecutions, but we must also feel sure in our minds that the Government have gone through the mechanics of trying to weigh up the damage and are confident that when they go forward for a prosecution they are targeted rightly and that the law is not used frivolously in front of juries to undermine its integrity, as the 1911 Act undoubtedly was.

Mr. Maclennan: The hon. Member for Aldridge-Brownhills (Mr. Shepherd) said that, in this context, we were legislating in a vacuum. That is not altogether so. We are legislating against a background of the public and international protection of fundamental rights and freedoms—the European convention on human rights, to which this country subscribes.

Much of our difficulty in comprehending the Home Secretary's approach to the amendment flows from the

fact that he is trying to present himself to two different audiences. Sometimes he is trying to persuade the Committee that he is at heart really a liberal individual, and his intervention in the speech of the right hon. Member for Morley and Leeds, South (Mr. Rees) was designed to suggest that the Bill was confining the law. On other occasions, the Home Secretary tries to emphasise that his prime duty must be the protection of the nation from the serious damage that could flow from the wrongful disclosure of official secrets.

In the context of this group of amendments, we are dealing with national defence. The Home Secretary appears to be trying to argue that the mere mention of the words "national defence" is sufficient to enable him to throw overboard whatever liberal instincts he may have and that he can raise the concern that if we do not accept precisely his language, we are by implication putting at risk the national interest in national security.

After the debate we have had today on the test of harm and after debates on earlier occasions, the Home Secretary has to address the question what is wrong with the Franks definition. Why is it not appropriate to incorporate that in the Bill? The language was considered carefully by the Franks committee. I acknowledge that it was considered in the context of the official classification but the official classification was used in the Franks committee report to describe the categories of information which it was felt should be protected by the criminal law. It was in a sense a code. It was to explain exactly what Franks was trying to catch by the criminal law.

The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) made the point with greater eloquence and precision. The point was that Franks was specific in the language. I do not see that the mere severing of the ministerial certificate from the process has anything to do with the language. The language is clear and unambiguous and seems to cover the position adequately.

I ask the Home Secretary to address the meaning of the language and to give us a clue why he thinks it is not appropriate, and why he has to produce the test of harm, as he has done for the whole sphere of defence. If he sticks with the language which he has proposed, including amendment No. 86, to replace "prejudices" by "damages", he is at serious risk of not doing what I think he wants to do, which is to square the legislation with the European convention on human rights. I give him the benefit of the doubt.

Let me take the right hon. Gentleman through the argument. The European convention on human rights, which under article 10(2) guarantees the right to freedom of expression, carries within it a limitation of that right, understandably and properly. There may be restrictions of that freedom of expression, such as

"are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety".

I quote that extract, which is relevant to the question of defence.

That is not the end of the matter. Those words have been further interpreted by the European court, giving a much clearer understanding of what they are intended to cover, following two leading cases, the Handyside and *Sunday Times* cases, both of which involved this. Those cases provided that the test of whether the restriction is

"necessary in a democratic society"

is

"whether the interference complained of corresponded to a pressing social need and whether it was proportionate to the legitimate aim pursued".

7.45 pm

It follows that we are entitled to ask whether the language of clause 2 serves a legitimate aim, whether it seeks to meet a pressing social need and whether it is proportionate to that need. Those are the tests that would be applied if someone sought to take a case to the European court under the European convention. I put it to the Home Secretary that the damage provisions in regard to defence would not stand up. The point has been made so often in earler speeches that I need not repeat it at length. Unqualified damage, which can be in any given case extremely slight, cannot by definition reflect such a pressing social need as to justify interference with a right so fundamental as that of freedom of expression. At the very least, to satisfy the European convention rights, what is required is not just any damage but serious damage.

I pray that perhaps somewhat arcane argument in support of the amendments because it has not yet been adduced in the debate. I very much want our legislation to conform with our international obligations. I do not believe that it will unless the Home Secretary accepts the amendment.

Mr. Hurd: Is the hon. Gentleman aware of criticisms from that quarter of the existing law, which is much more comprehensive?

Mr. Maclennan: Yes, but this Bill, which will shortly be an Act with remarkably little stamp of Parliament upon it, will be the legislation which the European court will be called upon to interpret. I may have misunderstood the Home Secretary. The existing Act would certainly fall foul of the European court. The fact that it takes six or eight years to bring a matter to a decision is a major inhibition, which is why I and my right hon. Friends seek to incorporate the provisions in our domestic law. None the less, in giving effect to the provisions of the clause, the Home Secretary is not taking the opportunity to bring our domestic law into conformity with the provisions of public international law.

Mr. Gorst: Is the hon. Gentleman aware that the argument he is using will be greatly reinforced when we discuss prior publication abroad? There will be absolutely no doubt that, even if it is a matter of national security, if it has already been published abroad, although the pre-publication may have been damaging, publication cannot have added to it. So I would have thought that the hon. Gentleman's argument is valid.

Mr. MacLennan: I am grateful to the hon. Member for Hendon, North (Mr. Gorst); I agree with him. Perhaps that point will be made again. There are a number of places in the legislation where it is hard to demonstrate that the restriction on freedom of information which it entails can possibly be justified in terms of the perceived damage that would flow. That is really the root of the matter.

One asks oneself why the Home Secretary stands out for this extremely broad, all-encompassing word "damaging" when it would so obviously allow successful criminal prosecution for the most minuscule disclosure. I can only assume that it is because he wants to retain a provision that can be used in terrorism. He wants to be able, as it were,

[Mr. MacLennan]

to frighten those who are in any way connected with the armed forces into believing that they ought not to talk about what they do, however much it might benefit the public that they should. In fact, he is seeking almost to impose a duty of silence on those who are in possession of information relating to defence, because the damage test is so low that it cannot really limit the possibility of successful prosecution.

I reinforce what the hon. Member for Aldridge-Brownhills said about the duties of members of the armed services. Clause 2(2)(a) speaks of prejudicing

"the capability of . . . the armed forces of the Crown to carry out their tasks".

Well, many of these tasks do not touch the security of the nation. The armed forces have representational roles and ceremonial roles, and, even in the normal course of events, they carry out tasks of a very humdrum kind that have nothing whatever to do with the defence of the nation, save for the fact that they happen to be being carried out by the armed services.

Mr. Baldry: The hon. Member, rather like my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), dismisses ceremonial tasks as if they were nothing. What does he say of those who clearly gave information to the IRA about the changing of the guard in Gibraltar? There could have been substantial loss of life in Gibraltar. The reality is that, sadly, there are in this world many people who wish to injure members of the armed forces, and it may well be that it is at ceremonial events that they are most vulnerable. To say that a ceremonial even is of no importance in this regard rather belittles the hon. Gentleman's argument.

Mr. Maclennan: I can answer that point most simply by saying that the hon. Gentleman's example concerns a course of action that would undoubtedly be caught by the form of words that we are proposing:

"disclosure which would cause serious injury to the interests of the nation".

It does not matter to what sort of occasion, ceremonial or otherwise, the disclosure relates.

Dr. John Gilbert (Dudley, East): Perhaps I can help the hon. Gentleman. The whole point about ceremonial events is that they are publicised.

Mr. Maclennan: The right hon. Gentleman speaks with the full authority of a former Defence Minister.

I think that the hon. Member for Banbury (Mr. Baldry) really has not addressed the fact that it matters not what the incident or the occasion—the test is whether or not there has been serious injury to the interests of the nation, and the circumstances the hon. Member describes would plainly fall within the amendment that we are advocating.

The Home Secretary has been speaking with two voices on this matter. Outside the House he has been speaking about serious damage. He has tried to convey to the world at large—as, indeed, it has to be said, he has done in earlier debates when we have not been focusing precisely on this issue—the impression that he is concerned only with serious damage. But the language in the Bill does not reflect what he has said. All that we are asking is that the Bill reflect his expressed intention. If it does not reflect his intention, it expresses a defence of a kind that will enable the prosecution to bring charges of criminal behaviour carrying penalties of up to two years' imprisonment for what, by any objective test, would be seen as the most trivial of revelations.

Mr. Aitken: Although we are operating under the shadow of the guillotine, I think that we are performing a very valuable exercise in this line-by-line scrutiny, which, as the hon. Member for Caithness and Sutherland (Mr. Maclennan) rightly reminded us, is all to do with language. The hon. Gentleman and others have covered so much of what is already familiar ground that I can be very brief and give just three reasons for my urging the Home Secretary to accept one or other of these "serious damage test" amendments.

First, I believe that this group of amendments really is the litmus test of the Government's good faith. We have heard from Member after Member about what the Government have said, and we have been given chapter and verse at the Dispatch Box, in earlier debates, and outside the House. Ministers have used phrases like "serious harm" and "serious damage"—not only my right hon. Friend the Home Secretary but also, most recently, two nights ago, the Leader of the House.

The Government have gone abroad publicising the notion that this Bill is all to do with occasions when the interests of the nation are in some way or other seriously damaged, yet this very phraseology is not in this ill-drafted, ill-thought-out clause. I ask my right hon. Friend to explain why the Government are willing to use words at the Dispatch Box and on platforms in the country, yet not put them in the Bill. We cannot have a situation in which one of Her Majesty's principal Ministers is prepared to be a lion at Cambridge university and a lion at the Dispatch Box, but a lamb when it comes to the Cabinet Committees that do the drafting of these Bills. He will be open to the charge of being "Mr. Facing Both Ways" if he cannot put into the Bill the very words that he and his colleagues have been using outside the House.

This word "damaging", which is in the Bill at the present time, is weak and unsatisfactory in terms of the criminal law. My hon. Friend the Member for Banbury (Mr. Baldry) is the only person here who seems to think that it is not. One has only to look at how unsatisfactory it is in the civil law to start to recognise how much more unsatisfactory it is in the criminal law. In the civil law, of course, there are damages and damages. Consider, for example, recent libel awards. They stretch from £1 million in the case of Mr. Elton John *v. The Sun* down to derisory amounts—it used to be a farthing; now it may be £5—in small cases. There is huge scope for a jury in awarding damages.

If there is this wide scope in civil law, how dangerous would it be in the criminal law. Here we are talking about the liberty of an individual in the dock, on a serious criminal charge of disclosing information—information that is merely damaging, without any qualification or clear definition. On the civil liberties issue—giving a defendant a clear and adequate defence—we must do better than the word "damaging".

But I am not thinking only of the interests of defendants. I am not exactly a paid-up member of the royal society for the protection of Attorneys-General: nevertheless, I hope I have some genuine concern for the position of the Attorney-General or, in some cases, the Director of Public Prosecutions, in trying to operate this clause. As it stands, with this vague word "damaging", the

law is as long as the Attorney-General's foot, and almost anything can be argued, and no doubt will be argued, by departmental Ministers and departmental civil servants. People over-reacting to a disclosure will be able to say that is has been seriously damaging—or merely damaging, since the word "seriously" is not in the Bill.

There have been any number of cases through history in which the Attorney-General has been pushed by departmental pressures into prosecuting on the slenderest of grounds. I referred in an intervention in the speech of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) to the case of R *v.* Crisp and Homewood, an ancient but still relevant case because it related to defence matters. That was the case of the War Office tailors who disclosed contract prices for fly buttons on uniforms. They were prosecuted for disclosing matters which I am sure that the War Office argued were damaging to the commercial interests of the War Office and the world of defence. Surely no one could seriously argue that the Bill is supposed to cover such a matter, yet it could perfectly well be interpreted that the word "damaging" unqualified was a mandate for more prosecutions of the type of R *v.* Crisp and Homewood.

8 pm

Mr. Baldry: My hon. Friend says that "damaging" is unqualified. It is very much qualified by saying

"damaging if . . . it prejudices the capability of . . . the armed forces . . . to carry out their tasks".

I fail to see how fly buttons could conceivably prejudice the capability of the armed forces to carry out their task.

Mr. Aitken: My hon. Friend is on to a good point and I concede it. But let me take him a little further down the Bill. The definition of damaging enters territory that is still worrying. In line 41, damaging is defined as something which

"jeopardises the interests of the United Kingdom abroad".

That is an extremely wide and vague definition.

Subsection (4) defines defence. Does a defence matter include defence sales? It clearly does. We are entering the world where one could disclose something that is damaging to defence commercial interests, and that is highly unsatisfactory. The *Sunday Telegraph* case in which I was involved was a defence matter in one sense, because it involved British arms sales to Nigeria. Under clause 2, it could perfectly well be argued that those who disclosed those matters did things that were damaging, in the sense that minor damage was caused by the embarrassment of diplomatic interests. It was covered by the broad definition of "defence" and "damaging". I am sure that this area needs tightening up and the best way in which to do so is by accepting the Opposition's amendment—which applies the "serious harm to the nation" test, or amendment No. 22 which simply knocks out line 41 onwards and makes many of my fears much less relevant.

At last the Government have at least made one concession. They have acknowleged that their drafting is less than perfect because here we see the first ever amendment to an Official Secrets Bill or Security Service Bill. The Home Secretary may star in a Bateman cartoon as the Home Office Minister who admitted that this parliamentary draftsmen were less than perfect. Amendment No. 86 takes out "prejudices" and inserts "damages". We must give a hearty cheer for this moment of repentance, but the Home Secretary needs to repent more.

The word "damaging", unqualified as it stands, is inadequate to those who might face criminal charges under it. I hope that, even though I have long since given up any hope that Ministers will listen to the House of Commons, the other place will take these criticisms seriously and write into the Bill the kind of protection that was envisaged by the admirable Franks committee and insert the serious harm test.

Dr. Owen: I rise to support amendment No. 20 which would make line 36 read:

"it causes serious injury to the capability of, or any part of, the armed forces of the Crown".

I think that I am right in saying that, since the Franks committee reported, whenever such issues have been discussed there has been near-unanimity that special provision should be made for defence information. It is also fair to say that, at all times, the phrase "serious injury" has been accepted in all parts of the House as applying to defence. This is the first time that that phraseology has come under question.

When the right hon. Member for Morley and Leeds, South (Mr. Rees) was Home Secretary discussing the various drafts and Green Papers, there was one area in which there was no dispute—in terms of defence, it had to be serious injury.

There was always an argument, which we shall deal with when we debate the amendments to clause 3, over international affairs. That is a harder issue, because it deals with other Governments. We can argue whether the word "jeopardises" is strong enough. I put my name to the amendment that deals with that more to probe than to criticise. I would prefer "causes serious injury to", but I could live with the word "jeopardises". However, I do not think that I can live with the wording that the Home Secretary is now putting forward. I welcome "damages" because it is preferable to "prejudices", but it must have an additional word, and that should be "seriously".

Let me explain why by dealing with an area of considerable interest and some controversy. Nothing could be more central to Britain's defence capability than our nuclear deterrent. In 1969, when the issue of Polaris first came up, there was a question about whether the then warheads would be capable of penetrating the anti-ballistic missile defences around Moscow. The Ministry of Defence, then under a Labour Government, began to discuss whether it might be necessary to harden the warheads so that they could penetrate. That was considered at the time to be highly classified information. It was so classified that it was felt that we should not even discuss it with the Americans, so it had the classification "Top secret. United Kingdom eyes only".

When a Conservative Government came in in 1970, there was a long period during which they considered whether the anxieties about the penetration were so great that they should go for Poseidon and stop continuing with the Polaris A3 missile. Again, that was considered to be a matter of extremely important intelligence information and it was highly classified. I do not know its classification, because I did not see it, but I do not suppose that it was any different. The then Government made a decision that they would not buy Poseidon but would go ahead with a development to harden the system.

Mr. Rees: Chevaline.

Dr. Owen: I do not know whether that was its name at that time. It may well have been. There was a different code name for it in 1959. It was certainly code-named Chevaline in 1974 when a Labour Government took office. But what is not often realised is that the decision was made in secret by a Conservative Government. I have no objection to that. It was thought that it should be secret because we were not about to intimate to the Soviet Union that we did not think that our existing system could penetrate the Galosh defences around Moscow.

That decision then came before the Labour Cabinet and there was the correspondence between the right hon. Members for Blaenau Gwent (Mr. Foot) and for Chesterfield (Mr. Benn) about what did or did not happen at the Cabinet meeting in November. That is an important issue. I am on the side of the right hon. Member for Blaenau Gwent, if for no other reason than that I find Barbara Castle's diaries to be extremely accurate. I figure in a lot of them and her accuracy must be due to the fact that she had shorthand. I do not always agree with her conclusions, but in terms of an accurate description of what was going on in that period, I suspect that it will prove to be better than the Cabinet Secretary's, who did not take shorthand and had a tendency to make the minutes of the Cabinet meetings reflect the briefing that had gone to the relevant Ministers. More frequently, one used to read what one was meant to have said according to the briefing that one had been given rather than what one actually said. However, I leave all that, to come to a serious question.

That decision was reported to the Cabinet, as it was right to do, because at that time the cost was about £220 million. It was agreed by the Cabinet and the programme went forward. There was no secret about that, because it was a continuation of previous Conservative Government policy. However, all the discussions were conducted in secrecy. In 1977, the decision came up for review by a small group of Ministers, which has often been criticised since. The reason that the decision came up before a small group of Ministers was that it had already been taken. The cost escalation was considerable. At that time, the question was whether the programme should be cancelled. That was considered seriously, because the cost by then was £700 million and the cost eventually became £1 billion.

One of the major arguments used against cancellation was its effect on the capability of our nuclear deterrent. It was felt that if one came forward and announced that one was cancelling a programme on which one had spent £700 million and which had been started to improve the penetration of missiles, one would flag to everybody—and very visibly to the Soviet Union—that one's existing deterrent was not effective. Nobody argued more strongly against cancellation than the Ministry of Defence and the intelligence community. They argued powerfully that it was absurd to cancel the programme, having spent so much money on it.

I was in two minds about whether we should cancel the programme. The anti-ballistic missile treaty had been signed by then, we were dealing only with the rather inadequate Galosh system around Moscow and I did not believe in the Moscow criteria. However, I found the arguments against disclosure extremely powerful and they were arguments that finally persuaded me. There was nothing disreputable or discreditable about the Government deciding—the decision was made for them at almost technical level, as most classifications are—that this classification should be highly secret and that disclosure would be deeply damaging.

There was a change of Government in 1979. At the end of 1979 and beginning of 1980, the then Secretary of State for Defence—now Lord Pym in another place—came to the House and suddenly announced not only that the project was near to completion—which he was entitled to do—but that the project was called Chevaline. I remember hearing that announcement at the time and being utterly staggered that he could do that. On what authorisation did Francis Pym suddenly announce the name of the project? It was one of the most highly classified secrets of the previous 10 or 11 years. I presume that he decided to declassify it himself, rather as Winston Churchill declassified documents at frequent intervals. Whenever I have written on defence, I have frequently declassified information before I make a judgment.

Lord Pym made a judgment. I believe that he did so for purely party political reasons to justify the decision to buy Trident missiles and to embarrass the Labour party for the fact that it had put the interests of this country first and had been ready at all times to modernise the deterrent—and it was right to do so. He made a cheap, party political point. In the process, he seriously damaged the principle of the integrity of the classification system and of the trust that had hitherto existed between Governments. That was a bad day for good government in this country.

However, Lord Pym made a judgment, and I presume that he would argue that he did not damage the capability of any part of the deterrent when he made that decision. A year before, however, if anybody had revealed Chevaline, a serious question would have been whether a prosecution should take place. That shows that two Governments, within a year, were taking completely different views on a serious question about capability.

8.15 pm

The reason for that story is that it is necessary for the House to make clear what it believes is "damage". Damage is in the eye of the beholder. We should be clear that we are concerned with more than just damage, that we are concerned with serious damage. I would have argued that it was seriously damaging at any time to reveal that project until it had been fully deployed. I could not be persuaded that it was right to announce it. If people wanted to speculate about it, that was reasonable, but in such areas, it had normally been the rule that one did not reveal the full modernisation of weapon systems. The point is that the Secretaries of State for Defence—Fred Mulley, a man of the utmost probity and distinction, who always put the defence of this country first, and Francis Pym, to whom I apply the same terms—made fundamentally different judgments on that question.

How is a jury to make up its mind on such questions if the best that the House of Commons can do about what we think are the criteria is to replace the word "prejudices" the capability with "damages" the capability? The vignette of history points in the direction of greater clarity about what is at issue. One can argue the case that, as the weapons system is deployed, the importance of revelations about its effectiveness and capacity diminish. The further one is from deployment, the more it is important to keep it secret. It is a moving situation.

There has been a great deal of cynicism, which reflects the difficulty of establishing criteria here. We must say to the Home Secretary—I know that he is more worthy than anybody else—that we do not have sufficient explanation here. The words that are used in the Home Secretary's explanation for the Bill in the House of Commons cannot be used in a court of law. One cannot call in evidence the fact that the Home Secretary said that "damaging" really means "seriously damaging". I am not a great lawyer; the Home Secretary has picked me up on that before. The words, therefore, in the Bill are very important. I hope that, having moved on prejudice, presumably having listened to the words of Sir Leon Brittan, he will now accept that if, as I believe will happen in the other place, the word "seriously" is inserted, it should not be removed.

Mr. Buchan: On the right hon. Gentleman's point about whether language spoken by the Home Secretary or anyone else can be called in aid, it cannot. The judge must interpret the law as it stands. The very fact that what is said in the House cannot strengthen a judgment means that if the clause is passed without the level of damage being qualified, it will be assumed it means any level of damage, however minor.

Dr. Owen: If that is the case, it does not fit easily with the rest of the clause. I must say to the hon. Member for Banbury (Mr. Baldry), who intervened and mentioned the tragic case of the ceremonial in Gibraltar, that there have equally been other ceremonials, such as the Horseguards incident, which would be covered by the words "loss of life." That is right and I do not think that any of us could object to that. The clause also refers to

"injury to members of those forces or serious damage to the equipment or installations of those forces",

with which I have no problem at all. If we can use the phrase "serious damage to" for such matters, why on earth can we not use "serious damage" with regard to capability? The clause does not make sense.

In clause 3—I do not wish to prejudice any discussion on that clause—one sees the phrase:

"it jeopardises the interests of the United Kingdom abroad".

Can we merely live with the words:

"a disclosure is damaging if—

(a) it damages the capability of, or any part of, the armed forces of the Crown"?

That is not a sufficient test on which to have someone up on a criminal charge and have them imprisoned. Yet that is what we are talking about for a range of information and classifications on which, as I have already said, two successive Secretaries of State can take diametrically different views, when the capability of the defence of this country is involved.

Mr. Budgen: Does the right hon. Gentleman agree that what will actually happen when this Bill becomes an Act is that it will not be applied even-handedly, but the Government of the day will make an arbitrary selection?

Dr. Owen: Yes, and the matter will go before a jury, and we shall then see what we saw in the Ponting case. A judge will give a direction to the jury in law which will be totally chucked out because most of the jurors will have enough sense to realise that they are not prepared to pass judgment that makes them look like asses. That is the danger.

We all know that the last Official Secrets Act was one of the worst Acts that this House has ever passed. We have all hung our heads in shame because it was rushed through, because its interpretation was squalid, because all of us—in successive Governments—have kept it going for decades too long and because people have suffered gross injustice. However, such a Bill is now with us in this House. We have all been talking about historical examples, but we are probably on the path that is most likely to lead to the courts.

I feel strongly about clause 1 and about the small but important group of people who are employed in the security and intelligence services. I still think that we have got that provision wrong. Not providing a public interest defence for those people is a serious omission—we all know that defence information is being leaked all the time. This provision will come to court. It will be the issue on which people will go behind bars. There is a great feeling in the House that the current words are not sufficient. I hope that when the Home Secretary gets his way and moves that the word "prejudices" become "damages", he will accept that that is only a partial step and that we shall not rest until the word "seriously" precedes the word "damages".

Mr. Hugh Dykes (Harrow, East): We have not only heard fascinating and subtle allusions and references to incidents 10 and even 20 years ago about major projects and the ways in which they ere eventually revealed; we have heard a whole raft of extremely persuasive speeches from hon. Members of all parties urging my right hon. Friend the Home Secretary to accept this cluster of amendments.

I shall speak only briefly—I had not intended to speak—but I hope to make a helpful contribution. This is an opportunity for my right hon. Friend to accept the amendments and thus to do what he originally intended to do, which was to provide a firm, tangible definition of "serious harm" or "serious damage". That was manifestly his intention and that of his Department. I guess that that would be fully supported by the Law Officers, but one should not quote them without asking their permission or opinion—only they could express it.

The House will have been drawn by the comments of the hon. Member for Caithness and Sutherland (Mr. Maclennan) about the background of the European convention on human rights in relation to the clause to which he referred. The present wording of clause 2—and especially the main part that we are now considering—is a disgraceful piece of drafting. I apologise to my ministerial colleagues for using that strong adjective. Increasingly in recent years, and irrespective of party colour and Government, the House has been worried about sloppy drafting of all sorts of Bills and the increasing tendency for such important measures to go through unamended because of the processes and pressures that we now face.

I say that against the worrying background that none of the provisions even emanates from an outside committee of inquiry or investigation or a Royal Commission. We all dreaded Royal Commissions in the past because their deliberations took so long, but none of this legislation comes from such bodies. It all comes from internal governmental investigation, action, deliberation and suggestion. Because that process always emanates from internal Government sources, and because it reinforces the need for amendments to be made to reflect the will of the House, we are left with shoddy drafting. To use four

[Mr. Hugh Dykes]

different verbs in clause 2, dealing with the harm aspect, is unacceptable. I hope that my right hon. Friend will reconsider that.

I feel strongly about removing the discretion of the quadrupartite basis of what we have been discussing today—the European convention on human rights—about the definition and basis of Franks, which is still held in the greatest respect by parliamentarians in this Chamber and in the Upper House, and by people outside as being the right basis on which to proceed, and about the amendments and the original terms and undertakings given in the White Paper and on Second Reading.

I do not agree with the reference of my hon. Friend the Member for Banbury (Mr. Baldry)—I hope he does not mind me referring to this—to the use of the word "harm", when he said that there is no way in which one can establish the right level of harm or damage because a ceremonial occasion might turn out to be a serious emergency causing injury and death. With respect, that was a distortion. My hon. Friend mixed up two totally separate manifestations of human action.

I hope that, with all those arguments having been deployed, if my right hon. Friend the Home Secretary catches your eye later, Sir Paul, he will reply to some of those serious comments. I cannot understand why, in this mature parliamentary system, where there is no outside corrective constitutional court system to say that the Government are overdoing it, are going too far or do not have a mandate or basis for their argument, the Government cannot from time to time accept a good suggestion, even if it comes from the Opposition, or an amendment tabled by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I cannot understand why they will not accept his amendment and say that that is the basis on which they will proceed. Why is that regarded as a sign of weakness?

We are told nowadays that the regular meetings of the Cabinet are shorter and that most things happen in Cabinet or ministerial sub-committees and that there is little discussion because it wastes time. Then, when the measure comes to the Floor of the House, it is guillotined because, after all, it wastes time. Indeed, several hon. Members said that in Monday's debate on the guillotine motion. My right hon. Friend the Member for Chingford (Mr. Tebbit) said that we were wasting time considering such matters. I am sure that my right hon. Friend——

Mr. Budgen: Some tribute should be paid to the Government. They took away the right to silence in Northern Ireland by order, in three hours, without any discussion. Therefore, the idea that the Government are prepared to waste time in such fruitless activities is a totally false allegation. There is no evidence that the Government seriously believe in parliamentary discussion.

Mr. Dykes: On careful and meticulous reflection of what my hon. Friend has just said, I feel ashamed because he is right. I misunderstood the whole basis on which this new era is unfolding.

Mr. Gorst: My hon. Friend may be completely wrong about this. Having heard the weight of the argument, my right hon. Friend the Home Secretary may well, within a matter of minutes, be about to concede what we have been arguing, thereby earning a tremendous amount of kudos for this Government's handling of the Bill.

Mr. Dykes: I take the extremely subtle hint given by my hon. Friend the Member for Hendon, North (Mr. Gorst) that I should not go on for too long. I agree that there is now the chance of that happening, so the sooner my right hon. Friend the Home Secretary can address us the better.

I return to the point made by my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen). The interdiction on Sinn Fein spokesmen appearing on radio or television was announced in the media. That was the quintessential example of not wasting time. As a summit of not wasting time, it was extremely impressive.

Mr. Winnick: Does the hon. Gentleman agree that he is doing no service to the Home Secretary? If the Home Secretary conceded anything, it is likely that he would be dismissed within about a week. Does not the hon. Gentleman care about the Home Secretary's continuing career?

Mr. Dykes: I care in all ways, but I care above all about my right hon. Friend's justified respect as a liberal Conservative politician—although the right hon. Member for Morley and Leeds, South (Mr. Rees) asked, "Is he, or is he not?" Unless someone else, Sir Paul, catches your eye in the meantime, I think that my right hon. Friend the Home Secretary is about to rise to his feet to prove the hon. Member for Walsall, North (Mr. Winnick) wrong.

8.30 pm

Mr. Hurd: I hope that we do not start from the proposition that this clause substantially reduces the weight of criminal law on soldiers, sailors, airmen and officials of the Ministry of Defence. There is a wide discretion about prosecution, and that discretion will be substantially narrowed. The argument is about whether it should be narrowed even further.

The amendments would alter the basic structure of the Bill. The Government's approach, which differs from that of the Franks committee, has been to select from the whole mass of Government information that which needs to be protected, and then to define what that is in statute on the basis of whether disclosure of that information could do serious damage to the public. I have said that over and over again, and many members of the Committee have quoted that and other points accurately. We are removing from the scope of the criminal law the wide discretion that the prosecuting authorities—not the Government—have, and putting it first on Parliament and then with jurors. We believe that the criminal law should apply to harm that is serious. That is why the winnowing process has been rigorous. It has winnowed out not just the trivia but the Budget secrets and the kind of Cabinet documents to which the right hon. Member for Morley and Leeds, South (Mr. Rees) referred. Those will no longer have the protection of the criminal law.

What is left to be covered by the Bill is a minority of the range of Government information at present protected by the law. Included in the Bill are such narrow sectors as interception warrants and other warrants, to which we shall come tomorrow, where we believe that disclosure per se is harmful—members of the Committee will want to argue about that—or in other sectors where we ask Parliament to set a test of actual harm. We do not believe

that within those sectors, which we are asking Parliament to select as sectors where disclosure can cause serious harm, there should be a test within a test. There should not be a subdivision within those sectors so that there is a subdivision of harm.

Mr. Rees *rose*——

Mr. Hurd: I will give way to the right hon. Gentleman in a minute. First, I should like to develop this case, which is the core of the argument.

It is true that the Franks structure was different, but it would be hard to argue that, on balance and on the whole, it was a more liberal one. I dislike the word "liberal"—I have never claimed to be a liberal Home Secretary and I know that when people describe me as one, they will say in the next sentence how tyrannical and Fascist I am being. Nevertheless, it is hard to argue that the Franks structure is more open or liberal. One cannot pick out a particular building block from the Franks structure without reference to the building of which it is part. Franks recommended the test of serious injury or harm to the interests of the nation, but did so within a framework entirely different from that which we are suggesting. The essential link here is not with the classification of documents but with ministerial certificates.

Franks suggested that the range of sectors to be protected by the criminal law should extend across the board, including many sectors that are now to be liberated. He also suggested that the Minister should have the last word as to what was or was not serious damage. Our approach is different. It is to restrict drastically, compared with Franks, the range of information that can be protected, by eliminating whole sectors where it might be argued that there was serious damage but where we do not think that there could be, and to ask Parliament to define tests, leaving the jury to decide. The Franks philosophy would lead to a wider scope for the criminal law than we propose. It is hard to apply that philosophy and the wording about serious damage without taking that into account.

The reference by my hon. Friend the Member for Hendon, North (Mr. Gorst) to our instructions for the jury was a little strange. It is a shame that neither my hon. Friend the Member for Orpington (Mr. Stanbrook) nor my right hon. Friend the Member for Chingford (Mr. Tebbit) is here, as both have chided me for showing a naive trust in juries and getting away from the system of ministerial certificates.

Mr. Gorst: I should be happy to withdraw my suggestion immediately if my right hon. Friend would only make a distinction between serious and ordinary damage.

Mr. Hurd: I have tried to explain our reasons for adopting the different approach of asking Parliament to define and not allowing the test of serious harm to apply across a much wider board.

Mr. Rees: I agree with much that the Home Secretary has said about the difference between the Franks recommendations, classification and so on, but we are talking about section 2, which concerns defence. The Franks report dealt specifically with this and said that material that would not cause serious damage should not be covered. Will the Home Secretary apply this to section 2 rather than to the wider aspects of the Bill?

Mr. Hurd: Under the Franks recommendations, the Secretary of State for Defence would be the judge of that. That is a substantially different view from ours.

Mr. Budgen: I genuinely disagree with some of my hon. Friends, and I admire my right hon. Friend's wish to submit these judgments to a jury, but is there not a danger that the decision to prosecute will be arbitrary and political? If the Government simply have the test of whether it is dangerous or damaging, rather than seriously so, when a particular Minister feels that his amour propre has been pricked he will be anxious to prosecute the very person responsible. Very often, less serious matters will be left unprosecuted. It is wrong that the criminal law should be subject to such a political decision.

Mr. Hurd: I have not often wished that my hon. Friend could become a Law Officer of the Crown, but I wish so now. As many hon. Members know, that is not the way in which decisions to prosecute are taken. We propose a system which is much less political and arbitrary than one in which the crucial document is the ministerial certificate. Ministers are out of the process once Parliament has approved the Bill.

Mr. Richard Shepherd: There is universal approval—apart from my right hon. Friend the Member for Chingford (Mr. Tebbit), who will be tabling his own amendment—for reverting to the jury system. After all, cases arising under section 1, which is about espionage, treason and the most damaging sorts of information, have always been in front of the jury, so my right hon. Friend the Home Secretary is reverting to a process that many of us believe is appropriate for our constitutional and legal arrangements. That is to be applauded, but why does he now back off and say that it follows from that that the test should be only "damage" and not "serious damage"? My right hon. Friend is not addressing himself to the distinction between the two.

Mr. Hurd: I am addressing myself to the innumerable comparisons with the Franks report, one of which was made by my hon. Friend.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) and my hon. Friend the Member for Harrow, East (Mr. Dykes) both mentioned the European convention on human rights, and we have looked into the matter. I do not believe that we shall run into difficulty on that, and if there is any, it will be much less than there is under the present law. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) was a little scathing. Like my hon. Friend the Minister of State and myself, he is a layman, but we take legal advice on legal matters and when that legal advice and what we say is challenged, we reinforce it as best we can. My hon. Friend was therefore a little harsh on that point.

Mr. Foot: The Home Secretary continues to refer to advice from the Law Officers. Does he not recall that time and again in this debate we have asked that the Law Officers should be here? I cannot recall when we have asked that the Law Officers be present to answer debates or discuss matters over which there is great confusion when they have not been summoned. Previous Administrations have always been prepared to summon them. Why have they not been summoned to these debates?

Mr. Hurd I rest on what I said about the process by which Ministers obtain and then, if necessary, reinforce legal advice. The right hon. Gentleman may shake his head, but he has been in this position himself. He knows what happens and he knows all about the role of the Law Officers.

Mr. Higgins: I recall vividly an occasion when the late brother of the right hon. Member for Blaenau Gwent (Mr. Foot) appeared before a Finance Bill Committee. We had been up all night, but he had not. He delivered a long oration about the Law Officers' opinion. Surely there are many precedents for Law Officers giving a view. On a more substantive point, are we to understand that every time there is thought to be damage within the context of this clause, no matter how trivial, the prosecution will proceed?

Mr. Hurd: Of course not. My right hon. Friend was right in his first point. There are many precedents.

Mr. Hattersley: With regard to the question raised by the right hon. Member for Worthing (Mr. Higgins), does the Home Secretary understand—because this is at the heart of our discussions—that we are not concerned with assurances that the Government will not prosecute? We are not here to read the Government's mind and intentions. We want a provision in the Bill to make trivial prosecutions impossible. The Home Secretary must consider that.

Mr. Hurd: I shall come to that.

Mr. Budgen: Are we to understand that the question whether a prosecution should take place will depend not on whether the case is serious, but on whether in an arbitrary or somewhat detached way the Attorney-General decides to prosecute?

Mr. Hurd: It will be carried out in the usual way. Whereas the prosecution authority has just about absolute discretion under the present law, under the terms of the Bill it will be restrained within the tests of harm.

The wording is very important. I do not deny that. It is right that ministerial statements and press releases are not relevant. We started with the word "prejudices", which is in the White Paper. The points that have been made suggest that that might be taken as setting the test of harm at a lower level than we intended. Government amendment No. 86 is intended to remove that concern and has been welcomed today. It is one of the few propositions before the Committee which has unanimous support.

My hon. Friend the Member for Banbury (Mr. Baldry) dealt with the point about trivia raised by my hon. Friend the Member for Thanet, South (Mr. Aitken). There was a prosecution in 1916 under the Official Secrets Act 1911. I cannot conceive of any demented prosecuting authority which would suppose that that case damaged the capability of the armed forces. I would say the same about the Smith's lawn example referred to by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley).

The right hon. Member for Sparkbrook referred to corruption at a royal ordnance depot. I cannot understand how that revelation could damage the depot's capability. I can understand why the corruption could damage it, but we are concerned with the revelation. On the basis of the example, there would be no likelihood of the depot's work being disrupted or that it would be possible to prove that as a result of the disclosure the capability of any part of the armed forces would be damaged, let alone prove that the person making the disclosure knew or had reasonable cause to believe that that would happen. It would be impossible for the prosecution to act in the trivial examples which have been suggested today.

The hon. Member for Paisley, South (Mr. Buchan) raised a different point. I am sorry that I was slow——

Mr. Buchan: The Home Secretary certainly was slow.

Mr. Hurd: —in teasing from him exactly what he was talking about. He explained himself very clearly after a while. In practice, he is doing less than justice to the arrangements between the Ministry of Defence and the local authorities in his area. Those arrangements ensure that the circumstances which he described could not occur. The contingency arrangements are available to the public and there is no question, as I understand it, of a leak being kept secret.

8.45 pm

Mr. Buchan: The Home Secretary corrected me and said that Windscale was not a defence matter and therefore did not come under this clause. He is wrong. It was producing plutonium. That is why the leak was kept secret —so as not to offend the Americans. That falls foul of the next clause. The Home Secretary said that it could not occur, but it did. That was the point that I was trying to make. No assurances have suggested that if the leak occurred on the Clyde it would be made known. There is no reason to assume that. Most importantly, if we leave the definition unqualified and it is left to the Government to intervene and decide when a case should be brought, or if it is left to the law, the law will follow on a low level of intervention.

Mr. Hurd: The hon. Gentleman directed me away from Windscale to his worries about the Clyde. I have dealt with those. His local knowledge is greater than mine, but I am advised that the contingency arrangements and the public nature of those arrangements make the case that he describes impossible.

The hon. Member for Paisley, South was right about the Bill. I concede that it would not be possible to defend a disclosure which could damage the capability of the armed forces on the grounds that there was a wider public interest. That is perfectly true. That is the argument for a public interest defence which he deployed earlier. I do not believe that it is sensible or safe to allow damage to be done to the capability of the armed forces and then to argue later, once the damage has been done and is irreparable —once the horse is out of the stable—whether there was some other justification which the defence might argue. The harm would have been done past recall and the lawyers would be arguing whether there was justification.

The right hon. Member for Sparkbrook referred to my comments in Cambridge. We may have an opportunity to refer to that again in better order. I will gladly do so because my points were just. It is not right for the Committee to provide that harm, however drastic, could be done and later question whether the misconduct of other officials, however trivial, could be used as a justification. That is not safe or sensible.

Mr. Hattersley: The Home Secretary should begin to tell us what the Bill says rather than what he hopes it says. He refers to harm having been done beyond recall, but the

clause refers to harm that is likely to be done. It is an hypothesis of harm. The idea that harm has been done beyond recall is wrong. It is appalling for the Home Secretary to say that that appears in the Bill when it does not.

Mr. Hurd: I was harking back to the public interest defence, where it would be perfectly possible under the Opposition amendments for irreparable harm to be done before there was any question of justification.

My hon. Friend the Member for Aldridge-Brownhills made an important point about the definition of the tasks of the armed forces. Although he did not make the point, we used language in the White Paper which is very similar, or perhaps identical, to his amendment. We tried to see whether we could use the concept of defence tasks in the definition of harm. The trouble is that we were advised that that would not ensure that the unauthorised disclosure of information about the capability of our armed forces in Northern Ireland could be protected. Our forces are not there defending the kingdom against external attack—they are properly and necessarily there in aid of the civil power. As a matter of law, it would not be clear that a reference to defence tasks, which might otherwise be a tempting answer, covered such a situation. I am sure that, for the reasons that have been given, the Committee would not want to accept an amendment which had that unintended effect.

The hon. Member for Caithness and Sutherland also put his finger on a point that the Committee should consider. We considered very carefully whether one could disentangle the different tasks of the armed forces, and separate their ceremonial, catering and certain other functions from the sharp end. We came to the conclusion that that could not be done sensibly, responsibly or coherently.

Mr. Maclennan: The right hon. Gentleman tries to dismiss as irrevelant or already taken care of my point concerning the European convention, but it does not have an escape clause dealing with the armed services. The convention deals with national security, territorial integrity and public safety—that is the "serious injury" that we are trying to import into the Bill. The Home Secretary says that he has thought about that aspect and has taken it into account. He does not have to rely on my interpretation of the convention. The view is widely held among academic and practising international lawyers that the Home Secretary has got it wrong.

The right hon. Gentleman says that he has taken advice, but I ask him to reconsider. A committee under the chairmanship of Lord Deedes specifically examined the matter, as did many international lawyers—including the late Paul Sieghart, who was a great expert in the matter. They all considered that the Bill's provisions are wrong and will land us back in the European court. The right hon. Gentleman constantly asked the Committee to accept his word that the Bill is all right, but it is not all right and anyone who considers the matter carefully knows that it is not.

Mr. Hurd: That is why I intervened to ask what news there was of trouble under the existing law. The hon. Gentleman admitted that he had none because it takes so long to get a case to court. I shall do what I told my hon. Friend the Member for Harrow, East that I would do: I will reinforce the advice that I have received and return to the matter before the Bill leaves this House. I rest my case on the advice that I have received, which I believe to be correct.

My hon. Friend the Member for Thanet, South (Mr. Aitken) asked about the sale of defence equipment. Defence sales are not included in clause 2(4) and I do not think that they could be brought into it. My hon. Friend the Member for Torbay (Mr. Allason) was worried about notification, but as he is not in his place it will be more sensible to write to him.

Listening to the historical analysis given by the right hon. Member for Devonport, I was puzzled. He told us the Chevaline story and explained how two Secretaries of State in different Governments, but within a reasonably short time of one another, took fundamentally different views of what they could properly authorise themselves to disclose. I do not see how that is relevant to clause 2 as that problem, dilemma and difference of judgment would have occurred whatever might have been the law relating to unauthorised disclosure.

Dr. Owen: The point is that clause 2(2)(a) uses the words:

"prejudices the capability of, or of any part of, the armed forces".

So of course different judgments could be formed. But if the subsection used instead the words "seriously damages", that will not be so. Throughout his speech today, the Home Secretary has constantly invoked, as he has in speeches throughout the country and in press releases, the phrase "serious harm". Is he suggesting to the Committee that his new wording,

"damages the capability of, or any part of, the armed forces",

is the same as "serious injury"? Is the right hon. Gentleman justifying that argument under the overall rubric, which he says he supports but refuses to write into the Bill, of serious injury?

Mr. Hurd: The right hon. Gentleman buttressed his case with a long and fascinating anecdote about Chevaline, but that concerned whether or not authorised information should have been authorised and has nothing to do with the Bill, which concerns unauthorised information, so the right hon. Gentleman's argument is irrelevant.

Running through these and many other amendments is an unbalanced approach to the Bill. It is dominated to the exclusion of other particulars by one particular type of case and one particular type of individual—the aggrieved or anxious public servant who wishes to disclose malpractice. We have heard about him time and again, day after day and hour after hour. Such individuals do exist from time to time, and may exist in the future. That is why we need safeguards, channels of complaint and staff counsellors—and they are being provided. But there has not been a word of acceptance, except from the right hon. Member for Morley and Leeds, South and, most recently, from my hon. Friend the Member for Aldridge-Brownhills of the damage that disclosure can do against protection of the citizen.

Mr. Richard Shepherd: I shall be worried if my right hon. Friend sits down without explaining why it is that he has used all around the country, and in this House, the words "serious damage"—serious, serious, serious, yet in his response to the debate, he has not addressed himself to the question why the word "serious" cannot be used in the Bill.

Mr. Hurd: I spent the first five minutes of my response doing so. I shall not repeat that explanation, because I do not wish to hog the last few minutes of the debate. However, If my hon. Friend reads the first five minutes of my reply, he will find a careful analysis of why we did not follow up the road after Franks with the definition of serious damage.

Mr. Shepherd: But you said that you did follow Franks.

Mr. Hurd: No, we have never said that we followed Franks. We said that we asked Parliament—not the Government—to select areas where disclosure would be serious. We asked Parliament to define them and to include them in the Bill, so that a jury could decide on individual cases. That is the whole basis of our approach. The amendments deal with damaging the capability of those on whom the defence of the country rests. It is not a minor matter. A person disclosing such information can never be certain how much damage he will do. In our view —here we are talking about defence—it is enough that a disclosure made by a person knowingly seeking to damage the capability of the armed forces should attract, in this instance, the sanction of the criminal law. The right hon. Member for Sparkbrook was right to say that lives depend on the legislation—and lives should not be jeopardised by a loose definition.

Mr. Hattersley: I have four minutes in which to deal with the Home Secretary's attempts to answer the debate —to describe his speech in the most charitable light.

I emphasise again that, since Franks, there has been a major change in the way in which the law is to be implemented. We know that the certificate has gone, but that is not the issue for debate. The issue is that, according to clause 2, the Government can prosecute, with reasonable certainty of success, anyone who reveals information about defence matters that cause harm, as defined in the clause. The clause defines harm as anything that deflects the armed forces from carrying out whatever task they choose to carry out. The Home Secretary may argue that trivial matters deflecting the armed forces from carrying out their tasks will not be the subject of prosecution, but that is not an adequate reply to a debate in Parliament, when parliamentarians naturally want protection against such prosecutions written into the Bill.

If the right hon. Gentleman believes that the Ministry of Defence will not prosecute when others believe that prosecution would be appropriate, he misunderstands the mentality of the Ministry of Defence over the years. The hon. Member for Thanet, South (Mr. Aitken) was over-generous in accepting the point made by the hon. Member for Banbury (Mr. Baldry) that in the case of the quotation for fly buttons no prosecution would be possible because such a disclosure could not be said to harm the armed forces. I know from my years in the Ministry of Defence that somebody might say that the revelation itself undermined the morale of the armed forces, and that it left the armed forces open to ridicule. The reasons for prosecution will always be found if prosecution is possible. What the Home Secretary does not seem to understand is that we are not satisfied with assurances that it will not happen: we want the Bill to be specific in preventing trivial and unreasonable prosecutions.

The Home Secretary says that he cannot include the word "serious". He does not like the concept or the definition. But the Bill is littered with examples of the word "serious" when it is convenient for the Government's purposes.

We are left with a final point which must, I think, be the last word before the untimely conclusion of our debate. The Government have persistently toured the country and said publicly—and the Home Secretary has slipped into the habit of implying it from time to time in debates in the House—that there is a serious test of harm: that the national interest is the criterion against which prosecutions are measured. That is not the case, and the right hon. Gentleman does himself and his cause no good by pretending one thing outside the Chamber and another inside it.

More important, because of the sloppy wording of the Bill, some prosecutions will be mounted and will hold the Government up to ridicule. Some of us will not lose many hours' sleep over that, but it is just possible that some who by normal standards are adjudged innocent will be convicted and sent to prison because of sloppy wording. It is no wonder that not one Member on either side of the Committee has spoken in favour of what the Home Secretary now proposes, and it is no wonder that there will be a substantial vote for the amendment. I am sure that the Home Secretary will get his own way thanks to his supine Back Benchers, but the House of Lords—if it understands its function—will want to lessen the damage that he is doing.

Mr. Baldry: On a point of order, Sir Paul. The right hon. Gentleman has just——

The First Deputy Chairman of Ways and Means (Sir Paul Dean): Order. I am now required to put the Question.

It being Nine o'clock, THE CHAIRMAN *proceeded, pursuant to the order [13 February] and the resolution this day, to put the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The Committee divided: Ayes 183, Noes 286.

Division No. 96] **[9.00 pm**

AYES

Abbott, Ms Diane	Clarke, Tom *(Monklands W)*
Aitken, Jonathan	Clay, Bob
Allen, Graham	Clelland, David
Anderson, Donald	Clwyd, Mrs Ann
Armstrong, Hilary	Cohen, Harry
Ashdown, Rt Hon Paddy	Coleman, Donald
Ashley, Rt Hon Jack	Corbett, Robin
Ashton, Joe	Cousins, Jim
Banks, Tony *(Newham NW)*	Crowther, Stan
Barnes, Harry *(Derbyshire NE)*	Cryer, Bob
Barron, Kevin	Cummings, John
Battle, John	Cunliffe, Lawrence
Beckett, Margaret	Cunningham, Dr John
Beith, A. J.	Darling, Alistair
Bell, Stuart	Davies, Rt Hon Denzil *(Llanelli)*
Benn, Rt Hon Tony	Davis, Terry *(B'ham Hodge H'l)*
Bermingham, Gerald	Dewar, Donald
Blair, Tony	Dixon, Don
Boateng, Paul	Dobson, Frank
Brown, Ron *(Edinburgh Leith)*	Dunnachie, Jimmy
Bruce, Malcolm *(Gordon)*	Dunwoody, Hon Mrs Gwyneth
Buchan, Norman	Dykes, Hugh
Buckley, George J.	Eadie, Alexander
Caborn, Richard	Eastham, Ken
Campbell, Menzies *(Fife NE)*	Evans, John *(St Helens N)*
Campbell, Ron *(Blyth Valley)*	Ewing, Harry *(Falkirk E)*
Campbell-Savours, D. N.	Ewing, Mrs Margaret *(Moray)*
Canavan, Dennis	Field, Frank *(Birkenhead)*
Carlile, Alex *(Mont'g)*	Fields, Terry *(L'pool B G'n)*
Cartwright, John	Fisher, Mark

Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Gilbert, Rt Hon Dr John
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Mullin, Chris
Nellist, Dave
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Vaz, Keith
Wall, Pat
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Cook and
Mr. Nigel Griffiths.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord James
Dunn, Bob
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Molyneaux, Rt Hon James
Monro, Sir Hector
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin

Mudd, David
Neale, Gerrard
Nelson, Anthony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tredinnick, David
Trotter, Neville
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tony Durant and
Mr. David Lightbown.

Question accordingly negatived.

The Chairman *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at Nine o'clock.*

Amendment made: No. 86, in page 2, line 36, leave out 'prejudices' and insert 'damages'.—*[Mr. John Patten.]*

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3

INTERNATIONAL RELATIONS

9.15 pm

Mr. Corbett: I beg to move amendment No. 10, in page 3, line 19, leave out 'damaging disclosure' and insert 'disclosure which would cause serious injury to the interests of the nation'.

The First Deputy Chairman: With this it will be convenient to consider the following amendments: No. 11, in page 3, line 28, leave out 'damaging' and insert 'one which would cause serious injury to the interests of the nation.'.

No. 26, in page 3, line 30, leave out 'jeopardises' and insert 'causes serious injury to'.

Mr. Corbett: This is another important part of the Bill which deals with information relating to other Governments and organisations. Earlier, the Home Secretary said, in the context of the test of serious injury, that the Government were not relying on the Franks report. I do not think that he meant that completely.

The Franks report—this is useful background information—says in paragraph 127 that a

"democratic government should not use the plea of secrecy to hide from the people its basic aims and policies, in foreign any more than in domestic matters."

It also states—this harks back to the previous debate—that there should be a test of serious damage in relation to the disclosure of information given in confidence to this Government by other Governments and international organisations. We know from the way in which the Bill is drafted that those aims are not met.

The Franks report states in paragraph 126:

"A great deal of what is going on between governments and in international organisations is public knowledge, contemporaneously or nearly so. Such knowledge serves the public interest, and is essential to an adequate measure of democratic control over the conduct of the country's foreign policy."

It is important that we keep both those statements made by Franks in the back of our minds during this debate.

The clause proposes an offence which is not even within the present Official Secrets Act. If the disclosure relates to an absolute offence, any repetition of the information here, however widely known it may be internationally, would be an offence. That is an aspect of the prior publication argument to which we shall come later. The Bill creates a new offence. It is difficult to see how sending British journalists to gaol for repeating what their overseas colleagues have already revealed will help international co-operation.

As in so many other parts of the Bill, all this turns upon the Government's refusal to acknowledge the need for a test of serious injury. There remains a suspicion on this and other clauses that the Government are concerned mainly with saving their face with other Governments or international organisations and, in the process, are denying access to information which cannot do any real damage.

The "any harm" test is that disclosure is likely to jeopardise the interests of the United Kingdom abroad. That is an exceptionally wide net. Clause 3(3) makes it clear that jeopardy may result not from any real or imagined damage but simply because there has been a breach of confidence regardless of its contents or nature. It is that to which we object. The Home Secretary was open on that point. On 21 December he told the House:

"the fact that a confidence has been broken may jeopardise our interests abroad as much as the content of the information which has been disclosed."—[*Official Report*, 21 December 1988; Vol. 144, c. 460.]

That is what I meant when I said that the Government were more concerned with saving their face than with any possible or potential damage which the disclosure of even trivial information may bring about.

This means that, under the Bill, revealing unimportant information supplied to Britain in confidence would be an offence. Even more bizarrely, to do so would be an offence even if the information were not explicitly given in confidence. In other words, if the donor Government—if

that is the right way to describe them—did not say, "Keep this confidential, please," but the understanding was such that there was a reasonable expectation that it would be held in confidence, to reveal the information would still be an offence. While I understand that, how is any journalist to know whether confidence was explicitly or implicitly understood when the information was transferred from another Government or international organisation to this Government? He or she could not possibly know.

The subject matter of the information would be no guide. As we know, under this clause the breach of confidence is enough to risk prosecution. How could any journalist possibly know how an international organisation or foreign Government giving information to the British Government are likely to react to the publication of that information?

If there had been a series of leaks of other Governments' information, a final, on the face of it seemingly trivial—though none the less interesting—leak, might be the final straw that would provoke prosecution under this clause. The journalist or editor—or editorial lawyer, for that matter—would have no way of knowing that, and would remain uncertain, despite the Home Secretary's declaration in the White Paper that the intention behind reform of the Official Secrets Act was that everyone should be clear about the risks he was taking.

The Bill deals not with nominated categories of information but with information of any kind that is given in confidence. It is difficult to imagine a more secretive Government than this one, but I suppose that such a thing is possible. Under the Bill, the net covering information is too wide. It should be restricted to sensitive matters whose disclosure would cause serious injury, and it should not include the tons of paperwork floating endlessly out of Brussels.

We agree absolutely that, in high-level, confidential negotiations between Governments or between Governments and inernational organisations, it does no good to the chance of an agreement to engage in foghorn diplomacy. We acknowledge that, and no hon. Member would contest it. The Government, however, do not propose to cover only that sort of information. The clause applies to any paper anywhere that has been handed from one Government to another, in either stated or implied confidence.

The European Community is of enormous interest to us. It is unlike any other international organisation with which we deal, because it increasingly——

The First Deputy Chairman: Order. I am sorry to interrupt the hon. Gentleman, but he is straying into the next group of amendments. I realise that it is not easy to separate the two groups as they are, to some degree, connected, but the remarks that he is now making should more properly be addressed to the next group of amendments.

Mr. Corbett: I am grateful to you, Sir Paul. You have put your finger on one of the problems of labouring under the guillotine—it means that we try to telescope our remarks. I shall take your advice.

Amendment No. 10 shows our disapproval of the Government's blunderbuss approach to information and documents exchanged between Governments.

This should be approached, as Franks recommended, in a more selective manner. We appreciate the need in relations between Governments to keep certain things secret, but we support the Franks concept that this protection should apply only to leaks which are likely to cause serious injury to the public interest. That is the test we want applied. Because the Government refuse to make this distinction, the result could have draconian effects on the public in diminishing their right to oversee what is being done in their name in the sphere of foreign policy.

Mr. Budgen: Who should make the selection? I contend that in our democracy, selection should be made by the words of the legislature and not by the discretion of the Attorney-General, for his discretion should be exercised in a non-political way.

If at any time in the future we had a Prime Minister who prided himself or herself on having rejected consensus and who said that he or she did not wish to have too much discussion in Cabinet and who wanted most of all to demonstrate his or her overwhelming and dictatorial power over the Cabinet, it is possible than an Attorney-General might feel that the choice of the selection of who should be prosecuted might be dictated by political reasons.

That would lead to unpleasant consequences. We have already seen under the old legislation that a young man, one Jonathan Aitken, was prosecuted at the Old Bailey for alleged offences under the old Act, whereas a right hon. Gentleman, the late Hugh Fraser—who was, if the prosecution case was right, equally guilty of the offences—was not prosecuted. That was a decision of the Attorney-General.

If a future Prime Minister who rejected consensus and who decided under our unwritten constitution that the process of Cabinet government was not something with which a radical Prime Minister wished to have any truck, an Attorney-General might make selections.

I assert that our criminal law should be based on the proposition that everybody who has broken the law should be prosecuted. It should not be based on the proposition that there is wide and loose legislation which is then used selectively by the Attorney-General of the day. It is that last proposition on which the Government rest their case. They say, "We are reasonable men. We shall always operate this legislation on a reasonable basis."

I must tell my right hon. and hon. Friends, although they might find this deeply disloyal of me, that we are not legislating for Tory Governments. We are legislating for all Governments. We are not producing "Maggie's law". This is the law of the land, the law which is likely to be brought into effect in the future by a Labour, Communist, SDP or Liberal Government. We want to be absolutely certain that our citizens' rights are properly safeguarded under the law of the land. We are not here just to have a bland assertion by a Tory Member or by a Tory Home Secretary, speaking to his own kind, that we can be certain that we will approve of the discretion.

9.30 pm

Mr. Ray Whitney (Wycombe): I accept that we must legislate against the awful possibility that a Government of a complexion which my hon. Friend described may one day sit on these Benches. Having allowed for that, would not my hon. Friend agree that the wording of the clause puts the onus on the court and that therefore it is the court

[Mr. Ray Whitney]

which will decide whether the national interest has been damaged by a damaging disclosure? Is not that the safeguard which my hon. Friend seeks?

Mr. Budgen: The safeguard that was relied upon in the last debate, which was unfortunately truncated because many of our hon. Friends wanted to get to bed early, was that all these matters would be dealt with by the Attorney-General of the day, who would be a Tory Attorney-General. Leaving the criminal law to the discretion of the Attorney-General is an unsafe way of proceeding. If the Committee believes that a narrower discretion should be vested in legislation and not in the Attorney-General, that would be a proper way of proceeding.

Mr. John Patten: There are in the Committee some distinguished right hon. and hon. Gentlemen who have served in the Foreign Office. I have never served in the Foreign Office. Perhaps we will have the benefit of their advice about international relations.

I will give the benefit of my advice to the hon. Member for Birmingham, Erdington (Mr. Corbett), who suggested that there was a new offence in regard to foreign confidences. There is nothing which it is an offence to disclose under clause 3, as drafted, which it is not already an offence to disclose under section 2 of the Official Secrets Act 1911. The big difference, as expressed in the Bill, is that no disclosure is an offence under clause 3 unless the prosecution can prove that the test of harm can be met. I simply disagree with the hon. Gentleman on the point that he made.

On amendments Nos. 10 and 11 in the names of the hon. Gentleman and his hon. Friends, I will not follow him on some of the points that he made about foreign confidences because you, Sir Paul, have already drawn it to the attention of the Committee that in the interests of good order and debate we must leave those issues for later amendments.

We have already discussed similar amendments to clause 2. As drafted, the amendments would not have any great effect on the Bill. They would simply insert declaratory words which would not affect the tests of harm as we have provided them. My right hon. Friend the Secretary of State has already pointed that out in an earlier debate.

Amendment No. 26, in the name of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and other hon. Members, relates to a separate issue from the test of harm in clause 3(2)(a) and suggests that the test should be serious injury and not jeopardy. We have taken the proposition that the Bill must penalise disclosures of official information which cause a degree of harm so that the protection of the criminal law is required. Much of the debate on the last group of amendments revolved around the issue that my hon. Friend took up with the Secretary of State over harm and serious harm. I rest what I say on what my right hon. Friend said so clearly in the last debate.

Mr. Richard Shepherd: I am charmed by that response, but we were frustrated because we did not get an explanation from the Home Secretary. We are still waiting for it. We hope that my hon. Friend will address his mind to the question of serious harm. My right hon. Friend the Home Secretary gave us a diversion on Franks but did not address himself to the issue of why, although he uses the word "serious", as does my hon. Friend, when talking about the matters in Committee and outside, he cannot incorporate it in the legislation. We still do not know the reason.

Mr. Patten: I think my right hon. Friend explained with admirable clarity in the first five minutes of his speech——

Several hon. Members *rose*——

Mr. Patten: I am just beginning to reply to my hon. Friend the Member for Aldridge-Brownhills, and I will attempt my own suggestions about the level of harm. When I have given my explanation, I will give way, but I will give it in full if I may.

The Government would not be legislating on these matters if they did not think them sufficiently serious to require the protection of the criminal law. If we did not think that they were serious, we would not be suggesting that issues such as we have been discussing today should require the protection of the criminal law. That is the guiding principle that governs the intervention of the criminal law. It applies in this Bill as much as in anything else. As an interested layman, I have always understood that the criminal law comes into play when we need to protect the public interest from harm.

Mr. Budgen: Will my hon. Friend give way?

Mr. Patten: If I may, I will finish my argument, and then I will, of course, give way.

The general proposition must then be translated into terms that are relevant to the particular matters that the criminal law is to protect under a particular piece of legislation. I do not think that Parliament can just leave it to the jury to decide on culpability under the criminal law on the basis of some very general declaration of serious injury to the public interest. Parliament must say what it means. This Bill invites it to do so, and that is what my right hon. Friend was saying.

Mr. Richard Shepherd: If my hon. Friend casts his eye over the clause, he will see that it includes the words "seriously obstructs". If his criticism of what we are saying is wholly appropriate, when it comes to the Government's view on the matter it is also wholly appropriate. The Government are prepared to incorporate "seriously obstructs" in the Bill, but are not prepared to insert "would cause serious injury to the interests of the nation". Why?

Mr. Patten: That is where the difference is between jeopardising and seriously obstructing in terms of international relations. Serious obstruction would be some breakdown in international relations, caused by unauthorised disclosure, leading perhaps to a substantial number of our staff abroad being sent home. That would seriously obstruct the work of the service.

Mr. Budgen: The Government recommend to us that the legislation should be passed in a wide and loose form because it is subject to the discretion of the Attorney-General. The Attorney-General is a lawyer, and the Government say that all lawyers are wonderful and that all Attorneys-General are especially wonderful and are in no way subject to any of the vulgar political pressures to which lesser mortals may be subject.

Mr. Patten: I take my hon. Friend's point about the role of the Attorney-General. It is a very important point, and I will come to it specifically later in my speech, where, in any event, it seems to fit in.

I do not think that my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) was right to say at any stage that my right hon. Friend had talked during the last debate about a widely or loosely drawn Bill. I do not think he will find those words anywhere in the *Official Report;* that was my hon. Friend's interpretation.

Sir Ian Gilmour: Of course, the Committee is extremely stupid—there is no question about that, because virtually every Member was quite unable to notice that my right hon. Friend had given an explanation why the Bill could refer to damage or injury but not to serious injury. I am still quite unable to understand my hon. Friend's explanation. As I understand it, what he is saying is that it is all right for the Government to say that the provision should refer to serious harm or serious injury, but that it is not all right to say that that is what the jury should think. That seems to me to be the distinction that he is seeking to draw. Will he, on reflection, agree that it is not a permissible distinction?

Mr. Patten: I do not think so. It will be up to the jury to make up its mind. Every hon. Member has recognised that that is a good thing. Let me try to answer my hon. Friend directly by suggesting that it is necessary to recognise the distinction between saying that damage to the capability of the armed forces is a serious matter—my right hon. Friend's mind may be on such a point since that was the great issue in previous debates—and saying that only serious damage to those services is serious. Both are matters for serious debate, and we have had serious and welcome debate this afternoon. But no one can say that the first point of view, to which my right hon. Friend the Home Secretary and I adhere, is not coherent and legitimate even though it differs from the views of my right hon. and hon. Friends.

Mr. Foot: If the Minister is so clearly arguing, as he thinks to himself, that the word "seriously" was rightly omitted when we discussed the previous clause, does he agree that on the same logic the word could be removed from this clause? Would that alter the sense of the clause? If it would, why is it not in the other clause?

Mr. Patten: I have already explained that point in reply to an intervention by my hon. Friend the Member for Aldridge-Brownhills.

I fear that I am straying a long way from the matter of international relations. Let me give an example to show why I think that the Government's provision is necessary and why the amendments would not be helpful. Britain might be relying on the support of a state in some international forum on whose deliberations our trading rights would in future depend. If there were an unauthorised leak of information, on the next occasion that we looked to that state for support we might look in vain. But at the time when the person who made the disclosure came to trial we might never have had an occasion for the state to show its hostility in a concrete fashion. All that it would be possible to show is that identifiable United Kingdom interests had been put at risk because they were jeopardised by disclosure. The prosecution, dealing with the amendment rather than other matters, would have to show that both the interests and the risks were real, and it would be for the jury to decide whether it accepted the prosecution's evidence.

Here I come to the important point raised by my hon. Friend the Member for Wolverhampton, South-West about the role of my right hon. and learned Friend the Attorney-General. His role is specifically set out in clause 9, which we shall debate tomorrow. The answer to my hon. Friend's question is contained within the clause. The amendments do not define or relate sufficiently closely to the kind of harm that can arise in international relations, the nature of which means that it can sometimes be impossible to point to immediate and concrete harm. That is the difference between me and my hon. Friend the Member for Aldridge-Brownhills, and, indeed, between us and the Opposition. That is why the amendments cannot be accepted.

Sir Peter Blaker (Blackpool, South): My hon. Friend will agree that the phrase

"the interests of the United Kingdom abroad"

goes wide. Will he say a word about how those words are to be defined and who is to do the defining?

Mr. Patten: The United Kingdom's interests can be defined by reference to the concept of jeopardising. That is where we have to start—not with some general portmanteau definition of "interests", but with what damage can be caused to our interests. "Jeopardising our interests" is the right phrase to use because it properly reflects the possibly long-term but still real and serious nature of the harm which a disclosure in the area of international relations could cause Britain's interests abroad and which would be protected by the criminal law.

We are seeking a definition of our interests and I say to my right hon. Friend the Member for Blackpool, South (Sir P. Blaker) that it is not a question of other countries' interests or of trying to protect our dealings with other countries, as we suggested in the language of the White Paper. That is why we changed our point of view when we came to the Bill. In the Bill, the test is specific, narrow, clear and necessary to provide the proper degree of protection for our interests abroad, subject to the consent of my right hon. and learned Friend the Attorney-General in deciding whether a prosecution should go forward.

9.45 pm

Mr. Budgen: In spite of all my jocularity and sarcasm, there is a serious point. The Attorney-General is not principally a politician; he is principally a Law Officer, who tries as best he can to administer the law in a non-political way. If we pass wide and unspecific legislation which gives wide and political discretion to the Attorney-General, we shall subject him to political criteria, which will damage his position. We are simply introducing the worst sort of legislation, which is wide and loose and will be subject to the worst type of political discretion in decisions on who should be prosecuted.

Mr. Patten: My hon. Friend uses the words "wide" and "loose". At present, my right hon. and learned Friend the Attorney-General has the ability to go far and wide over the range of potential prosecution for disclosure of information under the Official Secrets Act 1911.

Mr. Budgen: That will stop.

Mr. Patten: The Bill does not stop that. No hon. Member suggests that the protection of criminal law should be removed, but it is narrowed substantially according to the harm tests on the face of the Bill. That is a difference between my hon. Friend the Member for Wolverhampton, South-West and myself and it was reflected in the explanation that my right hon. Friend the Home Secretary gave earlier about harm and what was meant by "serious harm".

Mr. Maclennan: I shall be brief. The Minister has revealed that, in clause 3, he and the Government are seeking to alter the presumption in favour of the free flow of information to a presumption against the free flow of information. He has made life more difficult for journalists who report international affairs by refusing to accept that there should be a stringent harm test in the clause. Of course we all understand that matters pass between Governments which are highly sensitive and that the disclosure of highly sensitive information can cause serious injury to our international relations.

However, it is worth considering the attitude of other Governments to such disclosures and to the law on freedom of information. Many of the Governments with whom we have transactions have a much more liberal approach to the disclosure of information than the approach reflected in the Bill. In those circumstances, it is hard to see how such Governments could take offence from the disclosure of information that does not, on the face of it, do patent damage to our international relations. Amendment No. 10 is sensible, and I commend it to the Committee.

Mr. Gorst: I want to put to my hon. Friend the Minister of State and to my right hon. Friend the Home Secretary a point about this amendment, which I should have liked to make in relation to the previous amendment—that what the Government are saying about the amendment is different from what it means. It means that they want to be able to prosecute marginally damaging cases—not merely inexcusable and seriously damaging ones. Otherwise, what difference does the use of the word "serious" make?

If I was going to understand anything from what the Home Secretary and the Minister of State have said, I would understand that they make no distinction. Therefore, I cannot understand why my right hon. Friend will not accept the word "serious". If there is a distinction, it must be because the Government are saying one thing but mean another. Therefore, they are taking powers under false pretences. That is why I cannot accept the Government's view on this, and why I shall not support them in the Lobby.

Mr. George Robertson (Hamilton): The Minister of State has raised an interesting issue, which is of considerable relevance to the country, not only to the House. The clause appears to be a catch-all. Although the Minister of State somewhat blandly says that it is up against a test of jeopardising the interests of the country, it leaves it wide open for anybody—presumably the Attorney-General—to make serious judgments, not only about domestic politics, but about international politics also.

For a start, there is the definition of "confidential" in clause 3(1)(b). Whose definition will it be? Will it be the Government's view of confidentiality or a foreign Government's definition of confidentiality—in terms of the other state that is referred to in that paragraph? Precisely what are we talking about?

The year before last, I was entertained by the Government of the Federal Republic of Germany to two days of an organised programme in Bonn, during which I met many Government officials and senior officers of the German Civil Service. They gave me extensive briefings about arms control, disarmament and foreign policy, especially in relation to the European Community. In those two days, I found out more about the British Government's view of various arms control negotiations than I had in five years of attempting to get such information from Ministers and officers of the diplomatic service in this country.

The fact is that the West German Government believe that that information should be freely in the public arena. The Federal Republic briefs its Opposition on a regular, often classified and always full basis in a way to which we have never become accustomed. They do not do so from any great altruism but because they believe that it is in the interests of the Federal Republic of Germany to do so. We must contrast the experience of other countries in the context of what happens in this country.

I am not making a partisan point this evening because I believe that something here is in the British national interest. When we go on to define clause 3(1)(b), we are in even muddier waters. It refers to

"any confidential information, document or other article which was obtained from a State"—

The First Deputy Chairman: Order. I am sorry to interrupt the hon. Gentleman, but he is now referring specifically to paragraph (b), which is the subject of the next group of amendments. This debate is concerned primarily with the issue of damaging disclosure.

Mr. Robertson: I accept your admonition, Sir Paul, but the general point that I hope to raise fits well within the scope of the amendment.

The problem here relates to organisations in this country for which we have become internationally noted, such as the Royal Institute of International Affairs, the International Institute for Strategic Studies, the Royal United Services Institute for Defence Studies, the Ditchley Foundation, all of which are based in this country and attract a high level of participation from abroad. All of them are used to levels of disclosure by participants under what is commonly known as Chatham house rules, and all may now be affected by the catch-all provisions in the legislations.

If I am wrong, I hope that Ministers will be able to reassure us, because the view that I express has been expressed by others. The hon. Member for Blackpool, South (Sir P. Blaker) and I both serve on the council of the Royal Institute of International Affairs and I sit on one of the senior committees of the Ditchley Foundation. I know that there is concern that the terms of the legislation might inhibit the free flow of discussion and of disclosure by Government servants, whether British or foreign, which has hitherto taken place in all these institutions. If I am wrong, I hope that the Minister will lay to rest these concerns. If I am right, something that is of enormous importance to Britain and to Britain's reputation abroad may be damaged.

Many of the discussions in such institutions take place within the arena of confidentiality described as "Chatham

house rules". I am sure that the Home Secretary, in a previous incarnation, took part in many of these discussions, where full and frank exchanges of information may take place.

Mr. John Patten: I am pleased to have a chance to say a word about the Chatham house rules, because I know that this concerns my hon. Friend the Member for Blackpool, South (Sir P. Blaker) as well. The Bill can have no effect on discussions under the Chatham house rules between British officials and others, because any officials who go to discussions at Ditchley, where the hon. Member for Hamilton (Mr. Robertson) is on the council, or other forums, would be acting in accordance with their official duties and therefore would be disclosing information with authority.

Mr. Robertson: That is an interesting explanation, which I am sure we shall look at carefully. I wonder how any official who goes to any conference anywhere can seek prior authority. How could such blanket authority be obtained? How could there be frank discussion? Is the Minister saying that every senior official has this authority as part of his job?

Mr. Maclennan: The Minister appears to be saying that, if Mr. Clive Ponting had gone to Wilton park and made his disclosures there, he would not have been prosecuted. The Minister's answer is patent nonsense.

Mr. Robertson: The hon. Gentleman hits the nail on the head. If the Minister is right, it is an interesting theory. The hon. Gentleman mentioned Wilton park, which is another of this range of institutions on which Britain's reputation abroad rests. I hope that, now that I have raised this point, and the Minister has made his point, the debate will move into more serious subjects.

Mr. Higgins: I listened carefully to what my hon. Friend the Minister said, and my impression was that he was saying that any official who goes in that capacity to a conference of the Ditchley Foundation or some similar organisation would not be in danger of being caught by clause 3 because he would be there on official business, regardless of what he might say.

Mr. John Patten: Read it tomorrow.

Mr. Higgins: My hon. Friend should take the opportunity either to say again what he said, or to say what he intended to say.

Mr. Patten: I shall repeat what I said. The officials who go to Ditchley, or wherever, would be acting in accordance with their official duty and would therefore be disclosing information with authority. Those were words that I used in the intervention, but perhaps I can go on to say more.

Since that information was communicated in confidence, it would continue to be protected under the present law. There is a difference between the present position and the proposals in the Bill. If a person to whom the information was confided decided to disclose it, it would be an offence in all circumstances under section 2 of the Official Secrets Act 1911. Under the terms of the Bill, and in relation to the point raised by the hon. Member for Hamilton (Mr. Robertson), such a disclosure would be an offence only if the prosecution could prove that the disclosure caused or was likely to cause harm specified in clause 3 and the discloser knew that it would do that. That is a considerable improvement on the present position.

10 pm

Mr. Maclennan: The Minister's reply simply will not do. He seems to be overlooking clause 3(2)(b) which refers to a disclosure

"of information or of a document or article which is such that its unauthorised disclosure would be likely to have any of those effects."

If Mr. Clive Ponting had decided to disclose documents at Wilton park which were likely to have those effects, the fact that he disclosed them at Wilton park would not protect him from prosecution.

Sir Peter Blaker: Will my hon. Friend the Minister reconsider his reply to my right hon. Friend the Member for Worthing (Mr. Higgins)? My hon. Friend said that the official would be disclosing information in confidence. However, the Chatham house rules are not like that. They say that the information disclosed may be used by the people to whom it is given, but the author of the information—the donor of the information—may not be identified nor may the location where it was given. The information can be transmitted.

Mr. Patten: I understand Chatham house rules and I have enjoyed conversations under them. They are extremely valuable. I doubt whether my right hon. Friend the Member for Worthing or I have ever been let down by conversations that we have had under those rules. The important point is that the official would be acting in accordance with his official duties and would be revealing, even in those discussions, only items which he knew that he had authority to reveal. If he transgressed, and if someone broke that confidence specifically and said that an official had said something which might be represented as damaging, there is the harm test specified in clause 3 to which I referred at some length earlier. That protection does not exist under section 2 of the Official Secrets Act 1911. The test is a considerable improvement.

Mr. Gorst: Suppose that the official gives information indiscreetly without realising it to someone who hears it and repeats it, how is he to know that he is covered by the legislation?

Mr. Maclennan: Or if he gives it maliciously?

Mr. Patten: Whether it is indiscreetly or maliciously, he may fall foul of the law. However, he is subject to the harm test in the Bill.

Mr. Budgen: I apologise for being stupid about this, but I do not suppose that the average juror is very much cleverer that the average Member of the House of Commons and jurors will have to decide this. Let us assume that there is a Ditchley discussion and a recipient of information proposes to disclose it widely. How does he know that the official is authorised to give the information? How is the recipient to know whether harm will be caused?

Mr. Patten: If he does not know, and the prosecution cannot prove that he did know, he is fully protected by clause 3.

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Sir Paul. I should be grateful if the Minister would address the Committee, because when he turns to address his right hon. and hon. Friends we cannot hear him.

Mr. Jeff Rooker (Birmingham, Perry Barr): I give the Minister another example to consider. My understanding of the words "any confidential information" in clause 3(1)(b) is that the imprimatur of confidentiality is placed on the document by the British Government, or by the Minister, and that that is the trigger. That also relates to amendment No. 10, and to the difference between the words "damaging disclosure" and

"disclosure which would cause serious injury to the interests of the nation".

The confidentiality of a foreign document, for example, may be decided by a British Minister, and one has to accept his word for it that a document is confidential.

The example I give only came to light in the last few hours. On 10 January, the House was told by the Secretary of State for Transport, in a statement on the Lockerbie air disaster, that confidential information had been received from the United States, and that hundreds of such documents and warnings had been received. He said that they could not be disclosed because there were too many of them, and that there were various reasons why warnings were not passed on.

In the last few hours, it has been revealed that the British Government received only 16 warnings from the United States last year concerning possible security problems on aircraft, that the Federal Aviation Authority issued only 24 warnings during the whole of last year—and that that concerning flight PA 103 was No. 22. So the suggestion that there are hundreds of confidential security warnings held by the British Government is a myth, and it has been proved a lie.

The American Government did not say that the information in question was confidential—that claim was made by the Secretary of State—but under the Bill, an individual who discloses such information can be held to have made a damaging disclosure. That is because the Bill is drafted so widely, as Conservative Members said, that it leaves massive discretion in the hands of the Attorney-General—but if amendment No. 10 is accepted, such information could not be said, by any stretch of the imagination, to

"cause serious injury to the interests of the nation."

If it transpires that information designated as being confidential by the British Government may not be held to be confidential by the foreign Government from whom it emanated, it alters the whole debate about damaging disclosures and its ability to

"cause serious injury to the interests of the nation."

The example I give is not hypothetical, and I ask the Minister to address it when he concludes the debate.

Mr. Robertson: I intervene to remind my hon. Friend that the Minister asked the Committee to bear in mind the harm test—that the disclosure will be judged on the harm that it can cause. But when we are talking about international diplomacy, how on earth will harm be judged? That may be easy to substantiate in the domestic context, but in the short and long-term context of international diplomacy, the harm test is worse than useless and will not help.

Mr. Rooker: I cannot answer my hon. Friend's point, but the Minister can reply to both of us.

Mr. John Patten: With respect, I think that the hon. Member for Birmingham, Perry Barr (Mr. Rooker) may be confusing arguments about items of information received in confidence—which are a matter for the next two groups of amendments—with what we are addressing on amendment No. 10: disclosure that would cause serious injury to the interests of the nation abroad in international relations. He seemed to be talking about what could and what could not be disclosed in this country.

I said at the outset of tonight's debate that one of the reasons for our objection to amendments Nos. 10 and 11 was that they would have no effect on the Bill. They simply insert declaratory words which will not affect the tests of harm that my right hon. Friend and I have suggested. I suspect, however, that the hon. Gentleman's argument may come up again in the debate on the next group of amendments, which I hope we shall get on with shortly.

Mr. Corbett: I do not want to delay the House, but we really cannot leave matters as they are. I am glad that the Government Chief Whip is in his place, because one of our problems is that every time that the Minister of State replies to points that have been made he causes more confusion than we started out with. I accept that we are the only ones who are confused and that the Home Secretary and the Minister are possessed of brilliant clarity; that is a cross that we will have to bear.

The Minister said that an official going to a conference at Ditchley or Wilton park—perhaps under Chatham house rules, and we all know what that means—will be authorised on occasion, because he is on official duty, to make disclosures that he would not otherwise be able to make. I cannot believe that the Minister means what he has said. That is a licence for any civil servant to say anything that is appropriate to the debate in question.

All that the official will know when he is invited to Wilton park, or wherever, is the area—roughly—that the debate will cover. He will not know what points other conference members will raise. Or will he be given a list and be told, "You can say this, this and this, but that is all. On no account must you say this, this and this"? I cannot believe that the Minister believes that prior and blanket authority should be given to any and every official present on official duty to say anything that he considers appropriate.

Mr. Gorst: What the hon. Gentleman is saying, I am sure, is that when something is revealed that is embarrassing to the Department concerned, there will be an unseemly internal argument about whether that official was authorised to reveal it, and as a result he will be put in considerable danger in the exercise of his duties.

Mr. Corbett: The hon. Gentleman is quite right. To put it another way, there will be some awfully black Monday mornings knocking about when officials have been at such conferences over the weekend.

Mr. Whitney: Those who oppose these propositions have to construct an entirely unrealistic scenario of a senior offical going off his rocker. Most senior officials well understand Chatham house rules, whether or not they are at Chatham house. They know the parameters. If, in the context that my hon. Friend the Member for Hendon, North (Mr. Gorst) has suggested, an official does go off his rocker, there will indeed be a bad Monday morning, and so there should be.

Ultimately we must return to the limitation in the clause, which is a damaging disclosure. Surely all hon. Members agree that if a disclosure is damaging, it should be vulnerable to prosecution, but if, under Chatham house rules, the disclosure is protected and guarded in the sense that we all know, damage is not created. It is easy for the hon. Member for Birmingham, Erdington (Mr. Corbett) or my hon. Friend the Member for Hendon, North to create unrealities, but we are trying to deal with the real world.

Mr. Corbett: The hon. Gentleman simply does not understand and I am anxious to get on. Everyone who has been involved in conferences at Wilton park or wherever knows full well that to some extent once can sit there and think aloud. I do not mean that in any irresponsible manner; it is the nature of those discussions. One knows exactly who will be there. One receives a list beforehand of who will turn up. One knows the circumstances under which those conferences take place. The hon. Gentleman is no help to the Minister of State. The House accepts that there are categories of information—that is what the serious injury test is all about—which the Government should rightly protect, but the Minister is now saying that there are circumstances in which protection can be removed from people sent on those official errands. However, I shall leave the matter there unless the Minister provokes me.

10.15 pm

The Minister makes the best defence he can for using the word "jeopardise" rather than the concept of "serious injury" which the amendment seeks to import into the Bill. Have I understood the Minister properly? He keeps changing his mind. About a fortnight ago he was speaking about those famous nine tests of harm. He called them "specific harm tests". In a letter in *The Observer* this week, they changed from "specific harm tests" to "harm tests". That was not the accidental dropping of one word. There is a world of difference between "specific harm tests" and "harm tests". A harm test is implying that it could be a general test of harm. That is what the clause is all about.

I assume from the Minister's argument that he prefers the word "jeopardise" because it is a wider, lower test of harm. If that is so—this is the logic that keeps confusing us all—why, in line 31, instead of saying "seriously obstructs", does he not leave it as "obstructs"?

The Minister may think that he has explained it, and I acknowledge that he did have a go, but I could not follow his argument. I shall read it tomorrow, and I lay him a fiver bet that it will not be any clearer in print than it was when he said it. The argument is not that we want everything to hang out, as the hon. Member for Wycombe (Mr. Whitney) suggests. We accept the need for such a provision, but we believe that the tests of damage which are to be applied should be set out as in the amendment.

Amendment negatived.

Mr. Teddy Taylor (Southend, East): I beg to move amendment No. 24, in page 3, line 21, leave out from 'relations' to end of line 24.

The First Deputy Chairman: With this it will be convenient to take the following amendments: No. 25, in page 3, line 24, at end insert

'listed in Schedule *(International Organisations)* to this Act'.

No. 82, in page 3, line 24, at end insert

'other than the European Community.'.

No. 27, in page 3, line 37, leave out subsection (3).

No. 28, in page 3, line 40, leave out from 'mentioned' to end of line 41.

No. 29, in page 4, line 2, after 'organisations' insert

'listed in Schedule *(International Organisations)* to this Act.'

No. 30, in page 4, line 4, after second 'to', insert 'such'.

No. 31, in page 4, line 6, after second 'with', insert 'such'.

No. 32, in page 4, line 6, at end insert

'but does not include any matter relating to the European Community or to the relations between the Community and the United Kingdom or other member States.'.

No. 43, in clause 13, page 10, line 41, leave out from 'means' to end of line 43 and insert

'an organisation listed in Schedule *(International Organisations)* to this Act.'.

No. 44, in clause 13, page 10, line 43, at end insert

'but does not include the European Community or any organ of it.'.

No. 45, in clause 13, page 11, line 1, leave out subsection (2).

No. 47, New Schedule *(International Organisations)*

'The North Atlantic Treaty Organisation

Interpol.'

Mr. Taylor: My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), who has put so much effort into this important Bill and has spent many days and nights examining its implications, has kindly allowed me to move amendment No. 24 because I am anxious to refer to amendment No. 32, which I regard as extremely important.

I hope that hon. Members who have listened to the debate and have appreciated that there are important arguments on both sides will accept that clause 3 is special. There are implications for the Government to maintain security, but it is also important to ensure a relatively free flow of information. Clause 3 is different from the others in that it appears to create entirely new offences to deny the people of Britain information to which they are entitled about the legislative process.

Under clause 3 it would be an offence to disclose information supplied in confidence to Britain by another Government or by an international body. The offence is subject to a harm test that the disclosure is likely to jeopardise the interests of the United Kingdom abroad. Clause 3 makes it clear that such harm may result from the fact that a breach of confidence has simply occurred, regardless of the contents or nature of the information involved.

My right hon. Friend the Home Secretary said:

"the prosecution may argue that the fact that a confidence has been broken may jeopardise our interests abroad as much as the content of the information which has been disclosed."

We are talking here about the embarrassment to the United Kingdom. We are not talking about the nature of the information. Thus, the disclosure of relatively unimportant or trivial information could be an offence if the information had been supplied to the United Kingdom in confidence.

The offence could occur even if Britain had not been specifically asked to treat the information as confidential, if the information had been supplied in circumstances in which the country or body supplying it could reasonably have expected it to be treated as such. In practice, all communications between Governments are normally assumed to be in confidence unless the country states otherwise.

Mr. Hurd: My hon. Friend used the word "embarrassed". I do not know how he can say that under the Bill a prosecution could occur simply because the information was embarrassing.

Mr. Taylor: I can do that by quoting the Home Secretary's own words. He said:

"the prosecution may argue that the fact that a confidence has been broken may jeopardise our interests abroad as much as the content of the information which has been disclosed." —[*Official Report*, 21 December 1988; Vol. 144, c. 460.]

We are not talking about the nature of the information, but the fact that a disclosure has taken place which could jeopardise our country's relations with another. We may take the view that something completely trivial which has been disclosed is damaging to our relations with that country and could, in fact, jeopardise the country.

Mr Hurd: Indicated dissent.

Mr Taylor: My right hon. Friend the Home Secretary shakes his head, and he is one of the most responsible, reasonable and kindly people in the Cabinet. it is all very well for him to shake his head, but what on earth was he saying on 21 December?

Mr. Greg Knight (Derby, North): Is not my right hon. Friend the Home Secretary making the point that the harm test would still apply? Under clause 3(2), the prosecution must show that a disclosure jeopardised our interests abroad? Is that not the point that needs to be made?

Mr. Taylor: I appeal to my hon. Friend to read clause 3(3). What the blazes does 3(3) say? It is a fact that there has unfortunately been a breach of confidence which could affect our relations. My right hon. Friend the Home Secretary made that abundantly clear. If it does not say that, what on earth does 3(3) mean?

Mr. Hurd: It means that for there to be a prosecution the prosecution must prove the harm test. Clause 3(2)(a) says:

"it jeopardises the interests of the United Kingdom abroad, seriously obstructs the promotion or protection by the United Kingdom of those interests or endangers the safety of British citizens abroad".

Regardless of whether it is the contents or the fact of disclosure that we are talking about, it would have to pass the harm test. My hon. Friend has mentioned embarrassment, but that is not in it. He has also mentioned harming our relations with other countries, but that is not there either.

Mr. Taylor: If that is the case, what on earth do we need clause 3(3) for? I appeal to my right hon. Friend to read what is in his own clause. I hope that other hon. Members will look at it, too. It says:

"Information or a document or article within subsection (1)(b) above may be regarded for the purposes of subsection 2(b) above as such that its unauthorised disclosure would be likely to have any of the effects there mentioned either by reason of the fact that it is confidential or by reason of its contents or nature."

We understand its content and nature. If, for example, someone knows something appalling—such as what the EEC is actually spending on food dumping—that would be damaging.

On the other hand, there is the second factor,

"by reason of the fact that it is confidential".

Again, I believe that my right hon. Friend the Home Secretary is well aware that the disclosure of something which was confidential could have a prejudicial effect on the interests of this country in relation to international organisations. I hope that my right hon. Friend will make it abundantly clear that clause 3(3) means something very special. It does not just mean that the information disclosed is damaging—it means that the disclosure of information which was not especially damaging could have a damaging effect on the relations between this country and others. If that is not the case, will he accept the amendment to remove subsection (3)?

Mr. Richard Shepherd: As my hon. Friend said, clause 3(3) says:

"either by reason of the fact that it is confidential".

That triggers off subsection (2) (a) and (b). One can virtually bypass having to meet those criteria because one has to demonstrate that the information is confidential. That could satisfy the prosecution's case and, therefore, the jury. As we require clarity in this matter, which my right hon. Friend the Home Secretary is seeking to give us, it may be wise to accept the view held by my hon. Friend the Member for Southend, East (Mr. Taylor).

Mr. Taylor: My hon. Friend is right. Anyone who looks at the Bill will appreciate that we are passing laws which juries will have to interpret, and they cannot ignore clause 3(3). Even if we forget all that, and what my right hon. Friend the Home Secretary said on 21 December, we can still look at the White Paper, which is even more explicit. The argument in the White Paper maintains that the harm was not merely to Britain's ability to protect its interests in the country which supplied the information. It says:

"such disclosure has a wider disruptive effect on international diplomacy. If it appears that this country is unwilling or unable to protect information given in confidence, it will not be entrusted with such information. The Government's ability to function effectively in international diplomacy and in relation to international organisations, and consequently its ability to protect and promote the country's interests will thereby be impaired . . .There is a wider damage to the standing of the United Kingdom in relation to all governments and international organisations."

First, we have the Home Secretary's speech, which seems to make it clear that we are concerned not just with the information but with the consequential damage. Secondly, we have clause 3(3) and thirdly we have the White Paper. Those three pieces of information say, in effect, that we are concerned about relations between Britain and other countries and international organisations. If someone went before a jury with those three pieces of information, that would be a lot to go on.

We are dealing with something serious and new in clause 3. It is different from most of the other provisions in the Bill in regard to which my right hon. Friend the Home Secretary will have seen me walking happily and confidently beside him into the Lobby. In those circumstances, I hope that he will pay particular attention to this clause.

Will my right hon. Friend the Home Secretary look at some of the special problems? For example, the Bill refers to

"A person who is or has been a Crown servant".

What about people who have conflicting loyalties? Some of our former civil servants have become staff of the EEC in Brussels. The noble Lord Cockfield kindly reminds us from time to time that, the moment one moves to Brussels, obligations that one has to one's own country disappear and one takes on wider obligations to the European Community.

What is the position of a former civil servant who becomes a European civil servant? They do not last long —they seem to retire quickly on health grounds because it is more financially advantageous—but some of them are there for a while. They might disclose information which would be embarrassing to the United Kingdom but would serve the wider interests of the EEC. What does the Home Secretary suggest that someone in that position should do, bearing in mind that there is not just a conflict of loyalties but that the person would have signed a document saying that his responsibility was to the EEC?

How on earth can we accept clause 3 when we do not have the slightest idea what is meant by the phrase "international organisations"? We would like to know what that means. Does it mean the Cocoa Federation, the Tin Council, NATO, Interpol or, perhaps, the European Economic Community? That is crucial. Even if my right hon. Friend the Home Secretary forgets or chooses to ignore all the other arguments—there is not the same scope for intellectual freedom as we have from the Home Secretary on other Bills—I hope that he will at least be able to consider amendment No. 32 in the name of the right hon. Member for Bethnal Green and Stepney (Mr. Shore) and several of my right hon. and hon. Friends.

What about Euro-documents? Are they the product of an international organisation, or part of our judicial process? The Home Secretary, of all people, should know that the EEC is not an international organisation in the same way as the Tin Council is. It is a legislative body which passes laws that apply directly to the United Kingdom—even if we do not pass them here, we cannot ignore them. The Prime Minister might disagree with him, but Mr. Delors has said that 80 per cent. of our laws will be made in the EEC, not here. The EEC publishes a directive. If we are lucky, we can debate a motion to take note of it for an hour and a half, sometimes before and sometimes after the decision on it has already been taken——

Mr. Gorst: Would my hon. Friend include information that an MEP had obtained in a privileged way and revealed to the European Parliament?

10.30 pm

Mr. Taylor: Certainly, former civil servants or Government contractors might find themselves in a difficult position.

To return to the EEC, are we to say that any information regarded by it or by our Government as confidential cannot be disclosed without incurring frightful penalties?

Mr. Greg Knight: I agree with many of my hon. Friend's views on the EEC. Most of the confidential information that might be received from the EEC would not satisfy the test of harm, but does my hon. Friend seriously contend that there are no circumstances in which harm could be caused? For example, if the EEC were negotiating a trade agreement with a non-member country, could not Britain's interests be harmed by disclosure?

Mr. Taylor: In such a case the nation's interests might be seriously damaged. To take a more topical example, after midnight tonight we are to debate a proposal which may or may not lead to a trade war with the United States. It has to do with the nasty hormones that some people want to put into meat——

Sir John Stradling Thomas (Monmouth): Do not talk rubbish.

Mr. Taylor: I am making an important point.

Sir John Stradling Thomas: Hormones are not nasty —they are natural.

Mr. Taylor: I apologise for being flippant, but my hon. Friend knows that I am making an important point. We know that the EEC carried out a study of the American use of hormones in cattle. Reports suggest that the study concluded that no harm ensues from that, but the results have never been published. Most hon. Members would like the report published, but apparently it came up with the wrong answer, so disclosure of its contents would be embarrassing and could cause harm or prejudice to the Government and others. Is it seriously suggested that it would be wrong or damaging to publish such information? These questions are important to the freedom of people and of this country.

May we be given a clearer idea of what an international organisation is? Will my right hon. Friend at least accept that the EEC is no international organisation but rather part of the law-making process of this country? It would be outrageous to include documents regarded by the EEC —or by us—as confidential in the category that we are discussing.

We are introducing offences which did not exist under previous legislation. We are faced with an open-ended situation by which the Government of the day will decide what are international organisations. The clause, if enacted, will create impossibilities for former civil servants who have accepted duties and obligations within international organisations which make laws for Britain. I hope that my right hon. Friend the Home Secretary will accept the amendment. Unamended, the clause will lead to the further nonsense of creating offences which are not offences by their nature but because of the consequences of disclosures in terms of relations between Britain and various international organisations.

This is perhaps the most serious part of the Bill. It will create totally unfair offences and massive confusion for people coming from abroad or from international organisations. It represents a dangerous power and it should not be given to any Government of any party. Under it, the Government of the day can declare an international organisation to be anything that they think fit, without definition and without specification. I hope that my right hon. Friend the Home Secretary will do something to sort out a serious and worrying part of the Bill.

Official Secrets Bill

Mr. Foot: In our debates on the Bill the Home Secretary has often claimed that the measure is restrictive and does not extend the area to which the consequences of the Official Secrets Act or other legislation of this type apply. Many hon. Members contest that view and believe that there are many other features of the Bill by which the Government are enlarging rather than reducing the operation of the Official Secrets Act. We do not say that there is no area where it is not reduced, but parts of the Bill introduced areas in which the Act has not previously operated.

Mr. Hurd *indicated dissent.*

Mr. Foot: I will not go over some of the previous debates in which we have expressed our belief that the Government are extending the areas to which the Official Secrets Act may be applied. We think we have proved our case, for it has not been rejected by any substantial argument to the contrary by the Government. That has applied to our debates on confidentiality and other matters.

There cannot be any doubt but that by this part of the Bill, which the hon. Member for Southend, East (Mr. Taylor) wants to amend, the area of operation is being extended.

Mr. Hurd *indicated dissent.*

Mr. Foot: The right hon. Gentleman disagrees. He will have an opportunity to make his case.

Before the introduction of this measure, if an offence occurred in relations with our allies in terms of leakages of confidential or other information in negotiations in the Common Market, the Official Secrets Act could not be applied. By this clause, the Home Secretary is extending the operation of the Act, and the term "international organisation" is extremely wide.

By his intelligent amendment, the hon. Member for Southend, East is seeking to make at any rate this part of the Bill absolutely clear and to get any issue concerning our relations with the EEC—be it the Commission or other Common Market body—excluded from the operation of the Official Secrets Act.

If the Home Secretary claims, "We may still wish to look at our relations with the Commission or the Council and at how we are operating, and see that some restrictions are applied," he should take that step under separate legislation. It should be introduced under a suitable part of one of the Acts that the EEC occasionally introduces to cover our relations with the European Community. Some of us were bitterly opposed to the Single European Act, but if there is to be an alteration in the way in which discussions should take place with other European countries, it should be done under that form of legislation.

I hope that the Home Secretary will be willing to accept the amendment and others. I hope that he will consider afresh the ideas of incorporating in official secrets legislation some changes in relations between this Parliament and European organisations. The matter has been widely discussed in Parliament over many years. Every time we have had a debate there have been strong differences. I can understand what would have happened at the time of the Single European Act or, before that, the legislation which took us into the Common Market if there had been proposals to introduce official secrets provisions. Many of us would have argued strongly against their inclusion. All the greater is the reason why the provisions should not be incorporated in a Bill of this character. The amendment would ensure that there would not be any doubt about the matter.

I have listened to the whole of the debate today, as I have listened to almost all the other debates on the Bill. The Home Secretary seems to take it amiss when I and others say that the Attorney-General or the Solicitor-General should be present at these debates. When I put that to him a little while ago, he shook his head and said that I knew how these matters were dealt with. I do know. When I was Leader of the House, many representations were made to me and to those responsible for Government business about Law Officers being in attendance at debates. It is a good idea.

The hon. Member for Wolverhampton, South-West (Mr. Budgen) has made the point several times that the Attorney-General will have considerable powers under the Bill. He will have fresh powers under this clause. I am not saying this against the present Attorney-General, but Attorneys-General have to be watched with suspicion. In the 18th century the Attorneys-General and the Law Officers were regarded often as the most corrupt members of the Administration. I am not saying that the same has applied recently. I do not use rough words like "corrupt" which the right hon. Member for Old Bexley and Sidcup (Mr. Heath) uses so readily and so aptly, but I do not wish to detract from the force of his intervention the other day. I note that the Home Secretary does not disagree with what his right hon. Friend says on these matters.

The Attorney-General will have many powers under the Bill. In some respects it is right that his powers should be limited. In some spheres they will be limited and in others they will be extended. They will be extended under clause 3. The choice as to whether there should be prosecutions will be enlarged. There have been modern examples from 20 or 30 years ago when the future of a Government has depended on whether a prosecution was brought by an Attorney-General. It happened in the case of the Labour Government of 1923. That Government fell because of the dispute in this House about the way in which an Attorney-General had sought to use his powers. These things can happen. I have seen many examples in more recent times, although I will not specify them, because that might be too tender for some.

10.45 pm

Mr. Budgen: Was it not the exercise of the discretion of Sir Patrick Hastings, who was then Attorney-General, in the case of Mr. Campbell that led to the fall of that Government? I think I am right in saying that the question was whether proceedings should be instituted against a person who had Left-wing sympathies. Much controversy arose as a result of the Attorney-General's decision in that case.

Mr. Foot: Indeed, that is the case to which I was referring. The hon. Gentleman is absolutely right. The Labour Government of 1923-24 fell primarily because of opposition in this House to the way in which the Attorney-General had used his authority. There was a great dispute about whether he had allowed his political

sympathies to influence the way in which he used that authority. The hon. Gentleman is quite right in what he has said in all his interventions.

Of course, there will be suspicions about the way in wnich the Attorney-General may use his powers, particularly if they are not so carefully defined as they might be. The hon. Gentleman is right also in saying that if Parliament does not provide a proper definition in legislation, the position of the Attorney-General is in some cases made the more invidious.

I can remember quite a few other cases over the past 20 or 30 years in which the position of the Attorney-General in respect of his advice in particular cases may have been of supreme political moment. In those circumstances, the Attorney-General often has a difficult choice to make. He has to take into account some of his political associations and the fact that he is a member of a Government. But he has to take account also of all these other questions.

In the interests of the Attorney-General, and to make the Bill effective, these matters must be defined as carefully as possible. But much will still be left to the versatility or the discretion of the Attorney-General. One cannot escape that, but, by providing proper definitions, one can limit the difficulty arising from such a state of affairs.

I come back to the Leader of the House—although, again, he has not troubled to attend this debate, I am sorry to say. He forced the guillotine, but he has not come along to listen to what is happening, and I think that is quite wrong. I am not in any way denigrating the way in which he makes his speeches, or anything like that, but there have been serious differences between the powerful arguments from both sides of the Committee and the replies from members of the Government Front Bench, whether from the Minister of State or from the Secretary of State himself.

We are told that this is the advice the Government have received on these legal questions. Those are almost the words that the Home Secretary used on two or three occasions. But that is not good enough; we are entitled to hear the Attorney-General himself speak to us on these matters.

I see that the Leader of the House is making one of his rare visits to the Chamber. We are glad to welcome him. I was referring to him a few minutes ago, and I am glad that my words reached him so swiftly. I hope that every time I summon him he will come so quickly. I only hope that he will take my message back via the Minister who is in charge of the Bill. We ought to have the Law Officers in attendance during these debates, partly because many matters are left to the discretion of the Attorney-General, and partly because we are discussing the whole question of when prosecutions will be brought, even if the Attorney-General will not himself make the final decision about such matters.

The case that the right hon. Gentleman has been making to us throughout the debate is, "We are reserving the power. It is going to be used intelligently. You don't have to worry too much if the Bill does not have the right words." To have those debates without the Law Officers being here to answer for the advice that they have given to the Cabinet is wrong. I do not say that because I have any great faith in Law Officers, or in judges. The judges are not very fine. Often they make great mistakes on many of these matters. One reason why we have to deal with the Bill now is that we cannot trust them.

Curiously enough, although it is a strange thing to say, having listened to the previous two or three debates, I have much more faith in the wisdom of the House of Commons than I have in those other bodies. There is much more common sense here, if only it could be released. The Home Secretary has plenty of common sense, if only he did not come to the Committee with his hands tied. If he came prepared to listen to what we had to say and to use his discretion about whether to accept an amendment, there would be an entirely different atmosphere. If the right hon. Gentleman had tried to deal with the Bill on that basis, we could have had an Official Secrets Act that would have been capable of standing up for quite a number of years. As it is, we shall have a complete abortion.

The right hon. Gentleman is about the most persuasive member of the Government Front Bench, but on all the occasions that he has risen to speak, he has been unable to persuade the Committee. Not once has he been able to meet the case made, not merely by Opposition Members, but by Tory Members. That is a travesty of discussion here, and I am sorry that the right hon. Gentleman has not approached the matter in an entirely different spirit.

However, there is always the eleventh hour. The right hon. Gentleman can still come back and say that he will make a concession to his hon. Friend the Member for Southend, East. He will not do that for any of his other hon. Friends, because they are miscreants. They have been voting against him whenever they have had the chance over the past few days, and all honour to them. I know how difficult it can be constantly to oppose one's party in the House of Commons. That is not at all easy. The hon. Members for Aldridge-Brownhills (Mr. Shepherd) and for Thanet, South (Mr. Aitken) and others have shown themselves to be truly honourable Members of the House, deserving great credit from the country for the way in which they have presented their case. They have presented it so well that they have caused deep offence to the Government.

However, the latest recruit is a youngster. He has not voted against the Government for at least the last three weeks. He comes along with a clean sheet to make his appeal to the Home Secretary, and if the right hon. Gentleman cannot respond to that he has no heart left in his body.

Sir Ian Gilmour: In his interesting speech earlier this evening, my right hon. Friend the Home Secretary put his finger on what was wrong with the Bill. It is clear that he is comparing the Bill with the present legislation as though that legislation were fully operative. If it were, we would all agree that the Bill was a great improvement upon it, but we all know perfectly well that the great virtue of the present legislation is the fact that it is inoperative. In many respects —this is relevant to the new offence point—the Bill is inferior to what we have already because the Government are incapable of using it.

I agree with much of what my hon. Friend the Member for Southend, East (Mr. Taylor) said, although I do not share his views on the EEC. It is clear to me that clause 3 is far too wide and goes much too far in at least three respects.

I want to deal with the extraordinary approach to foreign affairs that is exhibited in the Bill. The clause would be fully appropriate to the days of the congress of Vienna and the Holy Alliance, when foreign affairs were purely a matter for the elite—a few people sitting about in

[Sir Ian Gilmour]

drawing rooms—when the press would have been prosecuted even more than they will be under this Bill and the public were not concerned with foreign affairs at all. That is the approach to foreign affairs reflected in clause 3.

Have the Government ever heard of Woodrow Wilson, or does our history begin only with Harold Wilson? It probably does. The ideal of Woodrow Wilson was open covenants, openly arrived at. That is utopian— there has to be secret diplomacy—but the idea of returning to the idea that almost any revelation or disclosure is wrong and will be damaging is absurd. It does the Government no credit to seek to hark back to foreign affairs as though they were a recondite matter. My right hon. Friend and I have served together in the Foreign Office and we know that most things are not secret, although some are. To try to make foreign affairs a closed conspiracy is ridiculous.

That is a general point. The particular point is in the words:

"any . . . article relating to international relations".

That covers an enormous area. Clause 3(5) refers to "international organisations" but does not define them beyond describing them as "international organisations". Clause 3(2) says that a disclosure is "damaging" if it

"jeopardises the interests of the United Kingdom abroad".

I agree with clause 3(2) when it says:

"or endangers the safety of British citizens abroad".

That is perfectly specific and we would all agree with that, but what are the interests of the United Kingdom abroad?

In winding up the earlier debate, my hon. Friend the Minister said that one could define the public interest in terms of jeopardising it. That seems to be a non sequitur. What are the interests of the United Kingdom abroad? Does the clause mean the Government's interests? The definition is far too wide and reflects an attitude to foreign affairs that is wholly absurd. The great virtue is that, if the Government bring prosecutions under the clause, no sensible jury will have any hesitation in acquitting. I hope that the Government will try to make the clause slightly less absurd by accepting amendment No. 24.

Mr. Budgen: It is all very well saying, as in general I do, that the great safeguard of the Bill is that a jury will exercise its right to disregard what the judge says and to acquit even against the judge's summing up and the evidence, but that is a dangerous safeguard. It is an ultimate safeguard in our constitution, but it means that a jury would be saying that in a particular instance it intended to disregard what the legislature and the laws said. That is not something for which we should legislate lightly.

Sir Ian Gilmour: I agree. Clause 3 would be subject to the same ridicule as the current legislation, so one can fairly argue that we might as well have the present ridiculous legislation rather than new ridiculous legislation. I was merely expressing the pious hope that if the Bill is passed unamended juries will have the common sense to make it rather less silly than it is.

Mr. Budgen: It is all very well to have the occasional trial, such as that of Mr. Ponting, in which the judge plainly tells the jury that its duty under the law is to convict, but if almost everybody charged with an offence under the Bill is acquitted because the jury exercises its constitutional right, that is an attack on the rule of law. That is a serious matter, and that is why it is important that we try to make the Bill tighter, more specific and not too much subject to the discretion of the Attorney-General.

11 pm

Mr. Maclennan: It is a novel experience to find myself on the same side of an argument as the hon. Member for Southend, East (Mr. Taylor). Since the occasion about 40 years ago when we stalemated each other at chess as schoolboys, we have been on opposite sides of the table. Although I do not share the hon. Gentleman's views about the Community, on this occasion he has put his finger on an extremely important aspect of the Bill. The Home Secretary owes the Committee a detailed explanation of the hon. Gentleman's points.

Although I have never shared the Home Secretary's view of the Bill, he has sought to present it as a narrowing of the criminal law in relation to official secrets. He has tried to argue that he is removing from the ambit of the criminal law large sections of our public administration. However, by including in this clause the reference to "international organisations" and confidential information obtained from them—as the Bill stands, that must include the European Community—he is bringing back, by the back door, the criminal law's coverage of wide areas of public administration that would otherwise be exempted from the criminal law.

The European Community now touches many aspects of our lives. One does not need to accept President Delors's view about the way it is going to recognise that agreements within the European Community touch on matters that do not seem in any way to fall within the other heads of importance contained in the Bill. One can refer, for example, to the question that has been much discussed in recent weeks—food safety. That has been very much a domestic issue, but it is extraordinary that revelations about the attitude of the French Government to possible retaliation against the British Government for their behaviour in respect of soft cheeses could be described as damaging in such a way that the criminal law should be invoked to protect Britain's interests.

I dissented slightly from the view that was expressed in more than one intervention that this clause widens the ambit of the criminal law beyond the Official Secrets Act, which the Bill replaces, but it certainly widens it a great deal beyond what the Home Secretary has sought to present it as doing. The Home Secretary referred to the six areas in which it is right to invoke the criminal law and sought to present them as relatively narrowly defined. He must understand that clause 3 is a catch-all clause that enables the threat of criminal prosecution to be waved over the heads of officials who are in any way connected with the international discussion of matters that are domestic within the European Community.

I hope that he will——

Mr. Greg Knight: Will the hon. Gentleman tell the House why it is sensible to exclude all European Community information? Can he also deal with the point that I raised with my hon. Friend the Member for Southend, East (Mr. Taylor) about when the European Community is conducting trade negotiations involving a country or countries outside the Community. Surely, in such cases, Britain's interests could be damaged.

Mr. Maclennan: Yes, it is perfectly possible that Britain's interests could be damaged, but the question is not whether they could be damaged but whether we require the criminal law to protect us from that potential damage. However, I do not think that the amendments are necessarily precisely the right ones to deal with the argument that I am advancing.

Mr. Hind: Will the hon. Gentleman give way?

Mr. Maclennan: I shall complete my argument, because I think it is important.

There is a clear distinction to be drawn between our membership of the European Community and our membership of other international organisations. The European Community is part of our legislative process. If it is right that we should exclude from the ambit of our criminal law domestic agriculture matters, for example —that is an argument that the Home Secretary has advanced—why should such issues suddenly become protected by the criminal law if they are being discussed and decided within the organs of the European Community? That concept does not lie squarely with the Home Secretary's argument, which is that the Community should be regarded and included as an international organisation for the purposes of the Bill.

Our relations within the European Community are no longer international. Instead, they are essentially domestic. The treaty which we signed and acceded to has made us part of a decision-making process which is superior even to the processes of the House. I appreciate that there may be some problems in distinguishing between the European Community's activities that involve third countries and those that concern the United Kingdom, but when it comes to internal Community matters it seems that the Home Secretary should exclude those from the scope of the criminal law by means of the Bill. I hope that he will find it possible to agree that that is something that he will wish to consider as the Bill proceeds through this place and another place. As things stand, it seems that he has blown a gaping hole in his argument that the scope of the Official Secrets Act 1911 is narrowly being reduced as a result of his failure to exclude the European Communities.

Mr. Hurd: I agree that we are considering an important set of amendments. I say to the right hon. Member for Blaenau Gwent (Mr. Foot) and to my hon. Friend the Member for Southend, East (Mr. Taylor) that nothing in the clause creates a new offence, nothing in it adds to the discretion of the prosecuting authorities, and nothing in it is not covered by section 2. My right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) tacitly conceded that by saying that a dead Act was better than a Bill of this sort.

The hon. Member for Caithness and Sutherland (Mr. Maclennan)——

Mr. Richard Shepherd: That goes to the heart of the matter. An argument resides in the fact that information received from sources abroad and given to journalists—clause 3 must be read in conjunction with clause 5, involving others who might be affected—might lead to the possibility of an offence. Information that is given—leaked or otherwise—in confidence from another organisation to our own organisation and to newspapers, could give rise to an offence, although that, of course, is not the issue at the moment.

Secondly, we have added international organisations, which are undefined. I understood my right hon. Friend to say that this addition does not give rise to any new offences.

Mr. Hurd: I do not believe that it does. The matters covered by the clause are covered by section 2, but my right hon. Friend is right to say—this is part of the criticism of section 2—that it is difficult to have effective prosecutions under section 2 because, as has often been said, it is too wide and too weak.

There is a principle here which may well be as old as the congress of Vienna. I am not disputing that, but there is still some validity in the proposal. My right hon. Friend the Member for Chesham and Amersham recalled our service together at the Foreign Office. I recall that he had a rather traditional view of these matters at that time, although I may be wrong. The traditional view in this respect is that our ability to exchange information in confidence with other countries and international organisations is fundamental to effective international relations. We need those relations and there is an element of trust. If we break the trust upon which international exchanges are often conducted, those interests can be put at risk. I emphasise the word "can". It is not automatic, but where that might happen is an area in which the criminal law can properly be engaged.

My hon. Friend the Member for Southend, East referred to the White Paper. Of course we made this principle an absolute matter in the White Paper. We said that the criminal law could be visited on all such disclosures in confidence from foreign Governments or international organisations, but we were persuaded out of that in the debate on the White Paper, so my hon. Friend the Member for Southend, East is right. We have made a substantial change between the White Paper and the Bill in that respect by saying that it is not an absolute offence and by introducing the test of harm. Of the three changes that we have made, that was the most substantial. All the changes were in the same opening-up direction, but that change between the White Paper and the Bill was the most substantial.

Mr. Teddy Taylor: What on earth does clause 3(3) mean? Does that not say exactly what the White Paper says?

Mr. Hurd: I will come to that.

On reflection, I do not believe that every disclosure of confidential information is likely to be so harmful as to require the protection of the criminal law. That is why we introduced the test of harm.

My hon. Friend the Member for Southend, East and my hon. Friend the Member for Aldridge-Brownhills clearly believe that the effect of clause 3(3) is to bypass the harm tests and to create an absolute offence, but that is not so. Clause 3(3) says that the information may—I emphasise "may"—be regarded as meeting the harm test. It does not say that it "shall" be so regarded—the prosecution has to prove that. That is crucial. The harm test still exists and my hon. Friend the Member for Aldridge-Brownhills is wrong. The prosecution still has to prove the specific harm, so it does not matter whether the prosecution rests its case on the contents of the disclosure

[Mr. Hurd]

or on the argument that the disclosure causes a specific harm. The specific harm is not bypassed—the prosecution has to meet it in either case.

Clause 3(3) respects the harm test, so both my hon. Friends the Members for Southend, East and for Aldridge-Brownhills were wrong to say that we are recreating the absolute offence that we moved away from between the White Paper and the Bill. I have been hammering away at this point for a long time now, and I must admit that I have been hammering away to relatively little avail. I think that there is a case—although I am clearly advised that the courts would be under no difficulty about this matter—for me to look to see whether we can clarify this point, to make it absolutely clear in somewhat different wording that there is a specific harm test, whether the prosecution is relying on the contents of the disclosure or on the suggestion that the disclosure itself causes the specific harm.

11.15 pm

Mr. Gorst: I ask my right hon. Friend to clarify another point relating to the EEC. If a disclosure passes the test of damage, and so on, but it subsequently emerges that information was available not only from a Whitehall source but from a source in Brussels, will it be a defence to say that the information came from a source not covered by the Official Secrets Act? I also ask my right hon. Friend to enlighten me as to precisely what will be the status of a Member of the European Parliament who raises matters in the arena of the European Parliament. He must surely be privileged, as we are, being an elected representative.

Mr. Hurd: As to my hon. Friend's first point, the prosecution has to prove that the disclosure was of British official information which passed the harm test or satisfied the test of the law. Obviously, it is not an offence under the Bill to disclose the secrets or the official information of other Governments. If the defendant could prove that he obtained the information that he disclosed from somewhere else, that is nothing to do with the Bill or with the jurisdiction of the British courts.

On my hon. Friend's second point, I hesitate to get into a debate on the privilege of MEPs, because that is not a subject on which I am an expert, although tomorrow we may hear a little more about the privilege of right hon. and hon. Members of this House. Nevertheless, my hon. Friend makes a valid point and I will inquire into it.

Mr. Budgen: My right hon. Friend mentions the test of harm. To whom will the harm be caused? Let us suppose, for the sake of argument, that there was a revelation that there had been a gross over-claim for the number of olive trees in Sicily, and it was alleged that the Italians were conniving at a gross fraud by their nationals in relation to the common agricultural policy. I have no doubt that my hon. Friend the Member for Hendon, North (Mr. Gorst), with his affection for the EEC, thinks that such a thing is most unlikely. Let us, however, make the unlikely assumption that the Italian state connived at that kind of fraud. If someone revealed that fraud, would it be considered harmful to the EEC, or to our relations with the EEC, or to the British national interest? Such matters, which my right hon. Friend talks about in a very general way, ought to be more closely defined.

Mr. Hurd: Such a disclosure would have to pass one of the tests of harm in the Bill. The prosecution would have to show that there was jeopardy to United Kingdom interests abroad. In the hypothetical case that my hon. Friend makes, he—or somebody else—would resolutely say that, on the contary, United Kingdom interests abroad were enhanced by disclosure of some hanky-panky over olive trees in Calabria, and there would be an exciting case. It is extraordinarily improbable that such a case would ever be brought. My hon. Friend's ingenuity seems to have deserted him on this occasion as he has not produced a particularly good argument.

Having given an assurance that we shall seek to clarify a point that has caused fairly continuous trouble, I re-emphasise that our intentions are clear and we are advised that our wording is absolutely clear. Nevertheless, we shall see if we can improve upon it.

Mr. Nigel Spearing (Newham, South): Before the right hon. Gentleman leaves the subject of harm or damage in relation to international organisations and to the EEC in particular, I will give him another example to consider. In the Council of Ministers, there is a rule of notional confidentiality. There is no specific account, such as *Hansard,* of what goes on there. It could be construed that any revelation of a British Minister's approach within the Council of Ministers would harm British interests.

In the newspapers recently, there has been a dispute between one ex-Minister and another Minister over what happened in the Council. Is such a revelation really damaging to British interests as a whole, even if it shows that the Government are not doing what they say that they are doing? Is that not an example of how some ambivalence can arise in respect of the damage done by a revelation within the EEC, and proof of why such a provision should not be in the Bill?

Mr. Hurd: That seems even more far-fetched. I repeat that there could not conceivably be a prosecution under the Bill on the ground of embarrasment to a British Minister. That is not a criterion. *[Interruption.]* This is part of the point of the legislation. We are depoliticising the process by inserting the test of harm and leaving the decision to a jury. That, in practice, may be one of the main effects of the Bill. I do not think that the ordinary sort of argument about what happened in the Council of Ministers, with which the hon. Gentleman and I are both familiar—a healthy exchange of accuracies and inaccuracies—has anything to do with the Bill.

The question has been raised—not very forcefully this evening, but it has been raised outside—of what constitutes an international organisation. My hon. Friend the Member for Southend, East was scornful about what he regards as a tautology in clause 13(1), but it clears up a point that has been of concern to my right hon. Friend the Member for Worthing (Mr. Higgins). There has been a certain amount of anxiety that we might include organisations that were not intergovernmental. Clause 13(1) makes it clear that that is not the case. Here, again, I am advised that a little further clarification would be desirable, although it is a tiny point. I do not expect to gain any great popularity in this regard, but I think that there is a case for a small amendment to put the matter beyond any possible doubt.

Mr. Rooker: In any further consideration of clause 13(1), will the Government take the opportunity to draw

a distinction between the European Commission and the European Parliament? It could be argued that because the Parliament is an elected Assembly it is not the Government who are represented there, so it does not fall under the definition in clause 13(1) of an international organisation —the Parliament, as opposed to the Commission.

Mr. Corbett: It is an "organ of".

Mr. Rooker: I realise that, but the fact remains that the state is not a member of the Parliament. Freely elected people representing this country and other nations are its members.

Mr. Hurd: I should like to examine the hon. Gentleman's specific point about the European Parliament. He put it concisely, and although I do not wish to concede it I shall certainly give it consideration.

Mr. Richard Shepherd: Will my right hon. Friend give way? I would like a point to be clarified.

Mr. Hurd: If my hon. Friend will bide his time for a short while, I will certainly give way.

Having listened for many years to my hon. Friend the Member for Southend, East on the subject of Europe, I always thought that he regarded it as an international organisation and felt that the further at arm's length we could keep it, the better. But the drift today was different. I think that, partly for the reasons given by my hon. Friend the Member for Derby, North (Mr. Knight), it would be wrong and, indeed, quixotic to exclude an international organisation—which the EC certainly is—simply because we have more intimate dealings within it than within other international organisations to which we belong. The Bill will cover EC information, not to protect the interests of the Community but to protect this country's interests abroad.

The information that we receive from the European Community is, of course, of great volume, as all who serve on the Select Committee know, but it falls into three main categories. The bulk of it is not confidential, and is therefore not received in confidence and is completely outside the scope of the Bill. The disclosure of much that we do receive in confidence would, under the White Paper scheme, have been an absolute offence. It was partly because of that that we were persuaded to drop the argument. There is now a harm test, and I think—although I cannot be specific—that the bulk of information received in confidence from the EC would fail that test.

I do not agree with the point that the hon. Member for Caithness and Sutherland majored on—that in some way we are clawing back a great deal of information which would be liberated from the criminal law under the other provisions of the Bill. That cannot be so if he accepts what I have said about clause 3(3) and the harm test. For instance, the hon. Gentleman mentioned food safety. There might well be EC documents about food safety, which is a matter for discussion by the EC. It is conceivable that we might receive certain documents in confidence—I am not referring to any particular documents—and it might not be a good idea for civil servants to disclose the contents of such documents, but I shall not go into that.

If a document dealing with the issue of a Cabinet paper is clearly outside the scope of the Bill, I do not understand how an EC document would pass the harm test relating to United Kingdom interests abroad. Although the hon. Gentleman might be able to produce hypothetical examples where that might happen, the bulk of EC documents and discussions deal with domestic matters such as transport, food safety, and so on, and there is no way in which they would pass the harm test in the Bill.

Mr. Higgins: My right hon. Friend has already agreed to find out whether the European Parliament would be classified as an international organisation under the Bill. I find it somewhat extraordinary that that point has not already been dealt with. What is his view of the status of the European Commission?

Mr. Hurd: I am clear that the European Parliament is within the scope of the Bill as drafted, but I have promised to look at the matter in the light of what has been said. Clearly, the European Commission is and should be within the scope of the Bill. Returning to the point raised by my hon. Friend the Member for Derby, North, the Commission frequently negotiates with other states on behalf of the European Community. That is one reason why it should be included in the Bill.

Mr. Teddy Taylor: Is my right hon. Friend saying that the European Commission is to be classified as an international organisation under the Bill, despite the definition in clause 13(2) which refers to member states? Surely that cannot be the case. If it is, what is the position of a former British civil servant who is employed by the Commission as a European civil servant and obviously has loyalties there, who may wish to reveal something that could be prejudicial to Britain but is in the interests of the European Community?

Mr. Hurd: On the first point, the European Commission is clearly an organ of the European Community, which is clearly an international organisation. Bodies such as the NATO secretariat and SACEUR are comparable in that they are central organs of an international organisation and therefore are and should be within the Bill. My hon. Friend asked me a specific question about former Crown staff. A former Crown servant working for the Commission in Brussels remains covered by the provisions of the Bill in regard to information that he acquired while he was a Crown servant here—that is the position under the present law and under the Bill—but information that he acquires through his work for the Commission is not covered by the Bill for the reasons that I gave earlier.

I hope that I have covered the points raised in the debate and in the amendments. I believe that the principles of clause 3 as drafted are correct. I do not accept the view of my right hon. Friend the Member for Worthing that the basic principle has been eroded by the passage of time and by the conduct and progress of international relations. There is a principle that needs to be safeguarded and that is worth the retention of some intervention by the criminal law—I say some intervention because of the harm test. In regard to the difficult point about the harm test—the fact that the prosecution might argue that the disclosure itself is doing the harm—which has been the kernel of the debate, I have undertaken to re-examine the possibilities of clarification and to reconsider one minor point. I hope that in the light of those replies and those undertakings the Committee will feel that we have not done too badly.

Mr. Alistair Darling (Edinburgh, Central): The Secretary of State appears to be telling us that the provisions of this clause are not new and, because section 2 of the 1911 Act covers just about everything, this must be an improvement. However, clause 3 appears to be breaking new ground. It singles out international relations —a very wide definition of international relations—for a new form of secrecy.

11.30 pm

As the Secretary of State, for the first time this evening, has been good enough to say that he is prepared to look again at certain points, I suppose that we should welcome that. It is in that spirit that I press him further in the hope that he will look at them more than he has agreed to do.

Clause 3 illustrates the real difficulty between the national interest and the Government interest, because the two appear to be confused. What is it that we are trying to stop? The right hon. Member for Chesham and Amersham (Sir I. Gilmour) said that the Secretary of State appeared to have a rather quaint view of international relations. Many of us might subscribe to the view that we should safeguard those bits of information which might be important to defence or the prevention of criminal activities. However, this clause goes much further than that.

Let us begin by looking at clause 3(2) to see what it is that is damaging. It says that a disclosure is damaging if

"it jeopardises the interests of the United Kingdom abroad, seriously obstructs the promotion or protection . . . of those interests".

That is very wide. Indeed, clause 3(2)(b) provides that any disclosure would be damaging if it was likely to do those things. I wish that the Secretary of State would stop using the term "harm test," because he makes it sound as though there was some sort of harm test. One can see from clause 3(2) that it is easy to transgress the terms of that clause so that an individual could be brought within the scope of it and so be liable to prosecution.

We are told in clause 3(1)(a) that a damaging disclosure is

"any information, document or other article relating to international relations".

International relations are not defined in a narrow way, but are unspecific. More than that, in subsection (1)(b) we are told that a damaging disclosure can be

"any confidential information, document or other article which was obtained from a State other than the United Kingdom or an international organisation."

Whether the Home Secretary likes it or not, that includes the EEC.

What is confidential information? It has not been referred to very much so far.

Mr. Hind: The hon. Gentleman has missed out the most important point. He should read the last part of clause 3(1), which refers to

"information or a document or article which is or has been in his possession by virtue of his position as a Crown servant or government contractor"—

in other words, documents which have come into his possession as a consequence of his position, and in confidence. That is the purpose behind it.

Mr. Darling: I am not sure how that assists us.

If one looks at clause 3(6) for a definition of confidentiality, one sees, among other things, that it says:

"while the circumstances in which it was obtained make it reasonable for the State or organisation to expect that it would be so held".

We can see exactly what would happen. If someone suddenly revealed that something untoward was going on, all that would be necessary would be for an official, a Government or an agency to say, "We expected that to be confidential," and it would then be brought within the terms of this clause. That is thoroughly undesirable.

The Secretary of State says that clause 3(3), which must be one of the most clumsily drafted clauses in this Bill—that takes some beating when we consider some of the other clauses which we have discussed—is a guide to the prosecutor. He says that any information, article or document within clause 3(1)(b)—that is, whether it is confidential or not—may be regarded for the purposes of clause 3(2)(a)—that is, whether or not it is likely to jeopardise the interests—as such if its unauthorised disclosure would be likely to have any of the effects mentioned in the clause. That is a guide to the jury, not to the prosecution. That is important. If somebody were to be prosecuted under the clause, the judge would say that the jury must have regard to subsection (3) to see whether any information may be regarded, for the purposes of the rest of the clause, as being confidential.

I fear that we will see prosecutions being brought under the clause, widely couched as it is, in cases where somebody has revealed communications between the EEC and this country. We are not talking only about organisations such as NATO or Interpol but about matters currently under discussion between EEC Ministers. Somebody may care to make such information public. A great deal of information is being exchanged in the Trevi group of Ministers between the Home Secretary and his counterparts within the EEC. It does not involve simply fisheries and food. The Shengan group of countries is discussing all sorts of methods to restrict the movements of people within the EEC and in and out of the EEC. It may be that such information should be made known. Yet, under this clause, to do so would be a criminal offence and render the person disclosing the information liable to prosecution.

The difficulty is that the clause covers items which are not simply matters of security. They are matters that might be the cause of some embarrassment. The Home Secretary says that that is not so, but the Government may decide, through the Director of Public Prosecutions, that a prosecution is necessary simply to stop the flow of information.

The clause is drawn in wide terms. It does not matter what the Home Secretary says to explain this clause or any other clause. Ultimately, a judge will have to direct a jury as to whether it should convict and the judge will have regard to what the statute says, not what the Home Secretary or anyone else said during the debate or what a press release might say. The statute is the key element— *[Interruption.]* It is all very well for the Minister of State to say from a sedentary position that he knows all that. Earlier today I wondered whether he did know all this because, in some of the clauses with which he was dealing, it was far from clear what it was intended that the statute should mean. His efforts, whether to clarify matters or to obfuscate, did not assist.

I understand that the Home Secretary said that he would look at subsection (3) again. In addition, I ask him to look at the way in which the clause is drafted. I want

him to ask himself what is the mischief at which he wants to strike. If it is the protection of defence secrets or certain negotiations, it would be better to legislate to stop that information being revealed rather than to have a catch-all clause which translates the worst elements of section 2 of the 1911 Act into clause 3. That is what the clause seeks to do.

The right hon. Gentleman should bear it in mind that a law will work only if it is respected and widely accepted. My fear is that much of the Bill, and this clause in particular, will fall into the same disrepute as section 2 of the 1911 Act simply because we did not have time, and the Government did not have the inclination, to give the clause the consideration it deserved. I hope that the Secretary of State will consider carefully the terms of the clause because, with so much of our lives being governed by the EEC and its directives, it is not good enough to say that members of the British public cannot know what is going on because it is protected by the clause.

Mr. Hind: Most of the public must be wondering whether the Bench from which I am rising is a Government Bench. I want to support some of the aspects of the Bill. While quietly and objectively listening to the debate on this clause, I was beginning to think that it was a quirky idea to want to protect the interests of the country in respect of international relations. Judging from the look of surprise on some of my colleagues' faces, I am not alone in thinking that that is a quirky idea.

Over and over again there has been a failure to grasp the fact that the criminal law is necessary to protect the national interest. International relations are highly sensitive. We are involved with a number of international organisations, as well as with other countries. Negotiations with them are of the essence of our national interests and must be protected.

Right hon. and hon. Members have repeatedly ignored the fact that the Bill contains a test of harm. Many have tried to run down that idea, but it is the crux of the Bill. Civil servants must be loyal to the state; they must not breach that loyalty and pass on damaging information. The hon. Member for Edinburgh, Central (Mr. Darling) read out some of the clause, but forgot to read the bit that matters. It refers to wrongful disclosure by someone as being any

"information, or a document or article which is or has been in his possession by virtue of his position as a Crown servant or government contractor."

The clause deals with people who come into possession of information by reason of their positions of confidence, and the criminal law should be used against such people. It is an extremely sensible way of dealing with the problem.

It has been alleged that this Bill represents a change from the 1911 Act. Of course it does, but it is a narrowing, not a broadening, change. Most Government activities are covered by the 1911 Act—not so by the Bill. The sooner hon. Members realise that this is a liberalising measure, the better; and the better the public will understand it——

Mr. Aitken: Where, in the 1911 Act, is there any reference to international organisations' secrets, or to its being part of the British Government's duty to protect the secrets of foreign Governments or organisations? Surely these are enlargements of the legislation's scope.

Mr. Hind: The 1911 Act is so global in its scope that it covers everything. My hon. Friend knows how few international organisations there were in 1911. There was no EEC or NATO, there were no major international organisations—they were all created in recent years. My hon. Friend the Member for Southend, East (Mr. Taylor) spoke about the EEC. Why should it be treated any differently? *[Interruption.]* Opposition Members may laugh, but there are 12 member states in the EEC with which we carry out delicate negotiations. Those negotiations need the same protection as is afforded to non-EEC countries' dealings with our country. What is all the fuss about?

There is no real reason why the EEC should be singled out for different treatment. We are involved with it in many ways, and there is no need to exclude it from the clause.

Mr. Budgen: I am sure that my hon. Friend is trying to help the Government, but he must see that there is a conflict of loyalty here. Our former colleague Sir Leon Brittan was a distinguished Cabinet Minister. As such, he swore an oath of loyalty. As a Commissioner, he has now sworn an oath of loyalty to the EEC, an oath which, as he would put it, supersedes the narrow, outdated nationalistic oath that he swore in this House. He may feel it necessary from time to time to disclose information that he obtained on a narrow, nationalistic and parochial basis.

These may be regarded by many people as small points. Now that I see that my hon. Friend the Member for Lancashire, West (Mr. Hind) is being handed a piece of paper from the Government Front Bench, perhaps he will answer this querry. To pretend that there is no case is nonsense, and now that I have given my hon. Friend an opportunity——

The Chairman of Ways and Means (Mr. Harold Walker): Order. Interventions should be brief.

11.45 pm

Mr. Hind: The arguments adduced against the clause have been out of all proportion to the simple and straightforward principle behind it, which is that the country is entitled to expect Parliament to provide protection for matters of confidence which affect our international relations and therefore the interests of the nation. The Bill provides that. The clause meets that requirement, and the amendment should be rejected.

Mr. Richard Shepherd: I do not think anyone objects to the protection of some information in connection with international relations, and to that end my hon. Friend the Member for Lancashire, West (Mr. Hind) has not understood the amendment. While we accept that some information should be protected, the debate has been about the wide way in which the clause has been drafted.

It is an extraordinary clause. I have satisfied myself that it was a case of the Foreign and Commonwealth Office contending for the world, and by some peculiar mismatch of Whitehall dealing, it has got everything for which it asked. Indeed, it got so much that it is embarrassed by this richness of opportunities to prosecute and to prevent the publication or dissemination of information.

I do not agree with the Home Secretary's claim that there is not a new class of offence here. Information given by international organisations worries us. We have banged on over this matter—I use that expression deliberately—since the White Paper was published. The explanation

[Mr. Richard Shepherd]

given so far of what is an international organisation is not satisfactory. We are grateful, therefore, that the Home Secretary has promised to provide some clarification.

This series of amendments suggests that these international organisations should be listed. The Foreign Secretary will not list them because, he has told us, it would not be practicable to do so. When, earlier this year, my hon. Friend the Member for Southend, East (Mr. Taylor) asked the Foreign Secretary to list the international organisations with which we have had dealings in the last year, that was not possible either, so we remain cautious about the meaing of "international organisations."

Sir Ian Gilmour: If the Foreign and Commonwealth Office does not know what an international organisation is, how is a journalist, who is liable to be prosecuted, to know?

Mr. Shepherd: The Minister of State is present. He is an authority on most things. Perhaps he will explain.

The United Nations must be an international organisation. We know about the recent problems of UNESCO and the activities of Mr. M'Bow. Lots of information currently reported by the British press is leaked information. That has been a tradition of this country, thank goodness, and it is part of what makes this a democracy and enables us, across the Floor of the House, to hold Governments to account and to question them on, and contribute to, foreign policy.

That flow of information must continue. The provision on international organisations has been drafted with a sloppy damage test. Not every judge or jury will be as wise or as understanding about the intentions of the legislation as my right hon. Friend or the Government. A jury might be persuaded by a barrister who relied on the fact that the damage test was satisfied because of the reference in clause 3(3) to the phrase:

"by reason of the fact that it is confidential".

All those are matters of legitimate concern.

Amendment No. 25 proposes that the Government list the international organisations. If a criminal prosecution may be triggered, it does not seem unreasonable that we should know which organisation released the information which might jeopardise the interests of the United Kingdom.

Mr. Whitney: When my hon. Friends talk about information coming from international organisations they are neglecting the fact that the disclosure must be damaging. In a throwaway remark, my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) suggested that it was a sloppy damage test. Subsection (2)(a) is not sloppy. My hon. Friend has suggested that the word "seriously" should be removed. That would make the provision sloppy. It is not sloppy at the moment.

Mr. Shepherd: It is always a joy to respond to my hon. Friend, a former diplomat. As to the point he made about the word "seriously", I wanted to know why the Government could have "seriously obstructs" but could not have "serious injury" to the interest of the United Kingdom abroad. The debate about whether the provision is sloppily drafted has consumed the Committee for two or three hours. I think the overwhelming view is that it is drawn widely.

If my hon. Friend had been here earlier, he would have appreciated the anxiety about clause 3(3) to which my right hon. Friend the Home Secretary has tried to respond by clarifying the matter. Although we are all wrong and my right hon. Friend is right, he accepts that the matter requires clarification. I am grateful for that, and I do not want to minimise its importance.

As to international organisations, we go back to cocoa marketing and the International Tin Council, which involve representatives of the Malaysian Government and a cartel. Is OPEC, which rigs the oil market, an international organisation under the Bill?

Mr. Maclennan: I want to support the hon. Gentleman's point about the unsatisfactory harm test. In a real sense, clause 3 has no harm test because, under subsection (2)(b), the leaked document does not have to cause harm: it just has to be a document that was likely to cause harm.

Mr. Shepherd: We are familiar with the point, because we have exercised it.

The whole clause is important not just because of the disciplinary procedures within the Civil Service or the Foreign Office but because it relates to clause 5, covering the other groups and organisations that may become liable to prosecution as a consequence of the definition of international relations. That is why we are anxious to get the definition right. I do not believe that we have got it right. It requires further narrowing. I should like to think that, in the spirit of being prepared to accept some points on this, my right hon. Friend will go further than he has hitherto.

Mr. Rooker: The United Kingdom is not a member of OPEC. Given that the Foreign Office will not publish a list of the international organisations to which the Bill will apply, it will be only international organisations of which the United Kingdom is a member. That is the definition in clause 13(1). There is nothing for nothing in the world. If the United Kingdom is a member of an international organisation, it will have to pay a subscription. Money will flow from the British Treasury to help fund our membership of the international organisation, which would not be the case with OPEC. Therefore, what is the problem about the Home Secretary arranging for a list of the international organisations to which the United Kingdom pays subscriptions—all of which, I presume, would at some time send confidential information to the United Kindom? Where money follows, surely that is the list that we want. But that would not include——

The Chairman: Order. Is this relevant?

Mr. Rooker: Yes, it is, Mr. Walker.

That list would not include OPEC.

Mr. Shepherd: I am most grateful for that point. I had not taken on board the fact that we had to be a member of an international organisation. This is what I am anxious about. If we do not have to be a member, I think it can include OPEC, which is a market cartel whose purpose is to fix the price of oil, and that may be against the domestic

interests of our own citizens. It seems to me that it is awful to reach out and support organisations that we may not want to support.

Foreign affairs is one of the most important elements of our sense of citizenship. It is our expression overseas of who we are. Where we stand on foreign affairs, foreign relations, international organisations, is part of our national morality, and the information that we require in order to make a judgment on that goes far beyond the constraints in this piece of legislation. I hope that, in the end, the Home Secretary will see the force of the point that this is a legitimate area that requires widening in the interests of public affairs in this country.

Mr. Teddy Taylor: We greatly appreciate the fact that the Home Secretary is prepared to look again at the most worrying aspect of this clause. This is the first occasion on which he has felt able to make such an offer. When the hon. Member for Caithness and Sutherland (Mr. Maclennan) and I are on a joint deputation, it is quite clear that there must be something serious about. We should certainly thank the Home Secretary very much for his offer, and I hope that something useful will come from it.

I hope that, when he is reconsidering what we regard as a major problem in the Bill, which would create an injustice, my right hon. Friend will have another look at what constitutes an international organisation. How can we pass a law to create a penalty against people for revealing something emanating from an international organisation when none of us in this Chamber knows now —I challenge any hon. Member to say—what an international organisation is. We have been told that it is defined in clause 13(1), which says that it is an organisation of member states. Anyone who thinks that should look at clause 13(2), which says that, for the purposes of some parts of this Bill,

"an international organisation includes . . . any such organisation whether or not one of which only States are members and includes a commercial organisation."

So it is quite clear that when we refer to an international organisation, we are talking of something much, much wider.

Mr. Greg Knight: Does my hon. Friend not consider that the idea of a schedule or list is also unworkable, because no provision is made for altering that schedule or list? As I understand the position, new primary legislation would be needed to add names to the list.

Mr. Taylor: I agree entirely that we cannot have a list, but surely we should have a definition. We cannot say that an international organisation is either a group of member states or else something that is not a group of member states, but includes people who are not member states, and can be a commercial organisation. I suggest that "international organisation" could mean anything at all, and I appeal to the Home Secretary, he having kindly said that he will look at one of our worries, to look at this one also.

May I ask my right hon. Friend to look seriously at the question of conflict of interests? He has confirmed that the European Community and the European Commission are both covered as international organisations. What on earth is the duty of a former British civil servant, obliged not to divulge anything in the national interest, who then had to divulge it as a European civil servant or Commissioner, saying that his obligation was to the European Community? What would be his position if he were to reveal something that was damaging to the United Kingdom in the wider interests of the Community?

The Home Secretary has said—correctly, I think—that this clause needs to be looked at again. We are grateful to my right hon. Friend for what he has said. I hope that he will also look at those two points. In view of his kindness, I shall not press amendment No. 32 to a Division, but I understand that hon. Members may seek to divide the House on amendment No. 24.

It being Twelve o'clock, THE CHAIRMAN *proceeded, pursuant to the order [13 February] and the resolution [15 February], to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Question put, That the amendment be made:

The Committee divided: Ayes 168, Noes 285.

Division No. 97] **[12 midnight**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Allen, Graham
Alton, David
Anderson, Donald
Armstrong, Hilary
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bermingham, Gerald
Blair, Tony
Blunkett, David
Boateng, Paul
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Budgen, Nicholas
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Cousins, Jim
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
George, Bruce
Gilbert, Rt Hon Dr John
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice

Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Nellist, Dave
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Prescott, John
Primarolo, Dawn
Radice, Giles
Randall, Stuart
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shephard, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Vaz, Keith
Wall, Pat
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Robert Wareing and
Mr. Jimmy Dunachie.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brown, Michael *(Brigg & Cl'ts)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*

Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tristan Garel-Jones and
Mr. Tony Durant.

Question accordingly negatived.

Clause 3 ordered to stand part of the Bill.

To report Progress and ask leave to sit again.—*[Mr. John M. Taylor.]*

Committee report Progress; to sit again this day.

Beef Imports (United States)

12.11 am

The Minister of State, Foreign and Commonwealth Office (Mrs. Lynda Chalker): I beg to move,

That this House takes note of European Community Document No. 4296/89 on tariff concessions and import duties on certain imports from the United States of America; and supports the Government in pressing for a negotiated settlement to the dispute between the Community and the United States of America over the Community's prohibition of imports of hormone treated meat as a means of averting trade disruption and damage to wider Community-United States relations, particularly in the context of the current round of multi-lateral trade negotiations in GATT.

I am grateful to the Scrutiny Committee for taking such a close interest in this subject. I advise Opposition Members that I am very much aware of recent criticism and anxiety about scrutiny procedures in the House. I assure the House that the Government are looking at this. This debate is particularly opportune, as the Foreign Affairs Council will consider the European Community-United States dispute over hormones next Monday and I am keen to hear the House's views before then.

The EC hormones directive was agreed by the Council by qualified majority in December 1985, to come into effect by 1 January 1988. The United Kingdom voted against that decision and subsequently challenged the directive in the European Court of Justice. Our challenge was on several grounds, including the lack of scientific justification. The court accepted the United Kingdom arguments about the procedural irregularities in the adoption of the measure and annulled the directive. However, it did not rule on the scientific point. A new directive, identical in substance to the earlier one, was agreed by the council in March 1988, by qualified majority vote—with the United Kingdom alone voting against. Although the directive was agreed in the face of strong and consistent United Kingdom objections, it is now part of Community law, and therefore binding on all member states. We have therefore no choice but to implement it.

The concern that produced the ban was directed not only at meat produced in the Community—it was also about meat consumed in the Community. Thus, it had to apply also to imports, wherever they come from. All the usual exporters of meat to the European Community, apart from the United States and Canada, accepted the ban. Each exporter provides guarantees that their beef does not come from hormone-treated animals. The United Kingdom, supported by some other member states, succeeded in getting EC agreement to reduce imports banned by about a quarter to $100 million by exempting petfood. We also prevented damage to pet food manufacturers in the United Kingdom and elsewhere, which depended on imports of United States meat. As the United States and Canada had refused to comply with the requirements of the directive in relation to beef, imports of bovine meat and offal for human consumption from the United States and Canada were banned from 1 January. About one quarter of the trade affected normally comes to the United Kingdom.

On 27 December 1988, the United States Administration responded by announcing the imposition of a prohibitive 100 per cent. tariff on certain EC exports to the United States, worth about $100 million, to take effect from 1 January. The exports in question—primarily

[Mrs. Lynda Chalker]

canned tomatoes, fruit juices, instant coffee and low alcohol drinks—come largely from Italy, Germany and Spain. Only 2 per cent. of EC exports affected by United States measures come from the United Kingdom. Following United Kingdom pressure in the Council debate in January, I secured a grace period in action until the end of January, so that United States meat not complying with the directive and EC exports affected by the United States tariff increase, but shipped before the end of December, remained unaffected.

Mr. William Cash (Stafford): Can my right hon. Friend inform me whether with respect to the original directive, which was under article 43 of the treaty of Rome, and the regulation, which is under article 113, the stages which were taken in the Council, which were supposed to be under unanimous procedure, were taken in that way? Did we exercise the veto on either or both those occasions?

Mrs. Chalker: We argued that the legal base should include article 100 and not merely article 43. In 1985, that would have required unanimity. My hon. Friend will remember that we took our case to the European court of Justice, but lost on that point. I do not believe that it would have been appropriate in this instance to use the Luxembourg compromise, which has always been reserved for extremely important matters at stake. We took the issue to the European court and, having lost, saw no further extent to which we could take it.

Mr. Cash: Will my right hon. Friend allow me to intervene once more?

Mrs. Chalker: I do not think that I can take the point any further.

Mr. Cash: Article 43, which was the basis on which the issue was being decided, states clearly that the Council, under proposals from the Commission shall act unanimously during the first two stages. I merely ask the question again: did we exercise our veto under article 43?

Mrs. Chalker: That is what I sought to explain to my hon. Friend.

It is important to have clearly in our minds what is happening now. Since 1 February, the community ban is now in force, as the unilateral United States measures against the EC. Overall, the direct effect on United Kingdom trade is very small, although, inevitably and sadly, some firms may suffer. The United States is an important source of offal for processing and as alternative sources cannot easily be found, some processed meat companies may soon notice the effect of the ban.

We greatly regret this dispute. Although the amount of trade involved is small so far, the dispute is potentially very damaging. There is a real risk of escalation. The United States Agriculture Secretary, Clayton Yeutter, said in his confirmatory hearing on Capitol hill that, if the EC imposed counter-retaliation measures, the United States would counter-counter-retaliate. Such a trade war would make the dispute much more difficult to resolve.

The EC and the United States have major roles to play in the GATT Uruguay round—not least in resolving the current deadlock on agriculture and finding a way forward. Those are the most ambitious and complex multilateral trade negotiations yet. We should not allow attention to be diverted, or the atmosphere to be soured, by a trade dispute.

Our view remains that all trade disputes can be resolved only through negotiation. The sooner a constructive negotiation can be engaged over hormones, the better. The dispute can only get worse with time. The GATT offers three possible routes for the settlement of the dispute—a conventional GATT panel under article XXIII, the dispute settlement procedures of the GATT technical barriers to trade "standards" code, and an ad hoc procedure under the good offices of the director-general.

The Community has not ruled out any of those options, although it recognises that recourse to the dispute settlement procedures of the standards code would require a shift in the entrenched United States position on the scope of the code which the United States, despite evidence to the contrary, believes covers process and production methods such as the hormones directive.

The EC has so far wisely refrained from counter-retaliation against United States action. A list of United States exports—walnuts and dried fruits—on which 100 per cent. tariffs could be imposed has been drawn up. This amounts to about $100 million a year, of which only about 4 per cent. normally comes to the United Kingdom, but pressures remain in the Community for counter-retaliation, especially from those member states worst hit by United States measures. At the January Foreign Affairs Council, the Council agreed to take stock of the situation at its next session on 20 February. We also agreed that the EC counter-measures would be put into effect unless there was satisfactory progress in GATT or in bilateral negotiations with the United States. We shall continue trying to find ways to avoid precipitous EC action when the matter is discussed at the February Foreign Affairs Council

At the GATT Council on 8-9 February, the Community's complaint against the United States unilateral action was considered. The Community asked for a GATT panel to examine the United States measures. The United States rejected the request, but expressed the hope that the issue could be settled bilaterally. The Community offered consultations which the United States welcomed, but would not have them before the Commission talks with United States Trade Representative Hills and United States Agriculture Secretary Yeutter on 18 February. Thus, confrontation was at least delayed, but much now depends on talks in Washington this weekend.

My right hon. and learned Friend the Foreign Secretary discussed the dispute with United States Secretary of State Baker last Sunday. He impressed on him the need for early resolution of the issue—which would need good will on both sides.

If, against our expectations, the outcome from the weekend Washington meetings were absolute deadlock, there would undoubtedly be very strong pressure from some member states at next Monday's Foreign Affairs Council for EC counter-retaliation. I do not believe that counter-retaliation would achieve anything, and I trust that it will not be necessary.

Whether or not there is another twist to the retaliatory spiral, the Government will continue to do everything possible to work for a rapid settlement of the dispute.

Mr. Jonathan Aitken (Thanet, South): I am concerned about the tone of the diplomatic exchanges between my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs and the new United States Secretary of State. My right hon. Friend the Minister of State spoke of backing off, giving way, and retreating, but surely it is the other way round. The European Community must realise the realities of the situation, acknowledge that it is in the wrong and, above all, accept that when it comes to the Uruquay round the United States holds the cards in trade negotiations, and that any retaliation could result in something far worse than has ever been envisaged.

Mrs. Chalker: My hon. Friend is being a little unfair. In recent months, we have on many occasions attempted to get a proper discussion under way. My hon. Friend will recall that, a few moments ago, I said that the Community offered consultations which, while they were welcomed by the United States, had been declined before the Commission talks with the United States next weekend. Had talks taken place last week, perhaps we would be on our way to an earlier resolution of the matter than can now be possible.

Everything is now being crowded into the weekend before the meeting of the Foreign Affairs Council. If consultations had taken place after 8 February but before 18 February, there would have been more time to talk matters through calmly, and to reach the solution that we seek. When my right hon. and learned Friend discussed the matter with Secretary of State Baker last Sunday, he tried to impress on the American Secretary of State the need for discussion and for an early resolution—which the Americans, by not agreeing to consultations in the intervening period, effectively refused. We regret that fact because we made constant and repeated efforts to resolve the problem.

Negotiation is the only way forward. I hope that good sense will prevail sooner rather than later, because we can then turn our attention to other important matters within European Community-United States relations. I thoroughly agree that making progress on agriculture in the GATT round is vital and I commend the motion to the House.

12.27 am

Mr. George Robertson (Hamilton): The debate concerns a matter of enormous importance, affecting not just trade matters. Although we are concerned for the moment about only $100 million of trade, within weeks the figure could escalate to considerable multiples of that sum, to $500 million or more. This evening, the Minister said: "the dispute is potentially very damaging. There is a real risk of escalation."

This debate is also important in health terms, as the debate on whether hormones in meat have an effect on consumption gets lost in a sea of acrimony over trade and trade relations. It does not require an hon. or right hon. Member of any perception to realise that the question of the nation's health in relation to its food supplies dominates the media and Parliament. The debate is also of substantial political and diplomatic importance, as the relationship between the United States and our allies in Europe grows worse and more strained—in marked contrast, remarkably, to the sweet noises that now characterise East-West relations. Emphasising the signal importance of this debate is the fact that it was opened by the deputy Foreign Secretary, and will be wound up by the Minister for Trade.

Remarkably, this debate started after midnight, although in less than a week the deferred decision on retaliation is due to come before the Council of Ministers. Moreover, this is the first time since 1985 that the House has had an opportunity to discuss this far-reaching and momentous subject—and we have probably been given the opportunity now only because of the perceptiveness and insistence of the Select Committee on European Legislation, which has done an excellent job. That is a disgrace. It is an insult to the House of Commons and an affront to parliamentary accountability.

Whatever view we may take of the issue, it serves to highlight and underline the way in which we have not only seen power disappear from the House of Commons, but found in its place no less than a contempt for our right even to advise those Ministers who go to the Council on our behalf. I welcome the Minister's assurance that the Government are conscious of, perhaps even embarrassed by, the way in which scrutiny of European legislation has been allowed to slip. We shall hold her to that commitment.

Although it may be embarrassing for them, I should like to support the Government's position and that of the European Community. We strongly endorse the Community's case—not just the essentials, but the principle. The decision that has been made is not designed to discriminate against any other country's trade. It was made within the Community, and applies as much to Community agriculture as to that of any country, including the United States.

This is a clear indication of consumer preference throughout the Community. Let me quote from the influential magazine *Agra Europe*, which in many other instances expresses a critical viewpoint. Its edition of 22 December says:

"The Americans on the other hand would do well to recognise the democratic origins of the EC's hormone legislation: it is one of the few pieces of law in the food and agriculture of the Community which actually reflects the desires of the European electorate—unlike the CAP itself which reflects the interests and demands of a small minority of the population and actively harms the majority."

Mr. John Greenway (Ryedale): Does the hon. Gentleman accept that if we ban products which scientific evidence proves are safe we are on the slippery slope? If, after scientific advice, it is shown that unpasteurised milk is safe, will the Labour party insist on a ban?

Mr. Robertson: The hon. Gentleman jumps up too quickly. As that is at the root of the issue, I proposed to come to it. As he has mentioned unpasteurised milk, however, it is interesting to note that the United States, which is making most of the brouhaha here, has banned the import of cheeses made from it on the basis not of scientific evidence but of consumer preference. There is no reason why the European Community, or any individual country within it, should not do the same.

Mr. Michael Lord (Suffolk, Central): Will the hon. Gentleman give way?

Mr. Robertson: No. My time is limited, and I have already dealt with the point. I shall come to the scientific implications in due course, and if the hon. Gentleman wishes to try again then he may be successful.

[Mr. Robertson]

The case is strong, and not only on the basis of consumer preference, although it is perfectly reasonable for anyone in this country or the European Community to come to a conclusion that takes account of scientific practice without following it slavishly. The right hon. Member for Henley (Mr. Heseltine) wrote in an article in *The Times:*

"The council had clearly taken a political decision, as the agriculture commissioner later confirmed."

Of course there is an element of politics. The idea that the right hon. Member for Henley can stand apart from political decision is in itself a bit of a joke.

The pace of biotechnology and all its implications does not involve simply the individual reports of one committee or any single series of contemporary evidence. Professor Lamming's report—the basis of the scientific evidence put forward—was careful in its endorsement of the five hormones, and agreed to them only

"under proper conditions of use".

The report contained that important qualification. However, the pace of biotechnology cannot be quantified from one moment to the next. As we have seen during the past few weeks, contemporary views about what is healthy and what is not are open to debate. Ultimately the decision has to be taken by politicians assessing scientific evidence and other considerations.

I strongly support the suggestion by Mr. Ken Collins, the Member of the European Parliament for Strathclyde, East when the European Parliament considered these matters in 1988 that we need a major study both on the biotechnological aspects and on the wider public implications. That is how we shall acquire some conclusive evidence, not from one specific panel of experts.

Mr. Lord: The hon. Gentleman is saying that we must be careful about what we do because things can change rapidly and we do not know what will happen in future. But we are dealing with today, and we are dealing with the facts. Does the hon. Gentleman accept that, by and large, scientists are fairly careful and do not take decisions dogmatically or with great emphasis unless they are sure of their facts? In this case, Professor Lamming and his committee had a good look at the matter we are discussing, and concluded that the use of the synthetic hormones presented no cancer risk and constituted no conceivable hazard to human health. If there is to be any sense in our debate about food and all the present problems, surely we must depend on scientific evidence when it is presented in that form.

Mr. Robertson *rose*——

Sir John Stradling Thomas (Monmouth): Will the hon. Gentleman give way on that point?

Mr. Robertson: I have a deep affection for the hon. Gentleman, but I shall not give way.

Hon. Members should bear in mind the fact that there are wider implications than Professor Lamming's report. Scientists can be dogmatic. Medical and scientific experts often reach contradictory conclusions. I refer Conservative Members to our continual debates on abortion. Both sides of the argument deploy eminent scientific experts to prove absolutely contradictory arguments. Those who are quite content to rely on Professor Lamming's committee have to discount the opinions of all the members of the European Parliament who voted for the ban and those within the Council of Ministers who made the ultimate decision.

I welcome the belated appearance of the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, since the implications of that decision are considerable. If the hon. Gentleman dissents from the view of the Council of Ministers, it would be nice to have it on record so that the view of the British Government is known. The Minister did not take such a position at the Dispatch Box this evening. She spoke in defence of a Community decision taken by a majority vote, and, as she said, without the United Kingdom veto being used. The Minister must accept collective responsibility with her colleagues in the fight that will take place. The Government of course oppose it.

As in so many cases recently, the health of the nation takes second place to the interests of the farmers and the drug companies. What is all the fuss about? The House and the country have a right to ask this question. Why is it that we are on the brink of a trade war with the Americans over £100 million-worth of what is, after all, mostly offal, which is usually regarded as waste products, and the cheapest cuts of meat? Whey are we on the brink of a trade war over something apparently as trivial as that?

Mr. James Baker, the new US Secretary of State, said that he believed that this dispute was trivial and unworthy. He was quoted this week in the *International Herald Tribune* as saying that it would have to be solved, because it would get diplomatic relations with Europe off on the wrong foot.

Why are we on the brink of a trade war? The American case is, of course, extremely weak. First, it has the arbitrary ban on non-pasteurised European products entering the United States on the grounds of taste. It has no scientific evidence, but it is doing it on the basis of American health preference.

Secondly, there has been an offer from both Texas and Kansas to supply an equivalent amount of the agricultural produce that is being prevented from coming in from the European Community. Mr. Jim Hightower, who is the Texan Commissioner of Agriculture, from the President's own State, has offered to make up the shortfall in terms which would qualify under the Community's new rules.

Why is the United States willing to breach the GATT rules at this stage when its case is so weak?

The *Financial Times* this week concluded that the United States finds itself in the wrong. It said:

"The US must recognise that no system of rules can survive if each participant believes it possesses carte blanche to act in its own behalf."

That is a conclusion derived from the fact that the European Community has at least won informal support from its GATT partners for its protest about that unilateral decision.

The question must be legitimately asked, why are we on the brink of a trade war over £100 million-worth of trade in offal when EEC-United States trade amounts to more than £150 billion a year? I suggest that we must look to more sinister forces to get an answer to that question. We are right to do so, because there is no easy explanation of why we are in our present position. Why is the drugs lobby well organised, well financed and well deployed and in the forefront in ensuring that these hormones are used for

health? According to the *Financial Times* of 28 January 1988, the European Federation of Animal Health is a group of 22 major pharmaceutical companies

"which have banded together to try to overturn the EC directive".

The article went on to say:

"The group's defence fund runs into hundreds of thousands of dollars. It claims to have several weapons still in its armoury".

Its key weapon, of course, was the British Government's outright hostility to that directive taken through the European Court of Justice, and taken to a vote in the Council of Ministers.

The *Financial Times* of 8 March, when the directive had finally gone through, said:

"The directive has inspired fierce criticism from the pharmaceuticals lobby".

Of course, in the United States of America, the pharmaceuticals lobby is even more powerful than it is in the European Community. The Animal Health Institute bands together the largest of the multinational drug companies in exercising its influence, too.

Four weeks ago, John Lichfield, in his article in *The Independent*, said:

"an EC official also identified 'the power of the pharmaceutical lobby in US government agencies on Capitol Hill' as a principal if not the only cause of the row."

We are getting closer to home when we begin to see the power of the industry. The animal hormone industry in Europe accounts for some £100 million-worth of trade. Therefore, the coincidence of a market for £100 million-worth of animal hormones in Europe with a trade war starting over £100 million is too large to discount.

The British Government's position must be clear and straightforward from now. There must be no bending on the right of Europe or individual countries in Europe to reflect genuine concerns and apprehensions among our populations even if the technological and scientific establishment is not, at this moment, in full support of that position. The Government must do something about the decision to ban the hormones. There must be a stricter enforcement regime in this country than is apparently the case today. Much more residue testing has to take place and the research institutes that have had their funding reduced or stopped must have it reinstated. Perhaps the Minister should ask the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, who is beside her on the Front Bench, whether agricultural produce should be put under the product liability directive so that, not only in this area but in others, farmers can be on the same footing as every other producer and subject to the same discipline.

The British and American Governments must abandon their fatal fixation for jumping at every whim of the multinational drug companies. Their voracious appetite for profits, even at the expense of the public good, has rarely been in such open display as in this contrived, artificial and hugely damaging dispute. Drugs and biotechnology should be the servant of the public good and not its master, which seems to be the case now.

12.46 am

Sir Peter Hordern (Horsham): This European Community document is a bad idea and I was glad to hear my right hon. Friend the Minister condemn it. It appears from what she said that the Government have done their best to knock the idea on the head. That is the correct attitude. However, when my right hon. Friend said that in the talks between my right hon. and learned Friend the Foreign Secretary and United States Secretary Baker the Government urged that negotiations should take place, it occurred to me that the Government are on the same side as the Americans in this dispute and we should be negotiating, perhaps together with the Americans, to try to alter the European Community's attitude. If the measure proceeds, it will lead inexorably towards a trade war which will be of no benefit to our country or to the European Community. I am therefore glad to support the attitude adopted by my right hon. Friend the Minister.

I was astonished by the Opposition's attitude. If their view were adopted, we should end up with a protectionist European Community which would be careless of the interests of the people of the European Community.

On the merits of the case, this seems to be a tit-for-tat proposal to put 100 per cent. taxes on $100 million-worth of food imports from the United States, mostly comprising fruit and nuts. Thus, in due course, it will be much more expensive for the consumer. That arises because the United States has put 100 per cent. duties on some European foods, including tinned tomatoes and special hams, in return for $100 million of lost beef sales due to hormone treatment. I should like to ask——

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Does Fisons or any of the other companies to which the hon. Gentleman is a consultant or parliamentary adviser have any interest in the matter thatwe are discussing?

Sir Peter Hordern: I certainly am a consultant to Fisons, but that has nothing to do with the debate.

Mr. Teddy Taylor (Southend, East): Does my hon. Friend agree that we should ignore all this nonsense about health and recognise that the reason why the EEC wants to ban beef is the same as its reason for banning apples over-production, to which it mistakenly believes protectionism is the answer? It is shameful for the Opposition to pretend that there is a health problem, especially as the scientific evidence is clear and precise. Let us see health problems for what they are, and protectionism for what it is.

Sir Peter Hordern: I agree.

The safety aspect must be dealt with, and I hope that my hon. Friend the Minister will comment on it. We need to know what the Government think about Professor Lamming's report, which says that hormones present no conceivable hazard. The only hazard that they represent is to the 625,000 tonnes of beef that the European farmers have produced.

The United States would like to submit five main growth hormones to an independent study, but the European Commission has steadfastly refused to allow such a study. The party that is prepared to hold an independent study is more likely to be right than the party that is not.

Sir John Stradling Thomas: The Commission took this decision before the Lamming committee had had a chance to report. The decision was based on no scientific evidence at all, and the Lamming committee's conclusions pointed in the opposite direction.

Sir Peter Hordern: I am sure that my hon. Friend is right.

These problems are always likely to occur because of the nature of the common agricultural policy. Until it is reformed, they are likely to continue. Perhaps this was not the occasion for my right hon. Friend to use the Luxembourg compromise, but this measure must be seen in the context of the dangers of an escalating trade war with the United States. The new Administration there depend more than the last on the co-operation of Congress and are doing their best to co-operate with it. The new Government are far less steadfast in support of free trade than President Reagan was, so there is a real risk of a trade war.

Unless there is agreement soon, Congress will apply continuous pressure for more restrictions on trade. The reason for the worldwide slump after the crash of 1929 was the trade restraints in force at the time. The money involved in this case—only $100 million—is not the point. United States trade with the European Community is worth $145 billion—an enormous sum. If this tit-for-tat business starts, there will be no reason for it to stop.

I do not quite know how the Government should proceed, but we must get a firm grip on the negotiations in the EEC. This measure will do the Community no good. If America and the rest of the world get the idea that the Community is no more than a protectionist collection of nations, we shall be in serious trouble. I hope that if anything like this occurs again the Government will consider using the Luxembourg compromise.

12.55 am

Mr. Ken Hargreaves (Hyndburn): I am grateful to the Government for the efforts they have made in opposing the hormone ban and for their attempts to find a solution to a dispute which could have been avoided if only those involved had looked at the facts.

There is no medical or scientific evidence to support the ban. The United States and Common Market countries have been using licensed growth hormones without any ill effects for 20 years. The irony of the whole situation is that the ban may bring about the risk to health that presumably it is intended to prevent. That risk to health comes from the use of natural hormones; 1 kg of cabbage has the same hormone content as 200 kg of meat from an implanted steer, and one litre of beer has the same hormone content as 100 g of meat from an implanted steer.

The risk comes from the danger that banning licensed hormones will lead to a black market in illegal unlicensed products. That is the real danger to health that those supporting the ban do not see, or perhaps do not want to see. These illicit substances, unlike the licensed ones, pose a threat to health because their constituents, the dosage and the method of application are uncontrollable and their presence in meat impossible to detect by present methods.

The United States claims to have evidence already that these hormone cocktails are being used illegally in Italy, Belgium and Ireland. That is an unacceptable and unnecessary risk. The directive should be revised to re-allow the use of the five licensed hormone products.

Because the EC meat processing industry is dependent on imported offal, the present ban puts at risk 400 jobs in the United Kingdom, 45 of which are in my constituency. Those workers, at World Foods in Great Harwood, who are likely to lose their jobs have a right to expect that our attitude to the ban should depend on the facts. But sadly, except for the British Government, that is not how policy has been decided.

The European Parliament voted to introduce the ban without waiting for the report of the committee of scientists chaired by Professor Lamming, which had been commissioned to undertake a study of the five substances. The Council of Ministers abruptly dismissed the committee before the report was published, causing the scientists to come together at their own expense and openly and unanimously to declare that the hormones constituted no conceivable hazard to humna health.

The Labour party also stands condemned for its attitude. Mr. Brian Quinn, director of World Foods, wrote to the hon. Member for South Shields (Dr. Clark) on 28 December outlining the problem and asking for his support. Mr. Quinn was amazed to receive a reply from the hon. Gentleman saying:

"Before giving you my considered response, it would be helpful if you could let me know what response you receive from the Government."

Mr. Quinn believes, as I do and as the workers at World Foods believe, that policy should be decided on the facts and not on whether a given situation can be used as a stick to beat the Government. My constituents wonder why their jobs have to be put at risk just to oppose the Government.

Stocks of North American tongues held in the United Kingdom are diminishing fast, bringing even closer the death of this industry and the loss of jobs. A way must be found to allow the United Kingdom tongue processing industry access to North American markets before it is too late.

I hope that the Government, having recognised the dangers of this dispute escalating, will continue to try to find a solution which common sense will bring about and ensure that common sense prevails, so that trade relations between the United States and the European Community can get back to normal.

12.59 am

Mr. Jonathan Aitken (Thanet, South): I wish first to try to place this dispute not just in an agricultural and scientific perspective, important though that is, but in an historical and political perspective for the future.

We should begin by remembering what the role of the United States has been for the last 40 years in Europe. Ever since the Marshall plan and the days just after the war, the United States has consistently been a supporter of European strength, European prosperity, European trade growth and European political integration and co-operation. Yet here we are discussing the possibility of the outbreak of a major trade war. This tiny subject of beef hormones could be the Sarajevo of the trade war of the future. Therefore, it is much more serious than just a mere scientific wrangle, important though that is.

This is a silly and unnecessary dispute. I could not agree more with those of my hon. Friends who have already forcefully made the point that there is no scientific basis for the directive. I am glad that the Government voted against it, although I am mildly concerned by the point raised by my hon. Friend the Member for Stafford (Mr. Cash), which I do not think has yet had a satisfactory answer from the Front Bench, that there was an opportunity for us to exercise our veto at the preliminary stages in the EEC machinations. I hope that the point will be answered by the

Minister for Trade, my hon. Friend the Member for Plymouth, Sutton (Mr. Clark), as to why we seemed to be asleep at the switch at the moment when we could have used the veto.

I deplore most strongly the speech of the hon. Member for Hamilton (Mr. Robertson) on behalf of the Opposition. I thought that he was trying in the most opportunistic way possible to leap on a cheap and easy bandwagon. It is not justified. He does not usually agree with the European Commission, but the Commission's fault is that it gave way to political pressures of the most superficial and wrong kind. The European Parliament, too, stands condemned in its attitude because it confused green emotions and health populism with responsible government and diplomacy. What is necessary now is for the EEC to cool it. Of course, I am glad that the counter-measures have been delayed.

I want to press my hon. Friend the Minister on one paragraph of the document issued by the Ministry of Agriculture, Fisheries and Food—a Department which is in trouble for issuing contradictory statements. That paragraph, which seems to contradict the tone of the speech of my right hon. Friend the Minister of State, Foreign and Commonwealth Office says:

"The Department"—

that is MAFF—

"adds that the proposal reflects the Commission's belief that the United States' measures are not consistent with the GATT, and that measures of an equivalent effect are necessary to protect Community interests."

I have two comments on that statement. First, GATT has not pronounced judgment on the matter. I do not see why our Ministry of Agriculture is jumping the gun and pronouncing judgment when GATT has so far scrupulously refrained from doing so. Secondly, I do not agree that "measures of an equivalent effect are necessary to protect Community interests."

Far from it. The Community should now be back-tracking and going into reverse.

I was somewhat concerned with the tone of the opening speech of my right hon. Friend the Minister of State when she seemed to indicate that Secretary of State Baker had had a jolly good wigging from my right hon. and learned Friend the Foreign Secretary and had been told that he should get his act together, back off and stop his nonsense. That was the general impression that my right hon. Friend's words created.

Our Government should indicate as clearly as possible that the EEC has got this one wrong. Britain, albeit as a lone voice—but, I hope, a strong one—should make it crystal clear that this is an issue on which we not only disagree with the EEC but on which we shall use all our influence to try to achieve a reversal of this foolish and unwise policy.

I am glad that my hon. Friend the Minister for Trade is to reply because he will be aware, perhaps more than anyone else in the House, of the long-term implications of this potential trigger for a trade war. He must play some part on behalf of the United Kingdom Government in the Uruguay round of international trade rules redrafting, which is likely to take place in the early 1990s. This dispute is likely to trigger a hostile reaction in the Uruguay round if we are not extremely careful.

As 1992 is opening Europe up internally it is also in danger of closing doors externally. My worry is that this little dispute is a symptom of a far worse disease—creeping protectionism, perhaps leading to the mortal illness of Fortress Europe. The reciprocity issue is rearing its unattractive head in areas far wider than beef hormones—in the second banking directive, in the social dimension, in the European companies statute, there is one sign after another that Europe is moving towards some form of protectionism. I am pleased to see so many of my hon. Friends here and in such strong voice, making it clear to the Government and to the empty Opposition Benches that what is happening must be stopped as soon as possible.

1.7 am

Mr. Tim Smith (Beaconsfield): I was amazed by the speech the hon. Member for Hamilton (Mr. Robertson). I took part in the debate on the Medicines (Hormone Growth Promoters) (Prohibition of Use) Regulations 1986, which took place in Standing Committee on 3 December. That debate was opened by the hon. Member for Kingston upon Hull, West (Mr. Randall), who said this:

"Opposition Members support the use of growth promoters or hormones, in principle, providing that there is scientific evidence to suggest that the products are safe to the consumer, the animal and the people who administer them."

So what we have heard this evening is the most staggering volte-face on the part of the Opposition in just two years, simply to jump on the health bandwagon.

What is more, in that Standing Committee the hon. Gentleman made some remarks about the pharmaceutical industry.

"The Parliamentary Secretary knows that these industries manufacture for their own stock and retain stocks for vets and farmers."

He went on to complain about the way in which the industry had been treated as a result of the introduction of the directive and the regulations:

"I have received representations from the pharmaceutical industry, and I am worried about the way that it has been treated."

A few sentences later he asked:

"Will the Government compensate the pharmaceutical industry for the tremendous losses that it incurred . . . ?"—[*Official Report, Second Standing Committee on Statutory Instruments, &c.*, 3 December 1986; c. 2-6.]

So I wonder who actually is the spokesman for the pharmaceutical industry. We have seen the most extraordinary change.

The Government should stick to their guns. Their position is entirely correct—there is no scientific base for the directive. That has always been the Government's position, and the matter could be resolved sensibly if the Government could persuade other members of the EEC to repeal the directive. There is no reason why that should not be done. My understanding is that some member states which originally voted for it have had second thoughts. The question that I wanted to ask my right hon. Friend the Minister of State at the end of her speech was whether she could confirm that.

Perhaps I may put a question to my hon. Friend the Minister for Trade. Is there any prospect of persuading the members of the Council that the measure is nonsense, has no scientific basis and ought to be repealed? That would be the best way forward.

1.9 am

Mr. Bowen Wells (Hertford and Stortford): I wish to support all the contributions of my hon. Friends and to tell my right hon. Friend the Minister of State and my hon. Friend the Minister for Trade that we clearly must find a way out of the impasse.

I agree that to use the Luxembourg compromise, which the Government could have done, would be an excessive use of the veto, but we shall soon have to consider using such an extreme measure in order to nip in the bud this nascent trade war which, as others have said, will tend to escalate into an important and damaging affair between the United States and the EC. When the matter is negotiated over the next two weeks, that may be a way in which to reach a compromise.

It seems clear to us that there is no scientific evidence for the ban. Therefore, the EEC has to face the fact that the imposition of such a ban is protectionism. It is protecting Europe's beef industry against that of the United States.

If that is the case, we might reach agreement by setting up a joint committee with the United States scientists and those supporting the European case in order to decide first whether the scientific evidence is valid and then, after due consideration, to discuss whether, as my hon. Friend the Member for Beaconsfield (Mr. Smith) suggested, the directive should be withdrawn. In that way we may be able to stop the present escalation of the trade war so that all the parties can reconsider their positions. In the meantime, both sides should remove the current trade restrictions.

1.11 am

Mr. William Cash (Stafford): I heard the speech of the hon. Member for Hamilton (Mr. Robertson) with increasing disbelief. It was clear that he had not done his homework. Apart from anything else, he does not seem to have realised that the United States Government have sought to invoke an arbitration agreement within GATT to resolve the question, and the European Commission has obdurately refused.

I had reason to refer to a similar matter last week on reciprocity and the banking directive when the European Commission, despite the unanimous view of the member states, refused to withdraw those provisions. I said then that I thought that it was time that the European Commission was effectively given instructions in such matters. It may be difficult to achieve that, but the bottom line is the Council of Ministers, which, in turn, is accountable to national Parliaments and electorates. The time is coming when we have to put our foot down over the way in which the European Commission is acting because it is getting completely out of hand.

Miss Emma Nicholson (Torridge and Devon, West): Does my hon. Friend agree that the real bottom line is whether the consumer will be prepared to buy the beef if it comes back on sale full of hormones? If the committee mentioned in the excellent proposal put forward by my hon. Friend the Member for Hertford and Stortford (Mr. Wells) a moment ago should be formed and we manage to have the ban lifted, which must be proper if scientific evidence supports it, unless the consumer buys the beef it will all be to no avail. The increasing emphasis on the fears and worries as a result of the greater information given to the consumer on bovine spongiform encephalopathy in recent weeks means that it is in all our interests to ensure that the consumer is confident that the beef on sale is healthy.

Finally, will my hon. Friend comment on whether he feels that the United States will lift its ban if we do not? In conversation two weeks ago, the chairman of the agriculture committee of the Senate made it clear that he thought that we were all silly, and I do not think that the United States will.

Mr. Cash: My hon. Friend may recall that during the debate there has been significant reference to Professor Lamming's expert committee. I would prefer to rest my case on that, plus the fact that it is clear that the European Commission is not interested in negotiating such matters. The Commission seems to be making this into an issue of principle. As I shall seek to explain, it is playing a dangerous game.

I have briefly referred to the possibility of having the opportunity at an earlier stage of exercising the veto, but I must remind the House that in 1986 my right hon. and learned Friend the Foreign Secretary reaffirmed the existence of the Luxembourg accord and my right hon. Friend the Minister of State, in her evidence to the House of Lords Select Committee on the European Communities, made the same point. There is a fallback position, so one must weigh up the balance of interests when one is talking about what is a vital interest and one must determine that against the consequences of the veto. I can hardly conceive of any matter that is of more importance or more directly germane to the vital interests of this country, and of the European Community, than that we should be in a trade war with the United States of America. If that is the case, I should have thought that, above all else, this is an occasion on which we should be seriously considering using that reserve power in the Luxembourg accord.

We are here again discussing a matter of the greatest possible importance for Britain and the European Community at an impossibly late hour. However, I am glad to be able to pay due acknowledgement to my right hon. Friend the Leader of the House for arranging this debate, following strong representations by the Select Committee on European Legislation, followed up, if I may say so, by personal repersentations not only by my right hon. Friend the Minister of State but by others, including myself, so that we would be in a position to have this debate before the decision was taken in the Council of Ministers. That is crucial and follows from a resolution of the House in 1980.

Nothing could be more dangerous and counter-productive than a trade war with the United States. I recall taking part in a similar debate a few years ago at the time of the "gin war". Only five hon. Members were present for that debate, which, admittedly, took place on a Thursday night when most hon. Members had returned to their constituencies. My hon. Friend the Minister for Trade may recall that occasion because it was a serious incident, which could easily have led to another trade war. It heartens me to see as many as 60 or 70 hon. Members at one time or another taking part in and listening to this debate.

Last week, we discussed the vital second banking directive at a similar hour. In all sanity, we must take a measured look at our sense of priorities and selectively decide to debate such matters as are now before the House in prime time. This debate will almost certainly pass

without notice or comment in the papers or other media, yet it is at the pivot of our economic affairs. That cannot be allowed to continue. I hope that I am right in believing, from all that I have heard, that at last some change in our procedures is imminent—a change made all the more important by the majority voting which is a result of the Single European Act. Especially in the wake of the historic speech at Bruges by my right hon. Friend the Prime Minister, we must surely reassess our procedures and priorities through the other end of the telescope of Bruges.

Even if there had been no speech at Bruges, we would still need to address ourselves urgently to the prospect of a trade war with the United States. Such a war would be economic suicide and would serve no useful purpose. The issue before us is the trigger on the gun which, as my right hon. Friend the Minister has pointed out, was not of our making. Perhaps at this stage it will affect only about £1·5 million-worth of United Kingdom exports, but that is not the point.

I am aware that the United States' retaliation to this hormone regulation was whipped up by the European Parliament on flimsy, unsubstantiated evidence, which has been targeted primarily at Italy, where the impact of the regulations will affect Italians to the tune of £30 million, and West Germany, where really dangerous hormones are being used by some accounts, to the tune of £15 million.

The issue has been handled by the European Commission, which must bear the primary responsibility for this state of affairs, despite the careful and weighty report of Professor Lamming's group of experts, which described the European Commission's actions and those of the European Parliament as

"a case of legislate in haste and repent at leisure".

I do not disagree with their issue of principle, but I do disagree with the notion that it is a case of repent at leisure because, in a nutshell, unless on 20 February the Commission and the Council of Ministers—*[Interruption.]* We listened to the interminable speech of the hon. Gentleman as he rabbited on about pharmaceutical companies and the rest, so he should have the courtesy to keep quiet for a while.

It should be on the cards that we withdraw this proposal because otherwise the trade war will almost certainly escalate, with an accompanying recession that we shall not merely repent at leisure, but most grievously suffer. We should make no mistake about that.

We have been precipitated into this position without our consent, without our wanting it to happen and despite the attempts of our Ministers in the Council of Ministers up to the present moment. We must sort out this matter as quickly as possible, but if there is no way of shifting the Commission, I ask the Government to exercise the veto because only at that point would we be in a position to protect vital British interests. If it is not possible to exercise the veto—I look to the Minister in this matter of grave urgency—I advise the Government that every conceivable effort should be made to ensure that we negotiate as hard as possible so that other member states realise the serious dangers that we would face if we had a trade war with the United States.

1.21 am

Mr. John Greenway (Ryedale): The seriousness with which Conservative Members and the Government view this matter is evident from the number of hon. Members on our Benches and the fact that there are three Ministers representing three Departments on the Front Bench at this late hour.

That suggests that three issues are involved. The first is our relationship with the European Community. I entirely agree with what my hon. Friend the Member for Stafford (Mr. Cash) has just said. I do not propose to go over that, except to say that I hypothesise that, if a Minister of this Government came to the House to report that he had taken the decision that the European Commission has taken, there would rightly be utter uproar. If the European Commission cannot be trusted to come to the right decision, we in this House should be given the opportunity to debate some of these matters in prime time, before the decisions are taken. How that is done is clearly for my right hon. Friend the Leader of the House to decide. However, I note that my right hon. and learned Friend the Chief Whip is on the Front Bench, and I am sure that he will take note of the comments made.

Secondly, I advise my hon. Friend the Minister for Trade—I understand that he will reply to the debate—that my interest in this is purely on behalf of the businesses in my constituency which are deeply frightened at the thought of a trade war with the United States of America. It is an extremely serious matter. Indeed, nothing more serious has come before the House in my time as Member for Ryedale.

The third issue is food hygiene, which is extremely topical. I strongly believe that, unless we stick to scientific advice as the only basis for imposing a ban on products or procedures, we will get into extreme difficulty. As we have seen in the past few weeks, the media are perfectly capable of whipping up a great deal of hysteria and bringing fear into the hearts and minds of many people, including housewives and the elderly. We can deal with the problem of food hygiene by relying on scientific advice. The concern is that the European Commission did not wait for scientific advice. Now that there is that advice, it still chooses to ignore it.

I urge my right hon. Friend the Minister of State, Foreign and Commonwealth Office to encourage the European Commission to reconsider the ban. It needs to be renegotiated. I accept, of course, that it is reasonable to have a ban on hormone products that are unsafe. I am sure that we all wish my right hon. and learned Friend the Foreign Secretary godspeed and every success in the negotiations this weekend. The only short-term way of avoiding a trade dispute is to reach a negotiated settlement with the United States. I urge my right hon. Friend the Minister of State to convey to my right hon. and learned Friend the good wishes of the House. We await the outcome of the negotiations with great concern.

1.26 am

Mr. Robertson: With leave of the House, Mr. Deputy Speaker, I wish to reply on behalf of the Opposition.

There has been a perverse unity on the Government Benches this evening. It seems that if the United States, on whatever flimsy pretext, threatens a trade war with the United Kingdom or the European Community, the view of Conservative Members is that we should automatically back off, back down or give in. In this instance, the United States has little or no case. A decision was taken in Europe

[Mr. Robertson]

by the European Parliament—it was elected by all the member countries—whether on scientific evidence or on popular preference, to make a decision.

Several hon. Members *rose*——

Mr. Robertson: No. I shall not give way to a Conservative Member.

A decision has been made by the consumers in Europe, which has been endorsed by the European Parliament and the Council of Ministers, involving 11 of the 12 nation states of the European Community. The great patriots on the Conservative Benches seem to suggest that we should back down.

Mr. Charles Wardle (Bexhill and Battle): Will the hon. Gentleman give way?

Mr. Robertson: I am making a brief contribution that will enable the Minister to reply. I do not intend to be interrupted by any more of the contrived cacophony from Conservative Members.

The hon. Member for Torridge and Devon, West (Miss Nicholson) made some perceptive comments in an intervention in a lacklustre speech by the hon. Member for Stafford (Mr. Cash). One of the real reasons for the contrived dispute that we are discussing is the fear of the American drug companies that consumer preference in Europe will spread to the United States, which will lead to an infringement of their profit levels and their markets, in the same way in which the European pharmaceutical companies have been affected.

The hon. Lady makes the valuable point that, at the end of the day, the decision will be made by consumers. If the ban were to be lifted, consumers would still make the choice. Whatever the view of the experts, there is a large lobby in the United States that forced Ronald Reagan to back away from the plans of the Food and Drugs Administration to have similar controls on hormones to those that we are discussing. It tried to head off the European Parliament the European Commission and the Council of Ministers from taking the same course and protecting the European consumers.

My hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) was quoted cleverly by the hon. Member for Beaconsfield (Mr. Smith). My hon. Friend's remarks came from a debate that took place about two years ago, and there was a reference to trying opportunistically to jump on the health bandwagon. If there is a bandwagon worth jumping on at any time in political life, it is the health one. The qualifications which were laid down in that debate stand as validly now as they did then.

1.29 am

The Minister for Trade (Mr. Alan Clark): This has been an important debate. That is testified by the remarkably strong attendance in the House at such a late hour. There is a marked difference between the Government and the party of irresponsible dilettantism—the SLD—because not a single member of that party attended or contributed to this extremely important debate.

As my hon. Friends have explained, a number of extremely important and interrelated issues have been raised in the debate. In a characteristically constructive contribution, my hon. Friend the Member for Horsham (Sir P. Hordern) asked me particularly to respond about the Government's attitude to the Lamming report. We have voted against that measure twice and we took the matter to the European Court of Justice. There was very little more that we could have done.

My hon. Friend the Member for Stafford (Mr. Cash) is unrivalled in his detailed knowledge of this topic and the vigilance with which he addresses the behaviour of the Commission. He argued that we should use the Luxembourg compromise, but the Government's judgment was that it should be deployed only in a dispute of major importance. While I appreciate that many hon. Members believe that the matter was of that dimension, the Government decided that it was not of such a dimension as to require the use of the Luxembourg compromise, which is very complex and the outcome of which is not certain. We may be thankful that it was not used in this case. I would digress on that subject if I had more time.

The central theme running through the anxieties expressed today was that of a trade war developing. My hon. Friends have rather overstated that possibility. There is a genuine feeling in the Community and in the United States that such a trade war must be avoided if possible. Clayton Yeutter is an old acquaintance of mine in his former role as the United States trade representative and I know that he is a convinced free-trader. He is well aware of the dangers and is in an important position in the Administration. Other voices in the Administration are also aware of the dangers and, provided that we do not get into a cycle—this is essential—of counter-retaliation and reciprocal counter-retaliation, the problem should be avoided. Such counter-retaliation is the principal danger and the problem about which the House is most anxious.

My hon. Friend the Member for Hyndburn (Mr. Hargreaves) has raised this subject before on the Adjournment. He has a deep knowledge of the problem and he made the important point that there is an aggravated danger of a black market in illegal hormones and their misuse developing in the absence of proper regulation.

My hon. Friend the Member for Thanet, South (Mr. Aitken) is always vigilant in scrutinising and drawing our attention to the Commission's excesses. He made a number of telling points and was concerned about the prospects of Community protectionism. I do not believe that the regulation is a symptom of protectionism, although some right hon. and hon. Members may like to think so. The future and the prospects after 1992 should be considered separately from the threat to the GATT system and to the development of the Uruguay round, and the danger of war.

Mr. Aitken: As my hon. Friend progresses, I am having difficulty understanding precisely the Government's policy. So far, my hon. Friend has indicated, in the clearest language, his belief that it will be dangerous for any further steps to be taken towards attack or defence. However, the sixth report of the Select Committee on European Legislation reported:

"The Department"—

meaning the Ministry of Agriculture—

"adds that . . . measures of an equivalent effect are necessary to protect Community interests."

That means that the Government, when they made that submission, believed that a further move towards a trade war was necessary. Is that Government policy, or are we now reversing Government policy?

Mr. Clark: I will deal with the point made by my hon. Friend the Member for Thanet, South simultaneously with that of my hon. Friend the Member for Beaconsfield (Mr. Smith), who suggested that we should try to have the measure in question repealed or withdrawn. That is not practicable, and I hold out no hope that such a thing is feasible.

As to the suggestion of my hon. Friend the Member for Thanet, South, that the Government wish to encourage or even tacitly support a further round of Community retaliation, I assure him that whatever he may read into the sentence that he quoted, that is not Government policy. We shall continue to encourage the Foreign Affairs Council to delay implementation of any counter-retaliation measures. My hon. Friend will be glad to learn that as a result of bilateral discussions with our partners there are positive signs that every effort will be made to resolve the matter by negotiation and to desist from becoming involved in a retaliatory cycle.

There are serious issues at stake, but I re-emphasise that it is the Americans who challenged the Community's right to ban on a non-discriminatory basis the use of hormones in meat production. That is not illegal in terms of GATT. It is the Americans who resorted to unilateral measures of trade retaliation. The Community rejects those measures which, in the Government's view, are clearly not permissible under GATT. It is vital that matters are looked at in a temperate and rational way, and in the proper forum.

My right hon. Friend the Minister of State, Foreign and Commonwealth Office, indicated the three separate headings under which GATT can consider the matter. We must avoid giving the world at large the message that if one country dislikes the trade policy of another country—never mind the scientific evidence—it can resort to unilateral measures forthwith.

Question put and agreed to.

Resolved,

That this House takes note of European Community Document No. 4296/89 on tariff concessions and import duties on certain imports from the United States of America; and supports the Government in pressing for a negotiated settlement to the dispute between the Community and the United States of America over the Community's prohibition of imports of hormone treated meat as a means of averting trade disruption and damage to wider Community-United States relations, particularly in the context of the current round of multi-lateral trade negotiations in GATT.

Redberth and Sageston (Bypass)

Motion made, and Question proposed, That this House do now adjourn.—*Mr. Fallon.]*

1.39 am

Mr. Nicholas Bennett (Pembroke): I am delighted to have the opportunity, even at 1.39 am, of raising a matter of great importance to a number of my constituents. I wish to press the case for a bypass for the villages of Redberth and Sageston in the county of Pembrokeshire.

I want to start by outlining what has been done so far, and the history of the proposal for the bypass over the past few years. I should like then to examine the need for the bypass and the implications of not building it.

According to one of my correspondents, the history of the bypass goes back some 20 years. I should like at this point to pay tribute to Mrs. Meryl Rogers, who lives in Redberth and who, shortly after I became Member of Parliament for Pembroke, wrote to me about the distressing problem facing the two villages, passing on correspondence in which she had engaged with my predecessor Nicholas Edwards, who of course was also Secretary of State for Wales. I should like to pay tribute to him as well for doing so much to improve the road system in Pembrokeshire during his 17 years as Member of Parliament and his eight years as Secretary of State.

During that period the average time taken to travel from Pembrokeshire to London—according to constituents of mine who have lived there for many years—went from seven hours in the early 1970s to about three and a half at present. On the A477, the road to which I want to direct my attention, we have seen improvements at Kilgetty and the construction of the Stepaside bypass. We should now look at the rest of the A477 to ensure that the increases in economic growth that have taken place in Pembroke Dock and Pembroke and along the A477 are used to advantage, and that the disadvantages that come from increased traffic are mitigated as soon as possible for the residents of the two villages.

As I have said, the history of the proposals for the bypass go back to the early 1970s. Since the Welsh Office has been producing "Roads in Wales", the bypass for Sageston has appeared in almost every edition, and in most editions there is mention of the Redberth bypass. The 1978 edition contains a proposal to start the Sageston bypass in that year: the cost was estimated at £0·4 million at November 1977 prices, and the bypass was to be 1·5 miles long. That was included in a firm programme.

The proposals for the Redberth bypass—set out at the back of the edition, with the statement that no start date had been determined—estimated a cost of £500,000. Hon. Members will recall that there was a Labour Government in 1978. In the true tradition of Labour Governments, the proposals in "Roads in Wales 1980" took no account of the country's economic circumstances, and it is not surprising that, given its economic circumstances in 1978, the "firm" proposal to start on the bypass was not implemented.

The 1980 edition of "Roads in Wales" states:

"It would be quite unrealistic to suppose that the trunk road programme, which is dependent entirely on public funds, could be insulated from the Government's economic strategy: the programme has had to play its part in the reduction of public spending and, as with all Government spending plans, may be subject to further adjustment if the achievement of the Government's economic objectives requires."

[Mr. Nicholas Bennett]

I recognise, as do the Government, that we must look at the road programme in the light of overall economic policy and the amount of money available. I believe, however, that my constituents have waited far too long for this road and that, given the much-improved state of the economy, we are now entitled to see an early start on both bypasses.

"Roads in Wales 1980" went on to describe the strategy for trunk roads as follows:

"Resources available will be concentrated on those schemes which offer the greatest benefits, taking into account strategic, economic and environmental factors. The implementation of other schemes must come later. The Government regards improvement of the motorway and trunk road network as an important element in the contribution of public expenditure programmes to the economic development of Wales. Development cannot be guaranteed merely by the provision of new or improved roads, but prospects for development in particular localities are greatly reduced if they do not have good communications providing cheaper and speedier access to raw materials and markets. In formulating the forward trunk road programme for Wales the Secretary of State has accordingly allocated the highest priority to projects which will assist efforts to promote economic activity and the regeneration of areas whose traditional industries are in decline, and thus further the achievements of his regional development objectives. The needs of the tourist industry, which make a substantial contribution to the economy especially in rural areas of the Principality, have also been given full weight.

Bypasses for Redberth and Sageston fulfil all those criteria. "Roads in Wales 1980" refers to schemes such as the A477 Kilgetty bypass and said that they had been included

"because they will ease the flow of industrial and commercial traffic and at the same time provide relief for the residents of towns and villages which suffer from severe congestion."

I could not have described the need for those two bypasses better than "Roads in Wales 1980". Unfortunately, in the 1980 programme, the Sageston bypass, which had a firm date in 1978, had been relegated to

"a third category of schemes which have been formally added to the pool of schemes in preparation but on which resource constraints are likely to preclude the start of construction work until towards the end of the decade."

That applied to Redberth and Sageston.

By 1983, the Government had added further criteria for new roads. With the introduction of 38-tonne lorries, it was necessary to ensure that roads were capable of carrying such lorries without causing environmental damage. "Roads in Wales 1983" stated that in the south of Wales

"the main aim is to improve the A40/A48/A477 routes, serving Haverfordwest, Pembroke Dock and Fishguard."

By 1985, the programme had pushed further back the bypasses for Redberth and Sageston. The bypass for Redberth has disappeared altogether from "Roads in Wales" and Sageston has become a bypass which will not start until after 1990. On all the grounds which have been set out in "Roads in Wales", whether in 1978, 1980, 1983 or 1985, the two bypasses are vital.

Turning to the accidents which have occurred on the A477 in those two villages, I wrote to the Dyfed county council county engineer and surveyor. He replied, referring to the village of Redberth:

"Following concern locally about the number of accidents that had occurred in the village up to 1982 (six during the period January 1979 to December 1981) extra warning signs in the form of 'double bend' signs were provided during 1982, this being in addition to the already existing 'Junction' warning signs through the village. Continuing concern, however, about the hazards in the village resulted in a 40 mph speed limit being introduced on 18 July 1983. In view of this, it is difficult to see what else can really be done at little cost to further improve the situation at the site."

I recognise that little further can be done at little cost. If action is to be taken to improve the situation for residents in those villages, we require the Government to provide bypasses for Redberth and Sageston.

The accident report in the two villages is really appalling. Since September 1985, there have been 15 accidents, 10 of which have been described by the police as serious. In four separate accidents vehicles overturned and 10 of the accidents involved multiple collisions. Those figures relate to the three years from September 1985 until the end of October 1988. The population of the villages has increased steadily throughout that period. In 1971 the total population for the two villages was 747. By 1981 it had risen to 967. Using the electoral registers and adding 23 per cent. for the population under 18, the population for the two villages is 1,188. The two villages have increased in population by 38 per cent. since 1971.

Traffic volume has also increased. A count was taken on 18 May 1987 and for the ensuing four days. In that five-day period, the estimated daily number of vehicles was 6,800. That is certainly an under-estimate of the present situation, because there have been rapid improvements in the local economy in south Pembrokeshire since then. since 1987 unemployment has fallen by more than 25 per cent., which is bound to have led to a further increase in the amount of traffic going along that road.

On a number of occasions I have met residents from both villages to discuss those problems, both at my constituency surgery and this year with the members of the community and district and county councils, who have expressed concern. I received a petition from the residents who live along the road in Sageston. I shall cite some of the points made by the petitioners. They are making a number of complaints. They say that old people are frightened to cross the road; young people are frightened to ride bicycles or horses near the road; nearly every resident has had a pet killed on the road; mothers are living in fear of young children going near the road; and residents are even frightened to drive their cars out of their own drives on to the main road for fear of being hit by the heavy lorries which now trundle up and down the road.

A local resident wrote to me to say that, since she has moved into Sageston, although the village is well signposted, with a 40 mph limit, she has found that

"90 per cent. of vehicles using our road (which is the main road to Carmarthen) do not come even close to 40 mph unless behind a tractor. Huge juggernauts from the B and I Ferry thunder through many not realising the blind bends, that we are situated on . . . they have to brake suddenly to remain on the road or they tumble into our garden. At 2 am this is very distracting—but thank heavens for double glazing."

Another resident said:

"The A.477 is the only viable route from the west to Pembroke and the Dock. There is a steady background of tanker traffic. The Dock is being extensively improved, an increase in ferry traffic is planned, several industrial and enterprise zones have been built, and more are in hand. In the holiday season, for five or six months of the year, tourists and holidaymakers bring a three or fourfold increase in the number of private cars and caravans using the road."

It is worth noting that the traffic survey was carried out in May before the tourist season was really under way. The letter continues:

"Since this is also farming country, many tractors and slow moving farm vehicles must necessarily use the road."

Although that slows the traffic at some points, it leads to recklessness by drivers, because, having been delayed for some considerable time along the road, they then attempt to speed up to pass the slow vehicles, and many accidents are caused as a result.

My correspondent, Mrs. Rogers, who originally raised the matter with me, received a letter in April 1987 from my predecessor, Mr. Nicholas Edwards, then Secretary of State for Wales. He wrote about the need for the bypasses in Redberth and Sageston. He said:

"Your letter though has come at an opportune time as I am conscious of the need to plan now for a further road improvement programme in the 1990s. As part of such a programme my Department are taking into consideration the many representations that have been made for by-passes for communities such as Redberth and Sageston. In drawing up the programme of road improvements for the 1990s I can assure you that the points you make will be considered."

On my election as a Member of Parliament, on 9 September 1987, I wrote to my right hon. Friend the Secretary of State for Wales, but he was not able to add anything further to Mr. Nicholas Edwards's letter.

I wrote again this year to the Secretary of State, and in a letter of 10 February 1989 he said:

"By-pass solutions to traffic problems in Redberth and Sageston are being planned, for the longer term. This will be confirmed in the edition of Roads in Wales to be published shortly."

I look forward to hearing from my hon. Friend the Minister of State his proposals for those improvements.

I should like to stress why it is so important that we get these bypasses into the programme and implemented as soon as possible. They have been in the programme since 1978. It is important that they are actioned as soon as possible, because the position is getting worse. Because of the boom in Pembroke Dock, which is an enterprise zone, because Govan Davies Developments has its dry dock almost completed, and because of the recent deal between Govan Davies and another entrepreneur, Peter Hancock, for the handling of coal and potatoes and the heavy materials in Pembroke dock, we expect shortly to see an increase in the heavy lorry traffic coming from Pembroke Dock and towards Carmarthen, St. Clears and into London. There has also been the restoration of the B and I ferry, which means that at 2 o'clock in the morning large numbers of lorries from Ireland thunder down the A477, making their way through Wales and, on to England.

Therefore, the two bypasses are vital if we are to improve the economy of south Pembrokeshire and ensure that the environmental conditions for the residents who live in the two villages are improved. They are also vital for an improvement in road safety and to ensure that everybody is able to live safely and benefit from the rapid improvement in the economy that has been brought about by the Government.

1.55 am

The Minister of State, Welsh Office (Mr. Wyn Roberts): My hon. Friend the Member for Pembroke (Mr. Bennett) has made his concern about Sageston and Redberth very clear—not for the first time. There have been numerous representations to him and by him on behalf of local residents to the Welsh Office over recent years from about 50 of around 350 residents. Individual complaints graphically illustrate their concern about road safety problems, such as the one from Mrs. Meryl Rogers of Redberth, which described an accident she experienced in 1986, when a trailer toppled into her garden while she was hanging out the washing. Others have spoken about thundering juggernauts, the enormous volume of traffic and speeding traffic, which have exacerbated safety problems and are causing environmental damage.

Carew community council has written supporting those concerns. There have also been two petitions. One was from residents of Sageston, supported by the Dyfed county surveyor and engineer, and presented to him by Mrs. Webb and the other was from Redberth residents submitted by Mrs. Griffiths. South Pembrokeshire district council has also written about the importance of improving the A477 to cater for the growth potential at Pembroke dock. So I am fully aware of my hon. Friend's concern, which he has expressed admirably.

I shall begin by looking at those concerns in an all-Wales context.

As my hon. Friend implied, investment in roads in Wales has been substantial. Since 1979, 47 major trunk road schemes have been completed, involving over 140 miles of road. Expenditure on those schemes, together with expenditure on small schemes, structural renewals of roads and bridges, routine maintenance and on schemes in progress, is more than £1 billion. That is a considerable achievement, which has contributed significantly to economic growth in the Principality. As the House will know, we plan to continue with a high rate of investment into the 1990s.

Our strategy, which will be set out in the forthcoming edition of "Roads in Wales", is to give priority to the completion of work on the A55 in north Wales; to improvement and completion of the M4 in south Wales and to selective improvement of the A483 and A470 routes, to give better north-south access. In that way we shall achieve our underlying aims of providing a network of good quality motorway and trunk roads; assisting economic regeneration, including the development of tourism; bypassing congested towns and villages; and, last but not least, improving road safety.

However, the priority attached to the A55, the M4 and the north-south routes A470 and A483 does not exclude other links in the trunk road network. Indeed, part of the policy for the M4 has been to improve road links into west Wales along the A40 and the A477, on which Sageston and Redberth lie.

Since 1979 more than £23 million has been spent upgrading the western end of the A40. Major schemes completed include the St. Clears bypass, diversions at Pontyfenni and Pengawse, Haverfordwest relief roads and a number of small projects such as those at Black bridge, Pont Loerig and Treffgarne quarries.

The A477 has an interesting history. It was constructed by Thomas Telford to Admiralty specification for a 12-horse wagon carriageway. It has been developed considerably since those times to meet modern traffic demands between St. Clears and Pembroke Dock.

Before 1979 a few small scheme improvements were undertaken, but since then around £20 million has been spent on the A477, including completion of a £14 million bypass scheme for Kilgetty and Stepaside, which my hon. Friend mentioned, and a number of smaller improvements such as those at Castle Heli and at Llanteg.

These improvements on the A40 and the A477 have already made their contribution to increased economic activity in west Wales. My right hon. Friend the Secretary of State for Wales recently opened the new refrigeration plant at Milford Haven; and as my hon. Friend said,

[Mr. Wyn Roberts]

Govan Davies Ltd is building a new quay and dry dock facility at Pembroke Dock. The company is planning for the opportunities which it perceives 1992 and the Channel tunnel will bring. It would benefit directly from the planned route 9 county link road between the Pembroke Dock enterprise zone and the A477, which the Welsh Office has supported as a project of regional or national importance. All this demonstrates our concern for the needs of west Wales and our desire to bring the area closer to the rest of Britain in terms of travel time.

The A477 has, on current information, capacity to absorb the expected increase in traffic over the next few years. The sub-standard alignment of the road at Sageston and Redberth is not causing traffic flow problems. However, I take a very serious view of the concern of local residents about road safety.

The accident record at Sageston is about the same as the national average. Most accidents occur at the junction between the A477 and the B4318 to Tenby. The accident record at Redberth is worse. Between 1 January 1985 and 20 September 1988, there were 10 accidents at Sageston and 12 in the vicinity of Redberth. At Sageston half the accidents were slight and half serious; at Redberth nine were serious and three slight. There have been no fatalities, I am glad to say.

Checks conducted independently by the police authority and the Welsh Office do not support the view that speeding traffic is a severe problem. Average speeds are close to the 40 mph speed limits—but of course it only takes one motorist to drive too fast and exceed the limit for lives to be put at risk. So I have every sympathy with the residents who complain and I fully understand their anxieties.

Poor visibility and road alignment are a problem, particularly at Redberth. At Sageston, junction improvements and the provision of footpaths are being considered. It is not possible to improve the road at Redberth because of the proximity of properties on each side of the road, particularly at the bends. The case for providing street lighting is being considered.

The idea of providing bypasses for both villages has been around for some considerable time as my hon. Friend suggested. Preparation of bypass schemes began following the trunking of the A477 in 1968. A draft order covering the line of the bypasses was published in 1973, and a draft side roads order for a Sageston bypass was published as long ago as 1976. The intention at that time was that the remaining road section between the villages would be improved on the existing alignment; but there were objections. In any event, new orders are needed because our proposals need to conform to current road design standards.

The very low economic benefits of these schemes—both COBA-negative—combined with the greater need for road improvements elsewhere in Wales, has meant that preparation of the schemes has not progressed. However, I recognise that the only real solution to the problem is to bypass both villages. The earlier proposals have been revived.

A bypass for Sageston was included in the programme in "Roads in Wales 1985" as a longer term scheme. The forthcoming edition of "Roads in Wales" will confirm this position and will add a Redberth bypass to the programme for the long term. This reflects the fact that, even when a scheme is included in the programme, it seldom takes less than six years to reach the start of construction.

A number of factors affect progress—public reaction to the proposals, engineering considerations, the statutory procedures and the speed of land acquisition. Because of their current state of development, these schemes have to be regarded as longer term, but as soon as suitable lines for the bypasses have been defined we will announce our intentions. I hope that it will be possible to do this within a year or so and that this will provide all concerned with greater certainty for the future.

But I should also underline that these schemes will be in competition for resources with other planned improvements, including a number in west Wales. These include improvements to the A477 between Llanddowror and Red Roses; the Whitland, Robeston-Wathen and Haverfordwest eastern bypasses on the A40; and an improvement at Treffgarne Rocks also on the A40. These schemes will together cost over £10 million at today's prices.

I conclude by assuring my hon. Friend that we have plans to build bypasses for Redberth and Sageston in the longer term; that this should cater for the traffic demands expected to be generated in west Wales; and that we are actively looking at ways of alleviating the road safety problems in the short term.

Question put and agreed to.

Adjourned accordingly at six minutes after Two o'clock.

House of Commons

Thursday 16 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

ASSOCIATED BRITISH PORTS HULL BILL *(By Order)*

BIRMINGHAM CITY COUNCIL (NO. 2) BILL *(By Order)*

BRITISH RAILWAYS BILL *(By Order)*

HYTHE, KENT, MARINA BILL *(By Order)*

HYTHE MARINA VILLAGE (SOUTHAMPTON) WAVESCREEN BILL *(By Order)*

INTERNATIONAL WESTMINSTER BANK BILL *(By Order)*

ISLE OF WIGHT BILL *(By Order)*

LONDON UNDERGROUND VICTORIA BILL *(By Order)*

WENTWORTH ESTATE BILL *(By Order)*

BRITISH FILM INSTITUTE SOUTHBANK BILL *(By Order)*

BROMLEY LONDON BOROUGH COUNCIL (CRYSTAL PALACE) BILL *(By Order)*

CITY OF LONDON (VARIOUS POWERS) BILL *(By Order)*

REDBRIDGE LONDON BOROUGH COUNCIL BILL *(By Order)*

Orders for Second Reading read.
To be read a Second time on Thursday 23 February.

PENZANCE ALBERT PIER EXTENSION BILL *(By Order)*

Read a Second time and committeed.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Contaminated Food

1. **Mr. Wray:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the contamination of food supplies in the United Kingdom.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Richard Ryder): Expert and comprehensive monitoring work is undertaken by a large range of scientists, academics and others. This surveillance work ensures that, if action is needed to ensure or enhance safety margins, it is taken swiftly and on a firm basis of scientific study and assessment.

Mr. Wray: Is the Minister aware that the London Food Commission considers that the Government have acted deplorably by their cover-up of food poisoning? According to its statistics, one in 12,000 eggs is contaminated and since 30 million eggs are distributed every day in Britain, 2,500 eggs per day must be contaminated. Will the Minister take into consideration that the average person eats 151 eggs a year, so one in 79 people in Britain will eat a contaminated egg and the average person will eat two infected eggs in a year—*[Interruption.]* Does the Minister agree that the Government have failed to face up to the problem and that he should resign?

Mr. Ryder: There has been no cover-up. Clearly we take this matter very seriously, but it must be seen in perspective. The hon. Gentleman fails to do that.

Sir Hal Miller: Will my hon. Friend confirm the stand taken by the Foreign Office and by the Minister for Trade during last night's debate on the EEC position on hormones in beef, that the Government act only on the basis of scientific evidence, unlike the Labour party spokesman who claimed that we should act without evidence? In that context, how does he rate the evidence from the London Food Commission about a multiplier of 12,000, as we have just heard?

Mr. Ryder: Yes, Sir.

Mr. Beggs: Speaking on behalf of the United Kingdom, will the Minister make it absolutely clear, and not leave it to the Minister responsible for Northern Ireland, that food products from Northern Ireland have an excellent health record?

Mr. Ryder: Yes, Sir.

Mr. Robert Hicks: Does my hon. Friend agree that it is the obligation of any responsible Government to inform and not to alarm, and that the recent allegations about the desirability of eating certain foodstuffs are misplaced and in many cases irresponsible? Will he respond to those allegations, made without scientific evidence, in a very robust manner?

Mr. Ryder: The Government will continue to answer those charges in a clear and robust manner. The problems must be put into perspective but the Government take their responsibilities for food safety extremely seriously.

Mr. Martlew: Does the Minister agree that, in 1983, the Government failed to ban the sale of so-called green top milk—untreated milk—whereas they banned it in Scotland? Does he accept that, as a result of that inaction, eight people, including a baby, died in the Calder Valley area of west Yorkshire? Is it not a fact that the Government have waited six years to ban such milk because of pressure from the farming lobby?

Mr. Ryder: On 3 February, my right hon. Friend the Minister announced that, under the Food Act 1984, we will consult to see whether a ban should be imposed. The consultation document will be made available early next week.

Mr. Charles Wardle: As well as ensuring the highest standards of hygiene in animal husbandry and food processing, has it not become essential to emphasise the importance of hygiene in the preparation of food in the home, in case the normal commonsense standards of preparation do not always prevail?

Mr. Ryder: It is precisely because of that matter that, next month, the Department of Health and my Department will launch a joint food hygiene in the home campaign to ram home the points that have been set out by my hon. Friend.

Mr. Geraint Howells: Does the Minister agree that too many contradictory statements about food poisoning have been made by various Government Departments over the past month? Does he further agree that it is time for the Prime Minister to make a statement to the House to allay the fears of consumers and producers alike?

Mr. Ryder: In his speech on Tuesday my right hon. Friend the Minister stated that there is no complacency and no conspiracy. The Prime Minister, in answering questions later that same day, set out in precise detail the Government's view on pasteurised and unpasteurised milk.

Mr. Paice: Does my hon. Friend take comfort from the fact that nearly a week has passed since the last scare story about British food? Does he agree that much of the furore has been blown out of all proportion by the press, which has sensationalised a genuine but tiny problem?

Mr. Ryder: My hon. Friend makes his point effectively.

Dr. David Clark: If there is no cover-up or complacency about food contamination, will the Minister confirm that the application by the Monsanto drug company for a product licence for bovine somatotropin-produced milk has been rejected on safety grounds, not once, but twice by his own scientifically composed veterinary products committee?

Mr. Ryder: This question is about the contamination of food. The veterinary products committee has said that there is no evidence that milk from BST-treated cows is dangerous.

Mr. John Marshall: Will my hon. Friend confirm that the standard of hygiene in food factories in this country is second to none? Does he agree that it is high time for those who speak on this matter to show a sense of responsibility rather than to create hysteria?

Mr. Ryder: It is precisely because we are not complacent about this issue that the Government have been preparing a major food Bill since October 1987, when my hon. Friend the Parliamentary Secretary issued a press release on the matter. More than 500 organisations have been consulted about what should go into that new food Bill. The new food Bill will be set before Parliament as soon as is practicable. There is no doubt that there are no grounds for complacency, and the Government are showing that to be the case.

Farming Diversification

2. **Mr. Kennedy:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the knock-on effects of farming diversification on the sheep sector.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Donald Thompson): The aim of the farm diversification grant scheme is to encourage the creation of new businesses rather than the displacement of existing farming activities, so the answer is none.

Mr. Kennedy: Is the Minister aware that that answer will only confirm increasing worry, not least among hill and upland farmers, about the knock-on effect of diversification? As the Minister will appreciate, if more producers opt for sheep production, the increase in the number of sheep will lead to a corresponding decrease in the level of support. Therefore, will he make sure that any new sheepmeat regime will take account of the need for generous headage payments, not least in areas such as the north of Scotland, where agricultural activity is already stretched to the margins, if not beyond?

Mr. Thompson: It is important that when, in a few years' time, my right hon. Friend renegotiates the sheep meat regime, he takes careful note of those areas of Great Britain which have traditionally, and so well, bred sheep and improved the quality by 77 per cent. since 1980. I am sure that my right hon. Friend will do just that.

Mr. John Greenway: Does my hon. Friend agree that the fact that the Government are continuing to pay farmers in the less-favoured areas through the hill livestock compensatory allowance scheme is a major factor in supporting sheep farmers in the less-favoured areas? May we have an assurance that when the Government negotiate the new sheepmeat regime—unlike in the case of the beef regime which was announced recently—we shall have a regime which reflects the different requirements for sheep farming in northern Europe as opposed to southern Europe?

Mr. Thompson: We already have a scheme which reflects the differences in Great Britain compared with the rest of Europe, although that does not seem to please all farmers. We must, of course, do what we can to ensure that the high quality that exists in this branch of farming is not disadvantaged in the whole of Europe.

Sir Hector Monro: Does my hon. Friend agree that the higher up the hill we go the harder it becomes to diversify? Will he therefore give every encouragement possible to increasing the hill compensatory allowance, to the suckler cow subsidy and to maintaining the sheep premium? That is essential if we are to keep a viable rural economy.

Mr. Thompson: The very basis of the rural economy is a strong farming economy, especially in areas such as that which my hon. Friend represents.

Nitrate Pollution

3. **Mr. Pike:** To ask the Minister of Agriculture, Fisheries and Food what action he proposes to take to designate areas vulnerable to nitrate pollution following the European Community directive on nitrates in water.

The Minister of Agriculture, Fisheries and Food (Mr. John MacGregor): The European Community directive is only a proposal at this stage. It will have to be examined carefully and agreed by the Council of Ministers before the question of implementation, including the designation of vulnerable areas, arises.

Mr. Pike: I thank the Minister for that answer. Does he recognise the widespread and justifiable public concern that exists about the levels of nitrates in water? May we have an assurance that when the matter comes before the Council of Ministers, the British Government will not seek to undermine any proposals or seek derogation but will take a positive attitude to any steps to control nitrates?

Mr. MacGregor: As for the proposals which come within my sphere of agriculture, the hon. Gentleman will know that the Water Bill already provides for the National Rivers Authority to make proposals to the Secretary of State for the Environment who, after consultation with my Ministry and any necessary public inquiry, could make an order, subject to parliamentary approval, to introduce protection zones. We have already said that we would be prepared to do that if we cannot get voluntary agreements with farmers within those zones, and to take compulsory powers as a fallback. So already we are making it clear that we will take a series of actions to deal with the nitrates question. Of course, we must also take into account the progress of negotiations on the directive in the European Community.

Sir Anthony Grant: Is my right hon. Friend aware that there is almost as much nonsense being talked about nitrates in water as there is about food at the present time? Is he further aware that in areas where there is the lowest level of nitrates, such as north Wales, there is the highest level of stomach cancer, whereas in areas where there is the highest level of nitrates, such as East Anglia, stomach cancer is at the lowest level? The message should be "Come to East Anglia if you want to avoid getting stomach cancer." In any event, does my right hon. Friend agree that the excellent provisions of the Water Bill will improve the standard and quality of water and that the sooner it is on the statute book the better?

Mr. MacGregor: More and more people go to East Anglia for all kinds of reasons, perhaps even including the one mentioned by my hon. Friend—though we certainly do not want too many people going there. It is very often the case that the incidence of stomach cancer falls below average in areas with above-average levels of nitrate in the water supplies. Nevertheless, medical advice is that we should continue to keep nitrate levels below 50mg, to allow for a very good safety margin. That is what we seek to achieve. Where there are problems, we propose taking steps to deal with them.

Mr. Dalyell: From whom is the Department of Agriculture, Fisheries and Food getting its research advice about nitrates?

Mr. MacGregor: From a variety of sources, including Rothamsted—which shows that it is a very complex issue. The measures that we take contain a variety of ingredients, usually depending on local circumstances.

Egg Producers

4. **Mr. Adley:** To ask the Minister of Agriculture, Fisheries and Food how many individual applications he received for compensation from egg producers; and how many were accepted.

Mr. MacGregor: Of 48 applications confirmed by producers to cull hens under the slaughter of hens scheme, 44 were accepted. Under the egg industry scheme, initial applications were normally by telephone inquiry and were not logged, but a total of 1,434 applications were accepted as eligible. For both schemes, not all eligible applications were followed through.

Mr. Adley: I thank my right hon. Friend for that answer. Does he agree that, following the retraction of devastating and inaccurate remarks about egg producers, and contrary to the opinions expressed in some quarters, most of those affected were small egg farmers who had put a lifetime's effort into their businesses—and who, if the Government had not acted quickly, would have found their businesses destroyed? Will my hon. Friend accept my thanks, on behalf of my constituents, for the speed with which his Department acted?

Mr. MacGregor: I am most grateful to my hon. Friend. We must recall the exceptional circumstances in which we took action, when egg sales dropped by 30 per cent. in one week and by 50 per cent. in another. My hon. Friend is right to say that many of the country's 45,000 flocks are owned by very small producers with modest incomes. They faced a serious situation, and the scheme that we introduced was well designed and achieved its objective of restoring stability to the market in a thoroughly cost-effective way.

Mr. Tony Banks: I am very reassured to know that the Prime Minister is now in charge of the campaign about poisoning the nation—for which she certainly seems to be eminently well qualified. Is it not time for an independent food and health executive, so that the public will know that it is hearing the truth? Frankly, nobody really believes the Government any more. I fully expect to read in the newspapers soon that another Minister recommends that we start boiling our Easter eggs.

Mr. MacGregor: I have no idea what that has to do with the question on the Order Paper, which concerns individual applications for compensation to egg producers. However, I can tell the hon. Gentleman that we are dealing with complex matters. We make all the relevant information that is known to us available to the public, and we give advice whenever we think that that is necessary. It is important that, when comments are made, the public considers carefully what has been said. It is important also that advice is kept in perspective and does not get out of proportion.

Mr. Haselhurst: Is my right hon. Friend willing to consider compensation in cases where there is evidence that a farmer has suffered losses because of delays by departmental officials in handling samples that they have taken?

Mr. MacGregor: We have made clear what we are doing in respect of the compensation scheme, which was designed to put a floor in the market place. Payments made in response to applications went to egg packers, and in that way back to egg producers. I was not aware that applications were delayed. We certainly moved very speedily with the whole scheme.

Mr. Campbell-Savours: Will the Minister confirm that the compensation scheme is the subject of inquiries by the National Audit Office, which will report to the Public Accounts Committee? The Minister said that there has been no cover-up, but was there not a cover-up in respect of the names of the 21 protein processing plants that were responsible for the whole disaster? Why cannot the names of those 21 companies be given? If the Minister does not give that information to the House there will be a cover-up.

Mr. MacGregor: Not at all: there are perfectly good reasons for that and it has nothing to do with the egg compensation scheme. I am perfectly content for the egg compensation scheme to be thoroughly examined. The whole point and the key aspect of the scheme was the prices: 30p per dozen offered to take eggs off the market and the price set for culling young hens. In both cases the prices were low but they were there to give some stability and assistance to the market by lifting the prices from the rock bottom that they had reached. In both cases this objective was achieved. With spending of, it appears, just over £3 million on the two schemes, they have proved a very cost-effective measure.

Mr. Marland: Does my right hon. Friend agree with me that the totally unfounded remark by the hon. Member for Workington (Mr. Campbell-Savours) underlines the very scurrilous way in which the Opposition have been trying to flog this matter up? The general public is very concerned about infection in food. Does he agree with me that, for reasons of their own, the Opposition are seeking to create the maximum possible misunderstanding over the whole matter?

Mr. MacGregor: I agree with my hon. Friend. It is important that in all these matters we retain a sense of perspective. It is difficult always to get the information through directly to the public, but it is important for everyone to take a responsible attitude. Regarding the egg position, we have taken, over a period, some 17 measures to ensure that at the production end and right the way through the food chain everything possible is done to deal with the salmonella risk that we face. Indeed, ours are among the most comprehensive measures taken by any country in the world.

Dr. David Clark: Does the Minister accept that the only long-term solution to the problem of salmonella in eggs is the elimination of salmonella enteritidis from the poultry flock? Why will he not institute a phased inspection of the whole of the 45,000-strong poultry flock in this country, culling where necessary, instead of carrying out his half-hearted scheme, which he admitted in Monday's papers will apply to only four flocks?

Mr. MacGregor: The hon. Gentleman has got it entirely wrong; let me take him through it. First, it is not possible to find, and no country in the world has yet found, a way to eradicate salmonella. Salmonella is in the environment; it is carried by wild birds and rodents, and this includes salmonella enteritidis. We are taking every possible step to minimise the risk of salmonella, but it would be irresponsible to claim that we can eradicate it.

Secondly, we are introducing, as one of the 17 measures, a requirement for bacteriological monitoring. It is also necessary for producers and their vets who find traces of salmonella to report it to the Ministry under the zoonoses order. From those sources we are getting a clearer and more accurate picture of the exact state of infection.

Regarding the four flocks, the hon. Gentleman really must get this properly in context. These are the four flocks on which we currently have restriction notices as a result of monitoring and reporting. I have no doubt that there will be more, but four flocks out of 45,000 helps to put in perspective the extent of salmonella.

Rabbits and Game

5. **Mr. Colvin:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the draft proposal for a Council regulation (EEC) on animal health and public health problems affecting production and distribution in the territory of the Community, and importation from Third world countries of rabbit meat and game meat.

Mr. Donald Thompson: In its present form the draft proposal which the Commission is developing would require game meat to be inspected and processed under veterinary supervision in premises meeting the requirements for slaughterhouses engaged in intra-Community trade. There would be some provision for member states to permit exceptions for personal sales by the producers or sportsmen and for local trade in small quantities of small wild game.

Mr. Colvin: Next time that my hon. Friend is in Brussels, will he ask our Commissioners if they can stop dotty directives such as this one ever being drafted? Will he acknowledge that, if guidelines for game meat production are to be introduced, they should be based on traditional national practices and not subject to European harmonisation?

Mr. Thompson: I will have a word with our Commissioners and people in Brussels along the lines that my hon. Friend suggests, as I have done very time I have been to Brussels. We have achieved some important improvements in the draft directive, but I still see difficulties where it attempts to apply rules similar to those applied in the slaughterhouse, in various different circumstances, to game that is shot and dealt with by the traditional methods.

Mr. Home Robertson: What is the Minister doing to ensure that Britain is not opened up to serious animal diseases, including rabies, as a result of the internal European market from 1992? I hope that the Minister is

aware that the European Commission is seriously considering proposals to remove all national frontier controls and replace them with feeble, discretionary and voluntary controls for a group of diseases that specifically includes rabies. The Ministry of Agriculture's reputation for food and health protection in Britain is wearing a bit thin just now, so is it too much to hope that it will make a stand to protect Britain's shores against the introduction of rabies?

Mr. Thompson: I have seen the hon. Gentleman's written question this morning, which refers to a document that is about six months old. That is about the speed at which the Opposition keep up with these matters. The hon. Gentleman will get a full written reply. That document was circulated to all European countries suggesting a three-band scheme, which was initially our idea and which includes various diseases. We are determined that rabies will be in the first band of that scheme, and we intend to keep up all possible precautions to keep this country rabies-free.

Mr. Bill Walker: Is my hon. Friend aware that the proposals from Brussels are causing great concern in the Highlands of Scotland, where game is an essential part of the economy? Account must be taken of the fact that the traditional methods that have been in use in Scotland for centuries and have proved their worth should be continued. May I suggest that my hon. Friend, or anyone else who is looking for assistance and advice, will find no shortage of that in the other place?

Mr. Thompson: Yes, my hon. Friend is correct. I have already consulted his friends and our friends in the other place about the directive. We are concerned that our traditional methods of looking after game and of hunting game should be preserved. We are doing all that we can in Europe generally, as well as in the Parliament, to preserve our existing methods.

Mr. Cryer: Will the Minister assure the House that at no stage will the Government accept a rabies-free policy that is based on certificates of origin from exporting countries of the EEC which, as the Minister knows, the EEC has proposed? Will he assure the House that we will retain the right of control and inspection at our frontiers, whatever Delors and his cronies try to impose on us by 1992?

Mr. Thompson: I shall not chase the hare of Delors and the Opposition now. We are determined that our animal health status remains the highest in Europe, as it is now, including rabies control.

Countryside Commission

6. **Mr. Riddick:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Countryside Commission; and what matters were discussed.

Mr. MacGregor: The Parliamentary Secretary, my hon. Friend the Member for Mid-Norfolk (Mr. Ryder) met the chairman of the Countryside Commission on 7 November when he discussed many issues of concern to the countryside. I frequently meet the chairman of the Countryside Commission, and I am always ready to discuss matters of mutual concern with him.

Mr. Riddick: Did my right hon. Friend discuss the environmentally sensitive areas scheme with the chairman and can he confirm that the Government are still committed to it and would be prepared to extend it to take in the village of Marsden in my constituency? The local residents have a major problem with sheep wandering into their gardens and homes. The scheme would give incentives farmers to take some of their sheep off the moors during the winter. Can my right hon. Friend make some hopeful noises on this matter?

Mr. MacGregor: My hon. Friend discussed the highly successful environmentally sensitive area scheme with the chairman of the Countryside Commission when he met him, although I do not believe that he considered the village to which my hon. Friend refers. We have moved very fast in creating ESAs in a considerable part of the most attractive areas of the country, and we must await the review before we decide whether to extend them further; and if so, how and to where.

Mr. Knapman: When my hon. Friend met the chairman of the Countryside Commission, did he discuss the farm woodland scheme, and can my right hon. Friend say what progress has been made on that?

Mr. MacGregor: Yes, he did and that, too, had a warm welcome. I am glad to tell my hon. Friend that in the first four months of the scheme up to January this year nearly 4,600 hectares have been included. That covers about 7 million trees to be planted after only four months' operation of the scheme, which shows that it has got off to a most encouraging start. Moreover, I am sure that the House will be pleased to know that it looks as though broadleaves will comprise about 75 per cent. of that 7 million.

Green Alliance

7. **Mr. Summerson:** To ask the Minister of Agriculture, Fisheries and Food when he last met the Green Alliance; and what matters were discussed.

Mr. Ryder: I met leading representatives of the Green Alliance on 9 November 1988 and had a useful exchange of ideas on a wide variety of environmental questions. Subsequently, I invited Mr. Tom Burke, the director of the Green Alliance, to talk to a group of my constituents in Norfolk on 27 January 1989.

Mr. Summerson: When my hon. Friend next meets the Green Alliance, will he make sure that he mentions the new farm and conservation grant scheme, which is something to which I react with the greatest enthusiasm, and then tell the House of the enthusiasm with which the Green Alliance reacts to it?

Mr. Ryder: When I met the leading representatives of the Green Alliance on 9 November 1988 my right hon. Friend had not announced the new scheme. However, the next time that I meet the Green Alliance I shall certainly raise that matter and explain that we had a useful debate in the House early yesterday morning when the Opposition supported that new scheme brought before the House by a Conservative Government.

Mr. Skinner: Did the Minister mention to the Green Alliance that now that the Prime Minister has adopted the environment strategy, she has promised to get aboard

Greenpeace in a green anorak and sandals, and eating rice, but that while she may want to convey that impression, many Opposition Members will not buy that image?

Mr. Ryder: I find that so-called question of no interest at all.

Mr. Alexander: Was my hon. Friend able to elicit from his meeting the fact that the interests of the producers can easily be reconciled with those of the environmentalists?

Mr. Ryder: I discussed that with the Green Alliance on 9 November and subsequently with its director in January. It recognises, as do the Government, that those two interests are working closely together.

Dr. Godman: When the Minister met members of the Green Alliance, did they raise with him the issue of radioactive hot spots recently revealed in Cumbria and Scotland by aerial surveys conducted by his Ministry and scientists from the radiation centre at East Kilbride in Scotland? Surely, the time has now arrived for the Minister, along with the Secretaries of State for Scotland and for Northern Ireland, to commission a full aerial survey of radioactivity levels throughout the United Kingdom.

Mr. Ryder: I did not discuss that matter with the Green Alliance. It does not share the Opposition's view about the conspiracy theory of history. However, I can assure the hon. Gentleman that there is no question but that all the material that we have on that matter is published and that all safety margins are properly explained to the public.

Farming Diversification

8. **Mr. David Nicholson:** To ask the Minister of Agriculture, Fisheries and Food what he is doing to help farmers address the planning implications of diversification projects.

Mr. MacGregor: Last month we published a guide written especially for farmers, entitled "Planning Permission and the Farmer". This was prepared jointly by my Ministry, the Department of the Environment and the Welsh Office. This guide explains how the planning system works; describes how to find out whether or not a project is likely to need planning permission; and gives advice on how to present a case to planning authorities. I hope that it will be helpful to farmers.

Mr. Nicholson: I thank my right hon. Friend for that reply. Does he agree that farmers seeking to establish farm shops and other businesses would benefit if clearer and more consistent guidance were available to planning authorities?

What advice does my right hon. Friend have for Mr. Tom Morris of East Lydeard farm in my constituency, who has established a cricket pitch and a pick-your-own-strawberries patch on his land—which will benefit families visiting the farm—but who is now facing difficulty from the county surveyor over signposting his new business?

Mr. MacGregor: I assure my hon. Friend that I am well aware that planning issues are becoming a major concern in connection with farm diversification. That is why I, my hon. Friends and my right hon. Friend the Secretary of State for the Environment have not only given guidance to planning authorities to take into account the new situation in agriculture and the need to diversify, but are going round the country urging them to do so.

I recommend the guide to farmers—especially Mr. Morris—because I believe that they will find that it contains a great deal of helpful advice about how to deal with the planning system, very often for the first time. With regard to the signposting, I would ask my hon. Friend to draw Mr. Morris's attention to annex D of this document.

Mr. Boswell: Is my right hon. Friend aware that the attitudes of planning authorities vary in different parts of the country? Will he and his colleagues do their best to ensure that those who are now acting as nimbys join the others that take a more positive attitude to rural diversification and similar developments?

Mr. MacGregor: I agree with my hon. Friend and I would wish to do so. It is fair to say, however, that many planning authorities are taking a much more constructive approach than they perhaps did in the past. They recognise that—wherever the planning and environmental considerations can be met—it is highly desirable that diversification takes place in the interests of rural employment and prosperity.

EC Food (Distribution)

9. **Mr. Allen:** To ask the Minister of Agriculture, Fisheries and Food if he will re-examine the arrangements for distribution of surplus European Economic Community food to pensioners and others.

Mr. Ryder: The current scheme for the distribution of surplus European Economic Community food was introduced in 1988 and is to be reviewed after two years' operation. Charitable and non-profit-making organisations were invited to participate on this basis, and they will be consulted shortly about detailed arrangements for the 1989 distribution.

Mr. Allen: Is the Minister aware of the antagonism among those pensioners who are not entitled to receive any of the surplus butter, beef or whatever? Will he ensure that any future scheme is far fairer to all pensioners so that that sort of local problem does not arise? After all, £112 million was spent on surplus food in the redistribution. Will the hon. Gentleman ensure that either there is no problem, because there is no redistribution, or, if there must be redistribution, it is carried out fairly?

Mr. Ryder: About 6 million people are entitled to receive the food under this scheme and they fall mainly into three categories. They are those receiving family credit or income support, those of no fixed abode, and those living in welfare hostels. Many pensioners already fall into those three categories.

Mr. Kilfedder: Is the Minister aware that a vast number of deserving and needy pensioners in my constituency were denied the opportunity to benefit from the surplus EEC food because of the nonsensical distribution arrangements? I am sure that the Minister will ensure that this year's arrangements are fair and that pensioners will get a fair deal.

Mr. Ryder: I have already explained to the hon. Member for Nottingham, North (Mr. Allen) that many

pensioners already fall into the three categories which I mentioned. In all, 6 million people are entitled to receive the food, many of whom are pensioners.

Mr. McGrady: Will the Minister take into account the fact that the distribution of surplus EEC foodstuffs in Nothern Ireland was a complete disaster? Will the Minister investigate the allegations that certain bodies—even those with political connotations—were selling that food to people who were not within the categories which the Minister mentioned?

Mr. Ryder: If the hon. Gentleman has any evidence about the abuse of this system, I hope that he will present it to Ministers as soon as possible.

Women's Farming Union

10. **Mr. Ian Bruce:** To ask the Minister of Agriculture, Fisheries and Food when he last met the president of the Women's Farming Union; and what matters they discussed.

Mr. Donald Thompson: My right hon. Friend met the chairman of the Women's Farming Union most recently at its annual general meeting on 23 November 1988, and a range of issues were discussed, including the impact of the single European market.

Mr. Bruce: I thank my hon. Friend for his reply. In his discussions, did my right hon. Friend the Minister recognise the excellent role played by the Women's Farming Union in helping to diversify farmers' products and in particular introducing regional marketing for regional products and developing speciality food? Will my right hon. Friend the Minister be developing those points with the Women's Farming Union?

Mr. Thompson: I have considered that, and my right hon. Friend the Minister has also discussed the matter with the Women's Farming Union. We congratulate the union on the Fresh Taste of Britain competition which will be a schools competition and will be directed at young consumers now and in the future. That initiative will operate alongside Food from Britain.

PRIME MINISTER

Engagements

Q1. **Mr. Dunn:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today, including one with the President of Bangladesh.

Mr. Dunn: Is my right hon. Friend aware of the total hostility and opposition of the people of Dartford to British Rail's proposal to build a high speed rail link through north-west Kent concentrating in particular on routes 1 and 2? In case Parliament should give British Rail its private Bill, will my right hon. Friend take the opportunity today to reaffirm the pledges already given by Transport Ministers that the Bill will have significant environmental protection and generous compensation for the people who will be affected by the route?

The Prime Minister: I am very well aware that people in Kent are deeply concerned to know what proposal will come forward about extra rail capacity. There is general agreement that there must be increased rail capacity for the people of Kent. Both British Rail and the Government are well aware that a single firm proposal must be brought forward soon. I hope that that will ease the position. I agree that the proposal must take full account of environmental factors and be accompanied by an announcement of proper compensation arrangements.

Mr. Kinnock: Will the Prime Minister tell us how her plans to reach zero inflation are getting along?

The Prime Minister: They are proceeding—*[Interruption.]*

Mr. Speaker: Order. The Prime Minister has only managed one sentence.

The Prime Minister: —by methods which the right hon. Gentleman opposes. I note that the best performance of the Labour Government was 7·4 per cent. inflation, which was a low level according to their standards, which they reached for only one month. That must be compared with our best performance so far of 2·4 per cent. We have already had inflation at 3 per cent. or below for six months. The chances of our getting down to zero are good.

Mr. Kinnock: The Prime Minister knows that under this Government there has been no oil price hike, no major rise in commodity prices—*[Interruption.]* So can the Prime Minister tell us why it is that under her Government the rate of inflation is now higher and rising faster in Britain than in any comparable industrialised country?

The Prime Minister: Under this Government there is no incomes and prices policy to keep incomes down and put prices up, as happened under the Labour Government. There have been far fewer strikes, a far better standard of living, far better manufacturing output and far better profitability—better all round.

Mr. Lawrence: Is my right hon. Friend aware of the blistering attack yesterday by the Lord Chief Justice of England on the Government's Green Papers for law reform? Is she further aware that the result of those Green Papers will be the virtual abolition of the independent Bar, which will drive up legal costs—*[Interruption.]* The Green Papers will restrict the availability of lawyers, particularly in country areas, and will reduce the quality of services. Is my right hon. Friend further aware that those recommendations are directly contrary to the proposals of the Benson Royal Commission in 1979, which the Government accepted in 1983—

Mr. Speaker: Order. Will the hon. and learned Gentleman make it brief?

Mr. Lawrence: What has happened to cause the Government to stand on their head? *[Interruption.]*

The Prime Minister: I think that I heard half that question. I must point out to my hon. and learned Friend that any proposal, or set of proposals, put forward by our most distinguished Lord Chancellor is worthy of serious consideration and merits serious debate. I know that my

hon. and learned Friend has strong views, and I think that strong views will also be expressed by those who oppose his point of view when we debate this very important subject.

Q2. **Mr. Leighton:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Leighton: How many Cabinet Ministers has the right hon. Lady sacked since she became Prime Minister? Was there any pattern in their behaviour that might enable us to forecast who will be next?

The Prime Minister: Really. How very ungentlemanly of the hon. Gentleman. Cabinet Ministers resign from time to time.

Q3. **Mr. John Marshall:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Marshall: Does my right hon. Friend agree that to suggest that we should maintain the independent deterrent, but then to say that there are no circumstances in which it would be used, undermines its credibility? Does she agree that the authors of the proposal are interested not in the peace of the world but in creating an uneasy peace within their own party?

The Prime Minister: Yes, I agree fully with my hon. Friend. Any such suggestion betrays a total lack of understanding of nuclear deterrence, which has been the basis of NATO strategy and has kept the peace for 40 years. The proposal betrays a fundamental weakness in defence policy. This Government will maintain our defences to ensure that the defence of freedom is strong.

Q4. **Mr. Tony Banks:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Banks: May I congratulate the Prime Minister on the excellent news that she is soon to become a grandmother?

Dame Peggy Fenner: That is more than the hon. Gentleman will ever manage.

Mr. Banks: Everything is possible in this life. When her hard-working son once more graces these shores with a shiny new——

Mr. Speaker: Order. These are not matters for the Prime Minister.

Mr. Banks: Her son must be a matter for the Prime Minister.

Mr. Speaker: The hon. Gentleman must ask a parliamentary and not a family question.

Mr. Banks: When her son returns to these shores——

Mr. Speaker: Order. Questions to the Prime Minister must relate to her parliamentary responsibilities.

Q5. **Mr. Churchill:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Churchill: Now that the last Soviet soldier has left Afghanistan, will my right hon. Friend pay tribute to the courage and sacrifice of the Afghan people over more than nine years of occupation? Will she also express our appreciation to Pesident Gorbachev for the new-found realism in Soviet foreign policy? Does that not make possible the opening of a new and more productive chapter in the relationship between our two countries?

The Prime Minister: yes, I agree with my hon. Friend that it has been the superb courage and determination of the resistance which have meant that the occupying forces have now left Afghanistan. That is good for Afghanistan and good news for the world as a whole. We should also pay tribute to the role of Pakistan in receiving many refugees over the years and in looking after them so unselfishly. I shall certainly convey our appreciation to Mr. Gorbachev, when he comes in April. This is a new chapter and indicates a new realism. We hope that it can be used also to solve other regional problems.

Dr. Owen: As less than half of Conservative voters think that the National Health Service is safe in the hands of this Government and one third of them think that it is unsafe, is it not time that the Government withdrew the proposals to commercialise the Health Service, to introduce an open, not an internal, market and to create a two-tier Health Service?

The Prime Minister: The right hon. Gentleman knows full well that there are no proposals to privatise the National Health Service; nor could there be any such proposals because one does not pay for the service at the point of use; nor should one. The National Health Service is a great deal safer in the hands of a Conservative Government than it ever was in the right hon. Gentleman's hands when he was Minister of State for Health and than it ever was in Labour hands, when they spent only a fraction on the Health Service of what the British taxpayer is spending now.

Q6. **Mr. Couchman:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Couchman: Can my right hon. Friend confirm that when she met the Israeli Foreign Minister, Mr. Arens, she made it clear that there can be no peaceful settlement to the middle eastern conflict without acceptance of the principle of territory for peace?

The Prime Minister: Yes, we had a very fruitful discussion yesterday with the Israeli Foreign Minister and we made it absolutely clear that when the Arab world is negotiating, it will be territory in return for peace. That is, of course, the basis of United Nations resolution 242, which Israel accepts.

Mr. Ashley: I welcome the Prime Minister's condemnation of the sale of kidneys, but can she tell the House which she finds more abhorrent—the sale of those organs or the

debt and poverty that induce people to sell them? Now that the British people have begun to sell organs, can the Prime Minister tell the House what she feels about the fact that more than 3 million people in Britain are in debt and more than 6 million people are living in poverty—as I hope she acknowledges? That record is the shameful and shabby result of her policies.

The Prime Minister: I made my views known on the sale of kidneys. I think that it is utterly abhorrent and even though people are poor, it does no mean that they should forfeit all the respect to which they are entitled. The right hon. Gentleman referred to poverty. Poverty, on his definition, is constantly upgraded, as far as income is concerned. In fact, there are fewer pensioners now in the bottom one fifth of income than there were under the Government that he supported.

Q7. **Mr. John Greenway:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Greenway: Does my right hon. Friend agree that today's confirmation that unemployment has fallen below 2 million is a significant landmark in the Government's campaign to create more jobs? Is it not also significant that unemployment is falling throughout the country and that the number of job vacancies, including in the north of England, is rising?

The Prime Minister: Yes. Today's news that unemployment has fallen—seasonally adjusted—to below 2 million was very good news. Not only has unemployment fallen, but there are now more people in employment in this country than at any time ever, and that, too, is excellent news. There has been a particularly good record since the last election. During the last election campaign the Labour party promised that it would create 1 million jobs in two years. They would have done that by methods that would have undermined the economy, whereas we have created very nearly 1 million new jobs in under two years by methods which have reinforced our prosperity.

Q8. **Mr. Nellist:** To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: I refer my hon. Friend—*[Interruption.]*—or the hon. Gentleman or hon. Lady, whichever it is, to the answer that I gave some moments ago.

Mr. Nellist: During the Prime Minister's discussions with the Israeli Foreign Minister Moshe Ahrens, has she raised with him the fact that in four days last month in the occupied territories eight children, one as young as 11, were killed by rubber or plastic-coated steel bullets—some shot at close range in the head or chest? How are the Government of Israel to be censured, other than by sharp, economic direct action—if not by the Government, by the workers of this country?

The Prime Minister: We have made our views about some of the events in the West Bank very clear to Israel. The hon. Gentleman points out—it underlies his remarks—that there is a need to get negotiations going and that they need to be properly prepared on the basis of United Nations resolution 242, which deals with territory for peace. I firmly believe that the overwhelming majority of people in Israel seek a maintained peace with security behind their own border. That is also the purpose and wish of the Arabs in the region.

Mr. Tony Banks: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I shall take points of order after business questions.

Business of the House

3.30 pm

Mr. Frank Dobson (Holborn and St. Pancras): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): Yes, Sir. The business for next week will be as follows:

MONDAY 20 FEBRUARY—Remaining stages of the Transport (Scotland) Bill.

TUESDAY 21 FEBRUARY—Opposition Day (5th Allotted Day). There will be a debate on an Opposition motion entitled "The Government's failure to give proper care to the safety of food and water".

Motion on the Rate Limitation (Councils in England) (Prescribed Maximum) (Rates) Order.

WEDNESDAY 22 FEBRUARY—Remaining stages of the Official Secrets Bill.

Motion on the London Regional Transport (Levy) Order.

THURSDAY 23 FEBRUARY—Debate on a motion to take note of the White Paper on developments in the European Community January to June 1988 (Cm. 467).

Motion to take note of EC documents relating to the prevention and reduction of air pollution from municipal waste incineration plants. Details will be given in the *Official Report*.

FRIDAY 24 FEBRUARY—Private Members' Bills.

MONDAY 27 FEBRUARY—Debate on a motion to take note of proposals for agricultural prices for 1989-90 and related issues. Details of the EC documents concerned and of those relevant to the debate will be given in the *Official Report*.

[Thursday 23 February

Relevant European Community Document:

5142/88	*Air pollution—municipal waste incineration plants*

Relevant Report of European Legislation Committee:
HC 43-xxiv (1987-88), para 1

Monday 27 February

(a) COM(89)40	*Agricultural price proposals 1989-90*
(b) 8960/88	*Review of the sheepmeat and goatmeat regime*
(c) 10083/88	*New Zealand lamb*
(d) 9629/88	*Cereals: incorporation in animal feeding-stuffs*
(e) 8502/88	*Court of Auditors' Special Report: Management and control of public storage*
(f) 8951/88	*Pigmeat market*
(g) 9658/88	*Cereals: co-responsibility levy*
(h) 9275/88	*Aid for agricultural conversion*

Relevant Reports of European Legislation Committee:
(a) HC 15-xi (1988-89), para 3
(b) HC 15-ii (1988-89), para 3
(c) HC 15-v (1988-89), para 1
(d) HC 15-v (1988-89), para 3
(e) HC 15-i (1988-89), para 3
(f) HC 15-i (1988-89), para 13
(g) HC 15-v (1988-89), para 8
(h) HC 15-v (1988-89), para 7.]

Mr. Dobson: I thank the Leader of the House for his statement.

Over the past few days, the Prime Minister's publicity machine has briefed the news media to the effect that she is most concerned about her Government's failure to get their act together to improve the safety of everyday foods. For instance, we learn that she is so unsatisfied with what the various Ministers are doing that she has set up a special Cabinet Committee, under her chairmanship, to try to sort things out. As the subject is so important, why is it that the right hon. Lady does not intend to be here to reply to the debate on the topic next Tuesday? Perhaps she has some more pressing engagement on that day. If so, will the Leader of the House bear in mind the fact that we would be quite willing to shift the Opposition day to a day convenient to the Prime Minister so that she can answer to the House on this important topic?

While on the subject of answering on important topics, I remind the Leader of the House that the Chancellor of the Exchequer leaked the likely inflation rate in a speech at the weekend and will be publishing it formally tomorrow. Could he split the difference and make a statement to the House today, giving the facts?

When may we expect the debate on student loans which the right hon. Gentleman promised in January? When can we expect the promised debate on the Fennell report on the King's Cross fire? Can he confirm that the debate on housing that was postponed because of the debate on the by-election writs will take place shortly? Can he confirm also that we shall shortly have an opportunity to debate the Joint Committee's report on the future of private Bill procedure? Finally, can he tell us what stage has been reached in drafting legislation to outlaw the buying and selling of kidneys in private hospitals?

Mr. Wakeham: The hon. Gentleman asked seven questions about the business for next week. The first concerned Tuesday's debate on the Opposition motion on food and water. On the Government side, the debate will be handled by the Secretary of State for Health and the Minister of Agriculture, Fisheries and Food, who are more than competent to deal with any matters that the Opposition may seek to raise.

My right hon. Friend the Chancellor will not be making a statement. The official retail prices index figures will be issued in the normal way.

On the question of student loans, I recognise the need for a debate, but I am not in a position to announce when it will take place. I cannot give the hon. Gentleman details.

I have already told the hon. Member the degree of importance we attach to the Fennell report. I agree that it would be appropriate to have a debate, but it would be best to leave the precise timing for discussion through the usual channels.

I recognise that the House missed an opportunity for a debate on housing. This is an important subject, and the Government have a very good story to tell. I note the hon. Gentleman's request, and I will certainly arrange for further discussions through the usual channels.

With regard to the Joint Select Committee on Private Bill Procedure, I recognise that there is keen interest in having a debate on its report. This is a major report, and we are currently studying the recommendations in detail. I cannot tell the hon. Gentleman precisely when the debate will take place, but it will not be long delayed.

On the question of kidneys, I have nothing to add to what I have said previously. The matter is being considered by the Government, and I will arrange for an announcement to be made as soon as possible.

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): The Leader of the House will be aware that hon. Members were lobbied earlier this week by relatives of those killed in the Piper Alpha disaster. Although there cannot be a debate next week, will the Leader of the House ensure that a statement is made from the Dispatch Box justifying the mean and callous decision to leave the wreckage on the seabed?

Mr. Wakeham: I recognise the concern about this matter. Yesterday my right hon. Friends the Secretary of State for Energy and the Minister of State for Energy met representatives of the bereaved and survivors to hear their concerns personally, and I do not think that I can add anything at this stage.

Mr. Jonathan Sayeed (Bristol, East): My right hon. Friend's announcement about next Thursday's business is most welcome, but is he satisfied that that there is adequate scrutiny of European Commission proposals? Does he agree that the Government's negotiating position would be greatly strengthened if this House were regularly able to debate those proposals before the Government arrived at their final negotiating position?

Mr. Wakeham: I recognise that on the scrutiny, in this House of European documents, things are not as good as they should be. That is not necessarily totally the fault of our procedures. There have been difficulties in bringing matters forward at the right time. I have had discussions with the Chairman and members of the Select Committee on European Legislation—it was a very helpful meeting —and I am having meetings with other Members of the House. I hope that, by consideration of these things, we shall be able to improve the situation for the future. However, I recognise the force of the hon. Gentleman's concern.

Mr. Chris Smith (Islington, South and Finsbury): The Leader of the House will be aware of the deep concern of millions of people about the personal safety of my constituent, Mr. Salman Rushdie, and their horror at the threats that have been made on his life and the lives of others. Will the Leader of the House find time for a statement to be made so that we may be assured that everything possible is being done to secure Mr. Rushdie's safety and that we may know what approaches are being made to the leaders of Iran to lift the shadow that hangs over Mr. Rushdie? The Government should state clearly that the freedom to write and the freedom to speak peacefully must be upheld in a democratic society.

Mr. Wakeham: The Government believe that the declaration is totally unacceptable and we have sought urgent clarification from the Iranian authorities. Mr. Rushdie has been given personal protection. The police also have taken steps to protect the premises of the publishers and to advise members of the company on their own security. I recognise the strong feelings, but I am not convinced that ventilating them in a debate or through a statement next week would be the best way of proceeding. I shall certainly refer the hon. Gentleman's concern to my right hon. and learned Friend the Foreign Secretary.

Mr. Richard Holt (Langbaurgh): I am sure that my right hon. Friend recognised at the time the injustice which might be caused because of the insolvency legislation whereby criminals like Mr. Justin Frewin, who has swindled thousands of people, can be discharged from bankruptcy. Will my right hon. Friend find a small amount of parliamentary time to enable the loophole to be closed so that those who defraud others of trust money which cannot be touched until the bankruptcy is cleared cannot do that in perpetuity?

Mr. Wakeham: I do not have before me the facts of the case to which my hon. Friend has referred, but I recognise his concern. I will discuss the matter with my right hon. Friend the Secretary of State for Trade and Industry and perhaps write to my hon. Friend.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will the Leader of the House read early-day motion 271 which calls for a code of conduct for private hospitals?

[That this House, noting the Government's insistence on using private hospitals for National Health Service patients, calls for the immediate imposition of a system of medical audit on all private hospitals; further demands that the twice-yearly inspections of such hospitals should be recorded centrally by the Department of Health, with copies of any adverse comments; perticularly insists that any failure to comply with the full statutory obligations should merit immediate action by the Secretary of State; and, until such time as an effective regulatory Code of Conduct is in place, calls upon the Secretary of State for Health to desist from allowing National Health Service patients to be treated outside the National Health Service.]

A code of conduct is necessary in view of some of the recent incidents involving the sale of organs. Will the Leader of the House arrange for the Ministry to make a statement in the House about how he intends to ensure that National Health Service patients who are put into private institutions, whether or not they want that, will be protected by a reasonable standard of medical care?

Mr. Wakeham: I believe that the vast majority of private hospitals conduct themselves properly and efficiently. The present concerns are being considered urgently by my right hon. Friend the Secretary of State for Health. It is known that the Government are considering how best to proceed. When they have made the decision, that will be the time to consider whether a statement is appropriate.

Mr. Nicholas Baker (Dorset, North): The Government published in January a White Paper on the future of development plans. Unfortunately, we lost the opportunity to debate it earlier this week. Given that the Government intend to legislate on the matter later this year, will my right hon. Friend find time at an early date for a debate on this important subject?

Mr. Wakeham: I recognise my hon. Friend's concern. I shall see what I can do, but I cannot make a firm promise.

Mr. Michael Foot (Blaenau Gwent): If, as appears from the right hon. Gentleman's statement a few moments ago, the Prime Minister is refusing to speak in the debate next Tuesday, can he tell us who in the Government is responsible for co-ordinating the policies of the Ministry of Agriculture, Fisheries and Food and the Department of Health?

Mr. Wakeham: Basically the same system of Cabinet government operates under this Government as operated under the Government of which the right hon. Gentleman was a distinguished member, although I suspect that it operates better now than it did in his time. The debate on the subject put down by the Opposition will be answered appropriately by my right hon. Friends the Secretary of State for Health and the Minister of Agriculture, Fisheries and Food. No doubt it will be a good and interesting debate.

Mr. Nicholas Bennett (Pembroke): Is my right hon. Friend aware that some 40 residents of Caldy Island in Pembrokeshire have discovered that they are not eligible to vote in parliamentary or European elections due to a confusion caused by the Home Office and the Welsh Office, and that primary legislation in the form of an Act will be required to restore their right to vote? Will my right hon. Friend assure me that my constituents will get their vote back in time for the European elections in June?

Mr. Wakeham: I am certainly aware of the matter because I have a letter on my desk from my hon. Friend and I am busy finding the appropriate answer to give him. I refer him and the House to the reply given by my hon. Friend the Minister of State, Home Office. At this stage I can add nothing more to that, but I know that my hon. Friend wants me to look again at the matter, and I promise him that I shall do so.

Rev. Martin Smyth (Belfast, South): Will the Leader of the House accept my plea in support of the question of the right hon. Member for Tweeddale, Etterick and Lauderdale (Mr. Steel) requesting a statement in the House so that we can discuss some of the issues affecting the relatives of those involved in the tragic Piper Alpha disaster? Is the right hon. Gentleman aware of the speculation in the press, particularly today, about the announcement in London next week of an inter-parliamentary body that has been identified with the Scottish and Welsh Grand Committees? Have I missed something? Do those committees contain representatives of foreign Parliaments? How does he think that such a body can deal with the future of Northern Ireland when that depends on the will of the people of Northern Ireland?

Mr. Wakeham: The hon. Gentleman asks his questions with an innocence which is somewhat uncharacteristic. I think he knows perfectly well that discussions are taking place, but the speculations in the press are rather wide of those discussions which aim to discover whether there are ways of achieving some degree of co-operation and discussion among parliamentarians, but it would not be anything in the nature of a Select Committee or a Grand Committee of the House.

Mr. Patrick McLoughlin (Derbyshire, West): Will my right hon. Friend find time for a debate on the details surrounding Derbyshire's appointment of Mr. Reg Race as its chief executive, his removal from office within nine months and the lack of information being given to elected members of the severance pay awarded to Mr. Race?

Mr. Wakeham: That sounds like a fascinating subject, and I wish that I could find the opportunity for such a debate in the near future. Perhaps my hon. Friend would like to try his luck in an Adjournment debate on the subject.

Mr. Jack Ashley (Stoke-on-Trent, South): Will the Leader of the House give us his views on the prospects for a debate on an issue affecting democratic debate in the House? Should a Member of the House, paid by outside interests, be allowed to block a Bill which was designed to help people with a disability because that Bill was unwelcome to the people outside the House who pay him? Is it right and proper that that should be allowed?

Mr. Wakeham: If the right hon. Gentleman does not believe that the procedures of the House are right, his best course of action is to refer the matter to the Select Committee on Procedure or the Select Committee on Members' Interests. He should express his concerns to them rather than to me.

Sir Anthony Grant (Cambridgeshire, South-West): Has my right hon. Friend noted that early-day motion 250 still lies on the Table, that it has now been signed by 209 hon. Members on both sides of the House, but that, despite meetings with Ministers, the matter remains unsatisfactory and unresolved?

[That this House notes the recommendation of the Trade and Industry Committee that petrol prices should continue to be displayed in gallon and well as litre term on boards visible from the roadside; notes that the Price Marking (Petrol) (Amendment) Order 1988 will remove this requirement with effect from 23rd January; and calls for a debate on the Order.]

In those circumstances, would it not be a good idea to have a debate?

Mr. Wakeham: I said to my hon. Friend two or three weeks ago and to my hon. Friend the Member for Hastings and Rye (Mr. Warren) that my hon. Friend the Member for Hastings and Rye, as Chairman of the Trade and Industry Select Committee, had a useful meeting with my right hon. Friend the Chancellor of the Duchy of Lancaster on this matter. My right hon. Friend was considering the points that my hon. Friend the Member for Hastings and Rye put to him. That is as far as I can take the matter at the moment, but I recognise my hon. Friend's concern.

Mr. Doug Hoyle (Warrington, North): Has the Leader of the House had an opportunity to see early-day motion 416, signed by 116 hon. Members?

[That this House condemns the dumping of hospital incinerator waste, containing refuse from patients suffering from Hepatitis 'B', AIDS, toxic drugs, amputated limbs and radioactive isotopes at a landfilled site Rixton, Warrington, instead of transporting this to a licensed incinerator; and calls upon the Government to urgently introduce tougher legislation to stop pirates making a quick buck at the expense of the health and safety of the people of Rixton.]

Does the right hon. Gentleman understand that it is only the tip of the iceberg, as there is a shortage of incinerators? Will he make time for a debate? The health and safety of people not only in Rixton but in other parts of the country are being put at risk by people who want to make a quick buck and are cowboys in the waste disposal industry.

Mr. Wakeham: The deposit of hospital waste at the site in Cheshire appears to have been in contravention of Colliers Industrial Waste Ltd's disposal licence, and Cheshire county council has instigated legal proceedings. Proposed changes to legislation announced last June will

prevent the recurrence of such an incident. Her Majesty's inspectorate of pollution has been asked to investigate the incident. That is a practical and sensible way to proceed.

Mr. Michael Latham (Rutland and Melton): Is my right hon. Friend happy with the system by which the House debates foreign affairs only about once or twice a year on a motion for the Adjournment, and most of the time is taken up by half-hour rambles by Privy Councillors and former Ministers? Is it not about time that we had more frequent debates, if necessary half-day debates, and preferably on specific aspects?

Mr. Wakeham: I have had discussions and corespondence with my hon. Friend, with my right hon. Friend the Chairman of the Select Committee on Foreign Affairs, and others.

Mr. D. N. Campbell-Savours (Workington): And others.

Mr. Wakeham: The hon. Gentleman wants to be very careful. He will be in trouble with his mother again.

I hope that we can improve matters. It is not entirely a matter for the Government. Some contributions seemed to be a bit on the long side, but I recognise the force of what my hon. Friend says and I will see what we can do about it.

Mr. Eric S. Heffer (Liverpool, Walton): Will the right hon. Gentleman reconsider his reply to my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith)? Even if he cannot agree at this stage to a statement or debate on a specific book which has been published and is causing great trouble, may we have a debate on the publication of books? John Bunyan spent many years in prison because of the "Pilgrim's Progress". Because of the "Age of Reason" and "the Rights of Man", Thomas Paine was persecuted. Milton had to write "Areopagitica" because of Cromwell. Should we not have a debate on the general principle? There is strong feeling on both sides of the House that this is a fundamental matter of importance, based upon the history of our country.

Mr. Wakeham: I recognise the strength of what the hon. Gentleman has said. I recognise also his concern. It is a fundamental and important matter. My point to the hon. Member for Islington, South and Finsbury (Mr. Smith) was that I am not sure, in the present rather delicate circumstances, whether a debate in the House would help to deal with some serious problems concerning the life and death of several people. I take the hon. Gentleman's point, but I cannot promise a debate in the near future.

Sir Nicholas Fairbairn (Perth and Kinross): Will my right hon. Friend win concordant affability and influence with the Opposition and split Tuesday's debate into two parts? The first half may be concerned with the Opposition's pretence that the Government have mishandled the concept of eating dairy foods which are perfectly safe. The second half could be on haggis, whisky and broth, which are infinitely more likely to be bug-bearing but are totally safe, as are all dairy products. The whole thing is bunkum.

Mr. Wakeham: It will not require any efforts on my part to find some inconsistencies in the arguments that are presented on Tuesday, but we will await the debate with great interest.

Mr. Alex Salmond (Banff and Buchan): Has the Leader of the House had time to consider the contents of early-day motion 427 which concerns the financial condition of the fishing industry and comments made last Sunday on BBC television by the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, the hon. Member for Calder Valley (Mr. Thompson)?

[That this House notes the comments concerning the financial difficulties of the sea fish industry by the Parliamentary Secretary at the Ministry of Agriculture, Fisheries and Food, the hon. Member for Calder Valley, on the BBC Money Programme on 12 February that "I can't run another man's business nor do I intend that a man who can't run his business should be laid at the door of this Government"; calls on the Government to recognise that individual fishermen, currently caught in a cost revenue squeeze between high interest rates and limited catching opportunities, are subject to Government and European policies over which they have no control; demands that the hon. Member for Calder Valley publicly withdraw his insensitive and offensive remark that fishermen are not able to run their businesses; and further calls on the Government to introduce a coherent policy of fisheries control which will relate catching capacity to available stocks through a range of measures including a planned decommissioning scheme, action at European level on discards and industrial fishing, effective enforcement of mesh size changes, monitoring of the impact of third country imports on domestic price levels, the introduction of special economic assistance for coastal areas dependent on the fishing industry and an end to the excessive reliance on sharp fluctuations in Total Allowable Catches as the only instrument of fisheries management.]

Is the right hon. Gentleman aware that those comments have caused enormous concern in the industry because he appeared to set the Government's face against a number of policy options, including a decommissioning scheme? Does he agree that that reinforces the case for an early and urgent debate on the financial condition facing fishermen?

Mr. Wakeham: Fisheries Ministers recognise the problems caused to some fishermen by the reduced 1989 quotas for North Sea haddock and cod. These reductions were needed in the long-term interests of the fishermen. Action must be taken to curb the growth of our fleet, and discussions about improved conservation measures are in train. We have had debates on fishing in the not-too-distant past. I appreciate that the hon. Gentleman and his constituents would like more frequent debates on the subject. I cannot promise a debate, but I recognise that it is an important subject.

Mr. John Bowis (Battersea): My right hon. Friend will be aware that one of the recommendations of the Fennell report is embodied in early-day motion 256 on public safety information, which has now been signed by 260 right hon. and hon. Members of all parties and which will arise on the 24th of this month in a private Member's Bill. Will my right hon. Friend confirm that the Government will give a fair wind to this literally life-saving measure?

[That this House welcomes the opportunity to consider the Public Safety Information Bill, which comes up for its Second Reading on 24th February, and joins with the all-party group of honourable Members as well as such organisations as the British Safety Council, the Consumers' Association and the Scottish Consumers' Council, and also such local authorities as Slough Borough Council, Middlesbrough Borough Council, Harrogate District Council, Shrewsbury and Atcham Borough Council, Wansbeck District Council and Bedfordshire County

[Mr. John Bowis]

Council, in supporting the Bill; and further calls upon the Government to support the Bill and assist it in its passage through the House, thus ensuring that the Bill becomes law.]

Mr. Wakeham: I recognise my hon. Friend's concern and interest in this matter and his authority to speak, coming from his constituency. I am of course aware that the hon. Member for Gateshead, East (Ms. Quin) has introduced a private Member's Bill on public safety information. The Government have a draft of the Bill and are currently studying its provisions. I cannot take the matter further than that.

Mrs. Ann Clwyd (Cynon Valley): May I ask the right hon. Gentleman to think again about the reply he gave to my hon. Friend the shadow Leader of the House, when he requested a debate on the report of the Joint Committee on the reform of the private Bill procedure?

I ask him to do that for two reasons. First, the delay in considering and implementing the recommendations of that report means that we are costing the taxpayers enormous sums in lost money, as one of the main recommendations was that the promoters of private Bills in this House should pay hundreds of thousands of pounds more than the peanuts that they are paying at present.

Secondly, planning permission is still being given through the back door of this House on issues which more rightly should be the subject of public inquiries. I am wondering whether the Government's delay in arranging a debate on the report is due to the fact that they are trying to assist some promoters in getting Bills in through the back door instead of going through the proper planning procedures.

Mr. Wakeham: I refute entirely what the hon. Lady says. This is a complicated matter and it is a major report. It has taken a long time to prepare and the Government would do it less than justice if they did not study the report carefully, as we promised to do. I have said that we shall have a debate, and that will take place as soon as possible. I would not accept for a moment any of the hon. Lady's accusations.

Mr. Ian Bruce (Dorset, South): When will we have a debate on defence matters? I appreciate that there are regular defence debates, but they tend to be bunched together. Perhaps the House would like to discuss, in particular, the new changes to allowances and pay—and I understand that at 4 o'clock this afternoon there will be an announcement on pay and allowances. Such a debate would be a wonderful opportunity for Conservative Members to be persuaded by Opposition Members of their new defence policy, which we understand is under review just now.

Mr. Wakeham: There are expressions with shades of significance in answers which Leaders of the House give. My answer to my hon. Friend is that it will be my intention to arrange debates on the Royal Navy, the Army and the Royal Air Force in the relatively near future, so my hon. Friend will not have long to wait.

Mr. Greville Janner (Leicester, West): May we have an early debate on the number of people—mainly children and the elderly—who are killed on the roads at places where pedestrian crossings have been approved but not installed? Is the right hon. Gentleman aware that in my constituency last week, eight-year-old Kerry Allen was killed at precisely the spot on a road in New Parks estate that is to be the location of a crossing approved by Leicestershire county council, but which it says that it does not have the money to install? How many more children will be needlessly killed on our roads because county councils either do not have enough money to install crossings, or say that they do not have enough money?

Mr. Wakeham: The hon. and learned Gentleman raised this question during Transport Question Time earlier this week. I can add nothing to what was said then by my hon. Friend the Minister for Roads and Traffic, but I recognise the hon. and learned Gentleman's concern and I shall have a word with my hon. Friend.

Mr. Tim Smith (Beaconsfield): I reinforce what was said by my hon. Friend the Member for Dorset, North (Mr. Baker) about the need for a debate on the White Paper concerning the future of development plans. Is my right hon. Friend aware that there is no more important an issue in my constituency than planning and the protection of the green belt? If we are to have a planning Bill in the next Session, would it not make sense to have a debate between now and the end of July?

Mr. Wakeham: I agree with my hon. Friend that it would make an excellent subject for debate, and I know that good speeches would be made about that important issue. I cannot be more forthcoming than I was to my hon. Friend the Member for Dorset, North (Mr. Baker).

Mr. David Winnick (Walsall, North): Arising from replies given to my hon. Friends, will the Government make it clear that all religions must be respected—the Moslem no less than any other—and that we recognise the offence that has undoubtedly been caused to many Moslems in this country and abroad? However, it is also necessary to emphasise that the rule of law applies in this country, unlike in Iran, and that incitement to violence is a criminal offence here. As to the death threat from Iran, is it not intolerable that such a threat should be made by a country with which we have diplomatic relations? Will the Government make it perfectly clear that British people will not stand for that kind of threat or blackmail? We learned 50 years ago this year that there cannot be appeasement of dictators.

Mr. Wakeham: I fully recognise the hon. Gentleman's strong feelings. Given the situation that we are in, I chose my words carefully. I do not think that I ought to add anything to my previous remarks.

Mr. Neil Hamilton (Tatton): At the risk of sounding mildly unfashionable, I urge my right hon. Friend to exercise considerable caution before rushing to introduce legislation to ban the sale of human organs. Many people feel that if that practice increases the supply of organs, and has the effect of saving life and easing discomfort, it ought not to be banned. Does my right hon. Friend share my bewilderment that Opposition Members who are keen to allow women the right to choose to kill their unborn chidren seem to become very indignant when other parts of their body are up for choice?

Mr. Wakeham: My hon. Friend makes his point, as he usually does, in a clear way. As to the sale of organs and kidneys, the Government have made known their

abhorrence of the particularly repugnant trade that exists. Nothing that my hon. Frind has said persuades me to think differently.

Mr. Campbell-Savours: I welcome the interest of the Leader of the House in my personal affairs. I wish to ask him about the personal affairs of six Conservative Members. Will he say whether a list of those six hon. Members was available to him when he was in the Whips' Office? Is a similar list available to the Patronage Secretary now?

Mr. Speaker: Order. The hon. Gentleman raised with me points of order on that subject. I remind him that we are dealing with business questions.

Mr. Campbell-Savours: My question relates to the business of the House, Mr. Speaker.

Mr. Speaker: Then the hon. Gentleman had better ask for a debate.

Mr. Campbell-Savours: I asked the Leader of the House whether he had a list of the six Conservative Members in question when he was Chief Whip, and whether there was a similar list in the office of the present Chief Whip? May we have a straight answer?

Mr. Wakeham: I do not want to entice the hon. Gentleman into any further trouble, either with you, Mr. Speaker, or with his mother. I have nothing to add to my previous answer, because I do not comment on security matters.

Mr. Greg Knight (Derby, North): Is my hon. Friend aware of the growing anger and concern in Derbyshire that ratepayers have suffered a 168 per cent. rate increase since 1982, and that Derbyshire is now the highest rated shire county? May we have an early debate on remaining order No. 36, standing on the Order Paper in my name? If my right hon. Friend agrees to such a debate, may we also learn what has been the cost to the citizens of Derbyshire of the employment for nine months of Reg Race as chief executive?

Mr. Wakeham: My hon. Friend adds his significant voice to the calls made to me earlier in business questions. I wish that I could meet his request. I am afraid that I cannot do so, but no doubt my hon. Friend will find another way of ventilating the points that he wishes to make.

Mr. Tam Dalyell (Linlithgow): It was prescient of you, Mr. Speaker, to call me so late, because now I am able to put my question in the presence of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley), who leads for the Opposition in our debates on the Official Secrets Bill, and of the four Ministers concerned. My question relates to Wednesday's business. How came so clever a man as the Home Secretary to be so confused on the radio this morning? Is that not typical of the geological flaws in the Bill? Is it satisfactory that Ministers should write letters over which they have taken a lot of trouble—such as that written by the Minister of State, Home Office—to me and to some of the Minister's own hon. Friends, when, lo and behold, phrases used in those letters appear nowhere in the Bill?

Mr. Speaker: Order. The hon. Gentleman appears to be addressing his questions to me. I know nothing about the matter. The hon. Gentleman must ask the Leader of the House for a statement.

Mr. Dalyell: Does the appearance of the Attorney-General on the Government Front Bench mean that we are in for better times this afternoon than on Monday? As a non-lawyer, I think that it is high time a lawyer came to the Committee and explained some of the points in the Bill. I commend to the Home Secretary the views of Lord Griffiths, chairman of the Security Commission, who appeared on television last Friday and said, "Of course, the judges do not read *Hansard*." They are not meant to read *Hansard*. They must judge matters on the basis of what is in the Bill. What is being said about vital issues in letters and in this House bears no relation to the Bill. The Home Secretary has not answered the key question, which was most eloquently put by a former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Mr. Heath), about the difference between state interest and Government interest. Such matters must be cleared up.

Mr. Speaker: Order. I remind the hon. Gentleman that we are dealing with business questions to the Leader of the House. He appears to be taking the opportunity to raise points that should properly be raised in Committee.

Mr. Dalyell: Will we have the Attorney-General here?

Mr. Wakeham: When the hon. Gentleman talks about people being confused, I listen very carefully to what he has to say—because there is no greater expert in the House on that subject than him. The hon. Gentleman is wrong, and if he listens carefully to the debates, and perhaps takes a few notes as they progress, at the end of the day we may even straighten him out.

Mr. David Nicholson (Taunton): Further to the subject of confusion, has my right hon. Friend had an opportunity to read my early-day motion 365, which has been signed by a number of my hon. and right hon. Friends?

[That this House notes the confusion and dismay which the leadership of the Right honourable Member for Yeovil is sowing in the Social and Liberal Democrat Party, in particular his conflicting statements in the same 'Times' interview that 'I have made a mistake in slamming the door on pacts . . . ' and that 'I believe pacts won't work'; welcomes the Right honourable Member for Yeovil's long-delayed recognition that 'we have no definition', that 'no one really knows what we stand for' and that 'our members don't know'; notes that he is expecting the Democrats to lose about 200 seats in this May's important county council elections, including control of some county councils; welcomes the encouragement this gives to the heavily-burdened ratepayers, not only of Somerset, Devon, Cambridgeshire, Gloucestershire, Wiltshire and the Isle of Wight, where the Democrats have held control for all or most of the time since 1985, but also of such counties as Cheshire, Bedfordshire, Leicestershire, Warwickshire, Shropshire and Humberside, where the Democrat group keeps Labour in power; and expects Democrat emissaries will soon be begging the honourable Member for Berwick-upon-Tweed to take the lead and try to effect a rescue.]

[Mr. David Nicholson]

Does my right hon. Friend agree that the House and the country would benefit from a debate on the confusion in the Liberal party and on the variety of pacts and alliances at local level between the Liberal and Labour parties?

Mr. Wakeham: It has been a moving scene for most of my time in the House, and even if I found time for a debate on the confusion and dismay in the Social and Liberal Democratic party I doubt that it would help to resolve the confusion.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House explain why the Prime Minister has run away from the debate next Tuesday on the subject of food and the various diseases connected therewith? Is it not a cockeyed way to run the Government's agenda, when, after all the furore in the course of the past week, with one Minister contradicting another and the Prime Minister having to try to clean up the mess, she is allowing one of those Ministers to open the debate and the other to close it? We shall have more contradiction and confusion. Will we have a statement on Wednesday to clear up the mess? Is it the case that the Prime Minister is not prepared to take on the argument that there is one law for the egg producers, who get £19 million, and another for tinplate workers in Wales who are thrown on the scrap heap, shipyard workers in Sunderland who lose their jobs and miners throughout Britain who cannot have the same kind of assistance?

Mr. Wakeham: The hon. Gentleman waxes eloquent on these matters, as usual, but it is by no means unprecedented for Cabinet Ministers with departmental responsibility to respond to debates in this way even when initiated by the Leader of the Opposition. This was the case in the debate on the National Health Service on 27 October 1983. My right hon. Friends are more than competent to deal with any matters that arise. At the end of the day, the Opposition may wish that they had chosen another subject.

Mr. Bill Walker (Tayside, North): Will my right hon. Friend reconsider the answers he has given on the question of Moslem threats, because it appears from the Scottish media this morning that there are eight volunteers in Scotland prepared to carry out the assasination task? We do not want such people living in Scotland. That is the first thing. Secondly, we want a debate on the matter so that it may be properly aired in this place. The Labour party could be given the opportunity during that debate to show that it supports measures which the House passes to deal with acts or terrorism.

Mr. Wakeham: I recognise what my hon. Friend says, but I detect even in the way he phrased the question sufficient justification to think that a debate in the House next week would not help to solve the problem.

Mr. Tony Banks (Newham, North-West): Will the Leader of the House say a bit more on the question of private Bill procedure? He has said for a number of weeks now that the Government are considering the Committee report very closely, but hon. Members on both sides of the House are getting very worried about the date for a debate. What sort of debate will it be? In the past he said that it would be a take-note debate. If the Government are now studying the report in great detail, will he tell us that we shall have a debate in which we can take decisions? Unless he does so, the suspicion on the Opposition side and the Government side will be that the Government are deliberately dragging their feet so that the private Bill for next Session on the fast routes through Kent will be dealt with under the existing private Bill procedure. We want a fairly short and sharp answer from the Leader of the House today.

Mr. Wakeham: If I had wanted delay, the easiest thing would have been to have a debate before anybody had had a chance to study the report. We could then just have forgotten about it. As it is, we are studying the matter in detail. I cannot tell the hon. Gentleman in advance of the debate what line the Government will take, but I will make progress, discuss the matter through the usual channels and hope to find an arrangement that is satisfactory to the House.

Mr. Harry Greenway (Ealing, North): Is my right hon. Friend aware of the widespread concern about violence on the London Underground, and that the great interest in the Guardian Angels and other forms of possible defence of people threatened with violence is an example of this? May we have an early debate on this very important matter to see what further measures can be taken to ensure that the large numbers of people who travel on London Underground can do so in safety?

Mr. Wakeham: I agree that it is a very important subject and I recognise the concern. My hon. Friend the Minister of State, Department of Transport made some announcements a few days ago. I should like to initiate a debate, but I cannot promise one in the near future.

Points of Order

4.14 pm

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Speaker. I am not by nature a whinger, because one has to take the rough with the smooth in this place, but during Prime Minister's Question Time you ruled me out of order when I was asking a question because you said, "It has got to be a matter for which she has responsibility." The question before mine was from the hon. Member for Hendon, South (Mr. Marshall) and he referred to the Labour party's defence policy. Where is the Prime Minister's responsibility concerning the Labour party's defence policy?

I was asking a question that involved the welfare of the Prime Minister's son and her future grandchild. I cannot see that there could be any other matter more closely within the Prime Minister's purview and area of responsibility than the welfare of her son and her grandchild. I therefore think, Mr. Speaker, that on this occasion you grossly overreacted, because you were seeking to defend the Prime Minister when there was no need for you to do so. I had mentioned to your secretary —because I thought that you might be a bit sensitive about this—that it would be a gentle question, and it was.

During business questions, the Leader of the House twice referred to the mother of my hon. Friend the Member for Workington (Mr. Campbell-Savours). You, Mr. Speaker, did not say at any stage that that had nothing to do with the Leader of the House. What responsibility has the Leader of the House for the mother of my hon. Friend the Member for Workington? That is the last time that I shall try the kid-glove approach.

Mr. Speaker: If the hon. Gentleman looks at *Hansard* tomorrow, he will see that I said that the matter referred to had to be part of the Prime Minister's parliamentary responsibilities. If a Conservative Member had put a question of that kind about the Leader of the Opposition, there would have been uproar. When we are dealing with the Prime Minister's parliamentary responsibilities, there is no reason for hon. Members to introduce family relationships.

Mr. Doug Hoyle (Warrington, North): Further to that point of order, Mr. Speaker. I always abide by your rulings, but it appeared that you applied one rule to my hon. Friend the Member for Newham, North-West (Mr. Banks) and another to the Leader of the House. Surely, if the Leader of the House refers to the mother of my hon. Friend the Member for Workington (Mr. Campbell-Savours), he should be ruled out of order.

Mr. Speaker: Those are two entirely different things. It is a question of the context in which the question was put and the answer was given.

Mr. Tony Banks *rose*——

Mr. Speaker: No, I shall not call the hon. Member again.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. I think that my hon. Friend the Member for Newham, North-West (Mr. Banks) has a point.

This is a matter directly for you, Mr. Speaker. I do not know whether you have noticed that in today's newspapers there is a report that the Italian Republican party, which I believe is a very Right-wing party, has suggested that it will be calling upon Liberals, or Social Democrats, or whatever they call themselves nowadays, to stand in Italy. That raises an interesting question for you. We had a long discussion about this the other day. What will be the position if they get an invitation to stand on behalf of the Italian party in Europe, in the Common Market or in Italy itself? Will the Chiltern Hundreds apply or the Manor of Northstead? Will we have to get out "Erskine May"? Will there have to be a new copy printed? This may lead to some very interesting developments. Will they get the Short money? Can they serve in both Parliaments? I could go on, but I know that we are very busy people. What is the answer?

Mr. Speaker: We are indeed very busy people. I think that the answer is for the hon. Gentleman to discuss this with me in private. I am sure that with his background of experience he will be able to give me some useful advice.

Mr. Tony Banks *rose*——

Mr. Speaker No. I have said to the hon. Member that I cannot help him any more.

BILL PRESENTED

Age of Legal Capacity (Scotland)

Sir Nicholas Fairbairn, supported by Mr. Bill Walker and Mr. Menzies Campbell, presented a Bill to make provision in the law of Scotland as to the legal capacity of persons under the age of 18 years to enter into transactions, as to the setting aside and ratification by the court of transactions entered into by such persons and as to guardians of persons under the age of 16 years: to make provision in the law of Scotland relating to the time and date at which a person shall be taken to attain a particular age; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 24 February and to be printed. [Bill 78.]

Orders of the Day

Official Secrets Bill

[2ND ALLOTTED DAY]

Committee [Progress, 15 February]

[SIR PAUL DEAN *in the Chair.*]

4.19 pm

The Minister of State, Home Office (Mr. John Patten): On a point of order, Sir Paul. I should like to refer to the points of order raised by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) at the beginning of each of the last two sittings of the Committee, on the relationship between solicitors and their clients. The House will find a point of order on 2 February at column 441 of *Hansard*, and my response recorded there. He also raised a point of order yesterday.

With your permission, Sir Paul, I should like to tell the Committee that, having considered the matter anew and taken further legal advice, we remain confident that the common law relating to legal professional privilege protects communication between a client and his solicitor of the kind I was addressing during the Committee proceedings on 25 January.

Legal professional privilege acts to prevent the production in evidence of such a communication and hence to deprive of its foundation any prosecution that might ever be sought to be founded on such a communication in the circumstances that the right hon. Gentleman envisaged in his first point of order. But of course it is well established that anyone who, when communicating with his solicitor, seeks the latter's help in the furtherence of some criminal purpose, is disqualified in respect of that communication from the benefit of privilege.

The function of legal professional privilege is to aid the administration of justice and not to aid crime. But such a person's position is quite different from that of someone who discloses information to his solicitor in the process of seeking advice in good faith about his own legal position in relation to it.

This is not a new issue. It has existed for many years under section 2 of the Official Secrets Act 1911 and there is absolutely no evidence that it has given rise to any practical difficulties for lawyers or for their clients.

Mr. Roy Hattersley (Birmingham, Sparkbrook): Further to that point of order, Sir Paul. This will break new ground for points of order, but may I pursue the point as briefly as necessary, as we are constrained by the timetable motion?

The advice that the Minister of State gives to the Committee is in absolute contradistinction to the judgment made by the Law Society, which, as it is responsible for solicitors' relationships with their clients, may be thought to have some authority on these matters. It is also contrary to common sense, as it is unlikely in the House and outside that the practice to which the Minister refers can overrule—for that is what he implies—the commitment in an Act of Parliament that specifies individuals who can pass on information, but does not include clients wishing to approach their solicitors.

May I raise a further, and genuine point of order—unlike the Minister of State's first statement and my response to it—about the problems that the Minister of State's statement raises for proceedings on the Bill? Clearly, the subject ought to be debated, but cannot be, because on a guillotine motion, clause stand part motions do not become debatable due to pressure of time. What is more, Sir Paul, with great respect to you and the Chairman of Ways and Means, an amendment that would have allowed us to clear up the matter, at least in part, has not been selected.

All I can do, therefore, is to make a ritual, but clearly very reasonable, complaint about the problems caused by the timetable motion, and ask that when Mr. Speaker and his advisers select the amendments for the Report stage, they understand that it is essential—a necessity compounded by the Minister of State's statement—that we are able to debate exactly this question and get it cleared up once and for all.

Several Hon. Members *rose*——

The First Deputy Chairman of Ways and Means (Sir Paul Dean): Order. I will take one or two more points of order. I am sure that the Committee realises that I allowed that point of order from the Minister and a response from the Opposition Front Bench, but clearly it would not be in order to debate the matter, especially as we are operating under an allocation of time motion.

Mr. Michael Foot (Blaenau, Gwent): Further to that point of order, Sir Paul. May I say from the Back Benches that we have rights to protect in this sphere, just as much as have spokesmen from the Front Benches. I am sure that my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) agrees with that. We are in great difficulty. Obviously, this was an improper point of order in the first place. I am not blaming you, Sir Paul, because you did not know what the Minister was going to say. But surely, the Minister ought to have asked to make a statement, or made it absolutely clear to the House, rather than raising a point of order, that we would be given a chance to debate the matter in the later stages of the Bill. That is the only way in which the matter can now be remedied.

I hope that, as soon as the Home Secretary has a chance to take charge of his Bill again, we shall have a clear statement from him and an absolute guarantee that this matter, which should never have been put to the Committee as a point of order, will come up on Report when we shall have the chance of a proper debate. If necessary, further time should be granted, because the Government are apparently seeking to deal with a major matter by means of a point of order, and Back Benchers will have no chance of proper debate.

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Sir Paul. I do not wish to be pedantic, but for non-lawyers this is the sort of statement that is much better to see in writing rather than to hear it once, so that one can look at the small print.

I have one question for the Minister. He used the phrase:

"seeking advice in good faith."

I am not sure how we can prove good faith or otherwise, but do we take it that, in general, any communication between a solicitor and someone who approaches him is privileged? I am thinking especially of the position of Brian Raymond.

Mr. Jonathan Aitken (Thanet, South): Further to that point of order, Sir Paul. The Minister was kind enough to make a statement and if I understood it correctly, he made it clear that his authority was the common law, and not statute law. Could I ask him, through you, Sir Paul, if he will publish in the *Official Report*, or at least circulate in correspondence, as the Front Bench is wont to do at present, to those of us who are interested, the authorities of common law; in other words, the case law and the judgments that make up that case law? Then we can all have a look at an issue that must be at least debatable, as it seems to conflict with the Law Society's views.

Mr. Richard Shepherd (Aldridge-Brownhills): Further to that point of order, Sir Paul. Is it not the case that common law is subordinate to statute and that in the circumstances it is inappropriate for the Government to rely upon common law?

Mr. Hattersley: Further to that point of order, Sir Paul. You will understand, and I think from your demeanour you sympathise with, the fact that the point of order I raised was a response to the Minister's statement, for statement it was. You were kind enough to allow me to reply.

I now raise what by any standards can be regarded only as a point of order, concerning the intolerable position into which the Committee has been put by the Minister's behaviour. The Minister made his statement under the guise of a point of order. Quite rightly, Sir Paul, you would prevent that statement from being cross-examined in the way that statements usually are. The Leader of the House and the Home Secretary, who are in the Chamber, have a duty to make sure that the situation is redressed. We must have a statement, given as a statement, on some occasion, so that we may question the Minister.

To allow a point of order that puts on record a contentious viewpoint without its being cross-examined in the usual way is an abuse of the proceedings of the House.

The First Deputy Chairman: I cannot take this matter any further at the moment. I am sure that those on the Treasury Bench have heard what is being said. I shall of course report to Mr. Speaker what is being said. Without, of course, making any commitment for him, I am sure that he will take this discussion into account when he makes his selection for the Report stage of the Bill.

Clause 7

AUTHORISED DISCLOSURES

Mr. Robert Maclennan (Caithness and Sutherland): I beg to move amendment No. 74, in page 7, line 17, at end insert

'or

(c) to a Member of Parliament.'.

Mr. Maclennan: Clause 7 deals with authorised disclosures of official information. The purpose of my amendment is to enable an officer to whom a disclosure of information has been made to pass that information to a Member of Parliament in certain restricted circumstances. Under clause 7(3), a member of the public who obtains protected information commits an offence by disclosing it to anyone else, unless the disclosure is to a civil servant or has been authorised. My amendment would allow a member of the public to disclose such information to an hon. Member.

It is important that the House recognises that the amendment does not apply to disclosures by civil servants, but only to disclosures by other persons—members of the public. Therefore, it does not provide a direct channel for a civil servant who wishes to leak information to a Member of Parliament and it does not deal with the Ponting point. A disclosure by a civil servant, whether to a journalist or a Member of Parliament, would not be protected by the amendment.

It follows that the amendment does nothing to make leaks more likely. The person at the beginning of the chain would commit an offence. However, it would protect a member of the public into whose hands a leaked document came and whose only disclosure of protected information was to a Member of Parliament.

If one has to decide who is an appropriate person to whom protected information should be disclosed, there is no one more accessible or more suitable than a Member of Parliament.

4.30 pm

Mr. John Gorst (Hendon, North): Will the hon. Gentleman clarify whether he intends to bracket a Member of Parliament with a Member of the European Parliament as being synonymous?

Mr. Maclennan: I did not do so in the amendment, but, in the light of the decisions that the House took last night about leaked information from the European Parliament, it would be reasonable for us to address the question whether there might be a case for extending the cover. However, I did not make that proposal in the amendment.

It is widely recognised that Members of Parliament are accessible to their constituents in a manner that makes them the natural people to turn to if information of a protected kind should come into the possession of a member of the public. Members of the House of Commons are honourable and are to be entrusted with the task of dealing appropriately with information that they are handed by their constituents or any other member of the public. If a member of the public received such protected information, he would be at a loss to know to whom to turn if he could not turn to his Member of Parliament. Therefore, I commend the amendment to the Committee.

Mr. Aitken: I have some sympathy for the amendment which I understand would give some protection to a Member of Parliament who was simply carrying out the perfectly fair and honourable role of being as little as a mere conduit pipe between a Crown servant and perhaps the Government of the day.

I can well envisage circumstances in which a member of the security services, or someone who had been notified under the Act, might seek advice from his Member of Parliament on what he should do in the light of his anxiety about something that had gone wrong inside the security services or the defence establishment, on which, for one reason or another, he had not had adequate redress or a fair hearing through the normal channels of communication.

[Mr. Aitken]

A Member of Parliament is quite used to such an approach at a constituency surgery or in correspondence. Such approaches are received several times during one's career as a Member of Parliament, if not always from officials who would be designated under the Act. There should be some protection in the Act of a complainant's civil rights, and, indeed, those of a Member of Parliament.

In case anyone thinks that that is all fanciful stuff, let me take the House back to an episode that has been well reported by Mr. Chapman Pincher and others, in which I played a modest conduit pipe role, in the months following the disclosures in 1979, when my right hon. Friend the Prime Minister came to the Dispatch Box having decided, as a result of a written question from the hon. Member for Hartlepool (Mr. Leadbitter), to reveal that Mr. Blunt had been a traitor and had been granted immunity.

Up to that moment, inside the security services there had been much tighter secrecy and general acceptance that the vow of omerta, or absolute secrecy, should prevail under all circumstances, than appears to be the case today. There is no doubt that, when some Crown servants read my right hon. Friend's disclosure—a right and proper disclosure in the national interest—they felt that the statement was not as full as it should have been in the light of extra information that they had. Therefore, they wondered what to do in order to reveal certain additional information.

For various reasons linked with a mutual friend, one such Crown servant approached me. I am saying nothing new, simply telling a story, perhaps rather more accurately than Mr. Chapman Pincher has already told it. That former Crown servant was a man whom I knew only as a member of the Clerks Department in the House, a Mr. Arthur Martin, who had previously been a Crown servant in the Security Service. He felt strongly that the Prime Minister's statement had left unmentioned some vital matters and he feared that she might not even be aware of that herself. His fundamental fear was that the Prime Minister had gone in to bat on that major issue of Blunt without being fully briefed on the alleged treachery of Sir Roger Hollis. I know that hon. Members hold many views on that. The right hon. Member for Blaenau Gwent (Mr. Foot) feels that those fears were completely groundless and that Sir Roger Hollis's reputation has been unjustifiably besmirched.

But be that as it may, let any hon. Member put himself in the position in which I found myself, of being told out of the blue the amazing story that a former head of our security services had been a Soviet agent and that a formidable body of opinion inside the security services not only believed that and had a committee set up which reported that they believed it, but also had set up an extra inquiry under Sir Burke Trend. All those matters had gone on inside the barrier of secrecy but, allegedly, might not have been fully known to the Prime Minister of the day.

What should any Member of Parliament do in those circumstances? Exactly, I suggest, what I did after consulting a couple of close friends who were Privy Councillors. I wrote the whole story down in a letter and sent it to the Prime Minister, after which, for some months, there was complete secrecy and silence, and then in due course, the Prime Minister responded in confidence.

My point is that any Back Bencher could suddenly have been given a disclosure such as that which seemed to me at that time to be of earth-shaking proportions. I am sure that any Back Bencher, whatever his party loyalties, would have taken more or less the same course that I took—to act as a mere conduit pipe and pass it on to the responsible Minister, in this case the Prime Minister. Against the background of that anecdote—which I assure the House is entirely accurate—I submit that there could easily be similar instances in the future.

Mr. Nicholas Budgen (Wolverhampton, South-West): If we are to be used as conduit pipes, and, for the sake of argument, it becomes a criminal offence to receive that information, how in practical terms can a Member of Parliament stop himself receiving it? If someone sits in one's surgery and says something or sends one a letter, how can one stop oneself receiving that information?

Mr. Aitken: I am glad to see that for the first time during these debates my right hon. and learned Friend the Attorney-General is present, because he will be aware that a "conduit pipe" is an expression in law. It is not a piece of plumbing or drainage, but is, in fact, a legal term meaning a quite innocent party who does no more than transmit the information onward. Certainly, if a Member of Parliament were to be more than a conduit pipe—for example, if he spoke on the radio, put down parliamentary questions, or made a song and dance about it—I can see that he could exceed what might be called his normal lawful responsibilities.

Mr. Gorst: Probably for the purposes of clarity, my hon. Friend is slightly oversimplifying the situation. His premise is that the communication that he or any other Member of Parliament receives will be from a named person. However, as any Member of Parliament who has been here for a short time will know, one often receives anonymous communications. If we receive anonymous communications, that poses a new set of problems. If the amendment is not accepted, people will be more inclined to send anonymous communications than named ones. Will my hon. Friend deal with that aspect of the problem too?

Mr. Aitken: It would certainly make the role of a Member of Parliament even more innocent if he were to act simply as a post office for anonymous communications. I believe, however, that, if the material were entirely anonymous, most of us would not communicate it to Ministers of the Crown, but would throw it straight into the wastepaper basket.

There are clearly variations on the theme. Even if a repeat performance of a former head of the anti-Soviet division and the Security Service telling a Back Bencher that the head of the Security Service is a Soviet agent is unlikely, it is nevertheless likely that some Crown servant may approach his Member of Parliament and tell him a story that the Member feels he must pass on. What will be the position of the Member if he passes on that information? As I understand it, under the Bill he could quite easily—depending on the goodwill of the prosecutor or the Attorney-General—be heading for Wormwood Scrubs.

Mr. David Winnick (Walsall, North): In the case of Sir Roger Hollis, if some members of the Security Service felt that there were serious allegations that could not be dealt with in a manner that was considered satisfactory, would

it not have been better for a Member of Parliament to intervene, because either way that might have cleared up the matter? Sir Roger Hollis's name might have then been cleared. However, now, whether he was guilty or not, there will always be a question mark about his integrity. If he was innocent—as one hopes he was—the matter would have been resolved at the time. Perhaps if a Member of Parliament had had that information in his hands and had pursued it, the outcome would have been much better.

Mr. Aitken: How the members of the Fluency committee of the security services and the group of Security Service officials known rather inappropriately—in view of their snow-white hair and elderly demeanour—as the young Turks tried to transmit their fears to higher authority is a long and tortuous saga. It had many amusing byways, including one member insisting on ringing the doorbell of No. 10 Downing street and not leaving the front hall until he was shown to the office of the Cabinet Secretary. They did try to transmit their fears about major penetration of the security services.

I am focusing on the narrow point of the role of a Member of Parliament. A Member doing all the right things, operating entirely correctly and honourably and in accordance with what all sensible right hon. and hon. Members would feel right and proper, would have no protection under the Bill. The only protection that I can envisage is his reliance on the Attorney-General's discretion not to prosecute him. I have considerable faith in the Attorney-General's discretion, certainly when the Attorney-General is as reasonable and as eminent a figure as my right hon. and learned Friend.

4.45 pm

I now come specifically to amendment No. 74. Do we need in statute any better protection for Members of Parliament? We do not seek any special privileges, but we must recognise that in our role as constituency Members, holding surgeries, receiving correspondence and listening to the grievances of our constituents, we might face such a situation as I faced in early 1980.

I believe, therefore, that there is merit in the amendment of the hon. Member for Caithness and Sutherland (Mr. Maclennan). My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery)—who unfortunately is unable to be here because he has 'flu—also feels that some special legal status should be written into the Bill. There is a case for doing something along the lines of the amendment, and I therefore cautiously support it.

Mr. Foot: I am glad to follow the hon. Member for Thanet, South (Mr. Aitken) in the case which he was putting. I hope that the Government will give serious attention to the amendment or to one that could achieve the same absolutely clear effect. This is one of the most important aspects of the Bill that we still have to debate. I am not saying, however, that some of the proposed amendments do not also provide ways in which we can proceed, and I have no doubt that my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) will be putting our case. After all the discussion, we must get the matter cleared up before we leave this part of the Bill.

When I saw that the Leader of the House was present, I thought that he would intervene on the House of Commons aspect. I am very glad to welcome both him and the Attorney-General to our debate. It appears that our appeals for his attendance have carried great weight in the Government, and for the first time we have the Attorney-General present. Now that he has come, I hope that he will not be gagged. I hope that he will have every opportunity of putting forward his case on this matter, which is one which has been brought to the attention of previous Attorneys-General. I am sure that the right hon. and learned Gentleman would have not come to the House without all the detail at his very skilled fingertips. We shall have the advantage of his views later.

I still have hopes that the Leader of the House may participate in the debate. I am not saying this in denigration of the Home Secretary, who is capable of dealing with some parts of the Bill, but perhaps the Leader of the House and the Attorney-General are better qualified to deal with this part.

Of course, the case in which the hon. Member for Thanet, South and others were involved has been recalled previously in our debates and in our approach to the idea of having a new Official Secrets Act. One of the memories of the House of Commons on this sort of point is that of the Sandys case. I shall not recite it all, but I believe that hon. Members have not understood exactly the conclusion of that case. That makes it all the more important that, when we get a Bill that carries out what the House presumably wants to be the law to govern these matters for the next 20 or 30 years—as long perhaps as the 1911 Act was the law, but let us do better than that—we are sure of the rights of the House of Commons and of Members of Parliament.

We must be sure about the rights of hon. Members. Although the Sandys case happened under a Conservative Government which had a very powerful majority, we must ensure that there is no recurrence of the interference in the rights of hon. Members which was tolerated by the Conservative Government in 1938 and in 1939. When I say that, I am speaking not only on behalf of the Labour and Liberal Members who protested so strongly then, but on behalf of the very small minority of brave Conservative Members who were determined to stand by Winston Churchill as he was conducting one of the most difficult fights of his career. He had fewer followers than the hon. Member for Thanet, South, who has been tabling amendments to this Bill. Hon. Members can guess, therefore, how difficult it must have been to put the case.

The Conservative Government in 1938 had a Chief Whip who believed that all the matters should be pushed through. The present Leader of the House is very different, although sometimes I think that he has adopted Captain Margesson as his model and wants to live up to the way in which Captain Margesson forced through some of the worst measures that have ever passed through the House of Commons at some of our most dangerous moments.

The crisis of the Duncan Sandys case was never concluded. No decision was taken after a Member of Parliament had been arraigned by a Minister because he tried to bring to the attention of the Minister's Department some of the deficiencies in the plans for the defence of London. Those were very important matters, but the Government of the day tried to interfere with a Member of Parliament carrying out his duties. The Government acted against the person who went to Mr. Duncan Sandys and provided him with the information.

The Duncan Sandys case occurred at a critical moment in the history of this country. Having lived through that

[Mr. Foot]

experience, the House should have said, "Well, let's clear up the matter. Let's make sure we never have a Government who exercise ministerial power in the way in which that Government acted through Mr. Hore-Belisha." He thought, and no doubt was advised by the Law Officer of the day, that he was making perfectly proper use of his powers under the Official Secrets Act.

Churchill did not bring the matter to the House, because he thought that the Margesson-Neville Chamberlain majority would be used against him to crush his case. He had no confidence that if he brought the case to the House, he would receive any sympathy even though such great issues for the future and safety of the country were involved. Therefore, the matter was left.

No decision had been taken by the House of Commons by the time the second world war broke out. No decision had been taken to condemn the actions of Hore-Belisha and the others. There was some slight protection in the sense that parts of the matter were referred to the Committee of Privileges. To some extent, the Committee upheld Duncan Sandys and his supporters. That was not an absolute protection and even the Committee of Privileges, as far as I understand the full details of the case, did not report to the House so that the House could make a final decision. The matter was left in the air, and that happened in a very important case involving such an eminent Member of this House as Churchill who had shown that he was much more aware of the safety of the nation and the country's public interest than the Government were. Even in those circumstances, the matter was not brought to a proper conclusion.

The nearest that the matter came to a conclusion was when Churchill—for reasons that I have explained, he did not come to the House, because he did not think that he would receive fair treatment here at the time—wrote to the *Evening Standard* anonymously, which was a most curious development, and explained how the Official Secrets Act should be applied in future after the experience of the case. He said that it should be applied to spies and people who attack the safety of the nation, but that there must be an obsolute exclusion from the operation of the Official Secrets Act for journalists and others obtaining information of that kind and, of couse, for Members of Parliament.

I have no doubt that if Churchill had had his way and had been able to reform the Official Secrets Act in 1939 or 1940, he would have insisted on a clause to prevent the kind of treatment that he and Duncan Sandys received at the hands of the Conservative Government. Part of that protection would have applied to a Member of Parliament and his rights if he was approached with information. I do not want to give the present Government any easy get-out. An alteration to the clause or to the part of the Bill in which these matters are laid down may be necessary. In some way it should be stated that it will be impossible for the circumstances of 1938 and 1939 to recur.

When we raised these issues a few weeks ago, the Minister of State replied to the debate as if the matter was dealt with and there was no need to worry. That is not right. Now that we are clarifying the Official Secrets Act —leaving aside our arguments about whether some parts make defence more difficult for people who want to protect themselves—we must ensure that the approach to a Member of Parliament is covered. It will not be covered simply by leaving matters as they are. It will not be covered unless there is something specific in the Bill. It will not be covered simply by giving general assurances.

If the Home Secretary says that these matters could go to the Committee of Privileges, that will not do. Some matters could be dealt with by a reference to the Committee of Privileges and part of the Sandys case was referred to such a Committee, but that was not the solution.

The Home Secretary should include a reference in the Bill to how an approach to a Member of Parliament is protected. The rights of hon. Members must be explained. We must ensure that, as the law is being changed, the folly, monstrosity or crime—whatever we want to call it—that occurred in the few years before 1940 will never happen again. Now that the Home Secretary has legal assistance, I hope that he will give us that guarantee.

Mr. Kenneth Hind (Lancashire, West): While I appreciate that it is a matter of grave concern that people who are notified or public servants who are party to confidential information should be able to talk to Members of Parliament, the major concern must be what hon. Members do with that information.

Under amendment No. 74 there is the right for a civil servant to disclose information to a Member of Parliament. If I read the amendment correctly, the hon. Member for Caithness and Sutherland (Mr. Maclennan) is suggesting that what the Member of Parliament does with the information, irrespective of the damage or harm that it may do, is totally in his hands. The Member of Parliament is in no way responsible for looking after the national interest or for avoiding damage to the nation's interest.

I hope that when he responds to the debate, the hon. Gentleman will say that that is incorrect. I suggest that he looks carefully at the earlier clauses in the Bill, particularly clause 5. There is nothing within those earlier clauses to prevent either a civil servant or an official of the secret service who is notified from passing information to a Member of Parliament, provided that the Member uses the information responsibly and not in such a way as to cause harm to the national interest. Such a person is already covered by the Bill.

If information is disclosed to us, as Members of Parliament, and we use it responsibly—there are a number of ways in which we could use it that would pass the harm test—we will be covered by the Bill and the amendment will be unnecessary.

Mr. Budgen: What would be considered responsible?

5 pm

Mr. Hind: It is open to all of us in receipt of such information to pursue the matter through the channels open to us.

Mr. Eric S. Heffer (Liverpool, Walton): The hon. Gentleman is advancing an amazing argument. Did he not see or read about what happened in the United States over the Watergate scandal? Does he actually think that President Nixon and the United States Government thought that what they were doing was in the public interest, and was not damaging to it? Does he not understand that, if disclosures had not been made, the Watergate scandal would never have come out and people

would never have known about it. Without disclosure such matters remain hidden. Does the hon. Gentleman live in the real world?

Mr. Hind: The hon. Gentleman has a point, but he must bear in mind the fact that the Bill covers not only that type of information—which obviously points to the misdoings of the Executive, and should be exposed—but sensitive information that could cause much damage to the nation if exposed. That is why the harm test exists.

I say that Members of Parliament should use such information responsibly because it is up to them to decide to which category the information relates. There is obviously the sort of information that was mentioned in an earlier debate—the information passed by Captain Scott to one of his relatives during the last war about the state of our tanks in the western desert and our inability to defend them against German guns. Such information could have been passed to a Member of Parliament who could have used it responsibly through the channels open to him—the Ministry of Defence, the Foreign Office or the appropriate Minister—saying that information had come to his notice and something should be done about it. No harm would then have been done to the national interest, and the Germans would not have been aware that we were considering the circumstances and taking the appropriate measures to deal with them.

Mr. Maclennan: If the hon. Gentleman looks at clause 7(3), he will see that the member of the public into whose hands the official information comes has no proper channel of communication other than through a Crown servant. How many of the hon. Gentleman's constituents know Crown servants to whom it is appropriate that they should convey prohibited information

"in accordance with an official authorisation"?

What would that mean to the hon. Gentleman's constituents who might come into possession of extremely sensitive information? What would be the proper channel for them to use? The clause seems to make it impossible to communicate such information without committing an offence.

Mr. Hind: The hon. Gentleman ignores the fact that the harm test covers the matter. Surely there is no reason why a person who came into possession of such information should not approach his Member of Parliament, tell him of the circumstances and say, "I wish you to treat this information appropriately, with all possible responsibility and in confidence." Provided that no harm stemmed from the disclosure of the information, no offence would be committed.

There is no reason, even within the present framework of the Bill, why that could not be done. The basis of the offence—which is relevant—is the damage that is done to the national interest. These debates have constantly ignored that point.

Mr. Maclennan: The hon. Gentleman's point about the harm test is a red herring in this context. How is a lay member of the public into whose hands the protected information falls to determine whether its disclosure will cause harm? The existence of a harm test will not offer him any practical assistance in determining what to do with the information. If it is sensitive information, he must decide whether to put it in the fire or whether it warrants official action. The only choice open to him under clause 7(3) is to pass the information to a Crown servant, but in my view it would be more appropriate for him to submit it to his Member of Parliament.

Mr. Hind: Crown servants are bound by the code contained in the Bill, and they include police officers. Why could not the person to whom the hon. Gentleman referred approach a police officer with the information? Will the hon. Gentleman show me where in the Bill there is any requirement for a Member of Parliament to be bound by the same code of practice as a Crown servant to act in the same responsible way? It does not exist.

There is nothing in the Bill to stop Members of Parliament using the information in whatever way they wish. Their actions are not controlled in any way, and that creates a charter for irresponsibility for people who wish to abuse the national interest for political reasons.

Clause 5 perfectly covers the circumstances that the hon. Gentleman has described. Members of Parliament have a responsibility to act in the national interest. I appreciate that we have to evaluate what is in the national interest, but we have channels open to us to do so. All those people whom the hon. Gentleman has brought to the attention of the House have access to police officers—who are Crown servants—to whom they can turn.

Mr. Hattersley: I intervene principally to urge the Home Secretary—if we are to be privileged to hear him speak—to make an early statement on these matters. We were tempted with the news that the Leader of the House might speak, but I understand that the clauses have been rearranged so that he may merely sit here rather than participate in the debate.

I hope that the Home Secretary will speak, for two reasons. First, a problem of the guillotine is that trenchant speeches are followed by an inadequate reply, with no opportunity for hon. Members to pursue a Minister after he has made one statement. Secondly, perhaps in contradiction to that first point, I hope that the Home Secretary will clarify some points that desperately need clarifying and bring the debate back into the realms of reality, particularly in light of what was said by the hon. Member for Lancashire, West (Mr. Hind).

The hon. Gentleman seems to be talking about a different Bill. As I understand it, clause 7 applies to the Bill as a whole. As it interprets the Bill as a whole, nearly all the cases of importance are not covered by the harm test. Clause 1 is the important clause in interpretation. It prompted the example given by the hon. Member for Thanet, South (Mr. Aitken). Yet the hon. Gentleman talks as though the harm test would solve these problems. He either has not read the Bill or does not understand it. I would not dream of correcting him as categorically as he needs correcting, but I hope that the Home Secretary will put him right and explain that there are categories of public servants.

With respect to the hon. Member for Caithness and Sutherland (Mr. Maclennan), it will not be the man in the street or the Caithness crofter who comes to his Member of Parliament to tell him some crucial information that he needs to know. It will be a public servant or a retired public servant. They are the people of whom we spoke in the Sandys and the Churchill cases. We are considering not the man in the street but the man with special information which he thinks, in the interest of the state, should be conveyed to a Member of Parliament.

Mr. Hind: Does the right hon. Gentleman not agree that a present civil servant, a secret service officer or a retired official will still be subject to the harm test in the situation that he has described?

Mr. Hattersley: Of course I do not agree. I do not know how anybody who has read the Bill or who has heard our discussions can believe that a civil servant in the Security Service, covered by clause 1, is subject to the harm test. The first two days of debate were concerned with the proposition that the security services were not covered by any harm test, but had an absolute obligation. If the hon. Gentleman does not understand that, we shall not make much progress in this matter.

I want to consider the man who is not covered by the harm test and who has information that he thinks important to convey to a Member of Parliament, as in the Churchill or Sandys cases. I shall make my position clear. I am far more worried about protecting the informant than about protecting the Member of Parliament. The hon. Member for Lancashire, West was wholly wrong to say that a Member of Parliament is in any way protected by the Bill. The protected categories are stipulated and Members of Parliament do not number among them; ergo, they are not protected. I have sufficient faith—if that is the word—in the British establishment to believe that in the modern circumstances, even the Attorney-General—a man of undoubted objectivity and probity—would think twice before prosecuting a Member of Parliament for receiving that information or for raising it in the House.

Mr. Gorst: Does the right hon. Gentleman agree that, in practice, Members of Parliament will be protected by Parliament?

Mr. Hattersley: They will certainly be protected in their use in the House of information supplied to them, but the hon. Gentleman will recall that the Home Secretary said earlier that, were I or the hon. Gentleman to receive protected information, although the House of Commons would protect when we used the information here, if either of us went to St. Stephen's entrance and repeated the information outside, that would be a different kettle of fish.

Mr. Budgen: Will the right hon. Gentleman give way?

Mr. Hattersley: I know that the hon. Gentleman is on the right side, so I do not want to deter him, but I want to finish this point.

There would be no legal protection for him or me were we to use that information outside, but I am sceptical about whether the Attorney-General would mount a prosecution, except in the grossest and most extreme circumstances. I give way to the hon. Gentleman, if he is still interested.

Mr. Budgen: Does that not give rise to an unsatisfactory anomaly between Members of Parliament and members of the public? The right hon. Gentleman is really saying that he supported the decision taken in *The Daily Telegraph* case, when my hon. Friend the Member for Thanet, South (Mr. Aitken), who was then a young member of the public, was prosecuted, as was the editor of *The Daily Telegraph*, whereas Sir Hugh Fraser, who was then the right hon. Member for Stafford, was not prosecuted, although he had done exactly the same thing, simply because he was a Member of Parliament and a Privy Councillor.

Mr. Hattersley: I am always sceptical when a question begins by asking whether what I am really saying is something other than what I said. I assure the hon. Gentleman that I am wholly on his side in the drift of what he said. I do not believe that a Member of Parliament should have the advantages that I have described. I merely suggested that in a wicked world—even the Attorney-General inhabits the same wicked world—it is more likely that a Member of Parliament will escape prosecution than an individual. That is why I said that my principal concern was not for the Member of Parliament who received the information but for the individual who passed it on. It is that individual whom I want to protect.

5.15 pm

Mr. Dalyell: Does my right hon. Friend accept that, although I do not pretend to be able to read the mind of the Ponting jury, it seemed that it weighed heavily with the jurors that, instead of running to the press with information that could have come only from one of the people to whom my right hon. Friend referred, who knew a heck of a lot about the particular subject and how the House of Commons had been deceived, I gave it to the Chairman of the Select Committee on Foreign Affairs, so it was deemed to be a proceeding in Parliament? That is an important point in backing up my right hon. Friend's argument. If these matters are kept as proceedings in Parliament, that may weigh with juries.

Mr. Gorst *rose*——

Mr. Hattersley: I shall not give way again because, 10 minutes ago, I said that I would intervene briefly, in the hope that I might intervene again after the Home Secretary had made his statement. I have been helped by so much support from hon. Members of all parties that I have gone on longer than I intended.

I want to make a point to the Home Secretary in the hope that he will let us know the Government's views. It seems to many hon. Members that one of the essential elements in our freedom is the right of a man or woman to approach a Member of Parliament on any issue about which they feel the Member of Parliament should know. For a constituent to be prevented by law from telling his or her Member of Parliament some item of information that the constituent believes should be passed on seems to many of us to be a basic contradiction of the liberties that should characterise this place.

I ask the Home Secretary to tell us whether the Government will incorporate amendment No. 74 in the Bill and, if the Government are not prepared to do so, what their objections are. Are the Government saying that Members of Parliament cannot be trusted? Are they saying that the mere fact of pasing information on, in clause 1 cases, is a danger and that a total limit must be placed on all circumstances, whether there is any real need for it or not? We need to know at this early stage whether the Government are prepared to incorporate amendment No. 74 or something similar, or their objections; otherwise we shall not have the proper debate that the subject warrants.

Mr. Richard Shepherd: I support the drift of the amendment. It is important against the background of the saga through which we arrived at the Bill, when one remembers the actions that have been pursued through the courts. The House will recall that during those actions the final judgment that my right hon. and learned Friend the

Attorney-General submitted in the case against sundry newspapers made certain contentions. Lord Griffiths then made an observation. In saying that there was an unexceptionable and lifelong duty of confidentiality for those civil servants covered by clause 1(1) and the designated or nominated class of persons, he expressed an anxiety. He said:

"theoretically, if a member of the service discovered that some iniquitous course of action was being pursued that was clearly detrimental to our national interest, and he was unable to persuade any senior members of his service or any member of the establishment, or the police, to do anything about it, then he should be relieved of his duty of confidence so that he could alert his fellow citizens to the impending danger."

That proposition was behind the public interest defence that we tried to insert, which the Government have seen off. The amendment is another route to provide a safety valve in the extraordinary circumstances envisaged by Lord Griffiths, that if everything went wrong, there should be a legitimate way of alerting one's fellow citizens. It seems wholly appropriate that the last line in a democracy should be those who are elected to represent the public's interest in the national forum—the House of Commons.

Mr. Gorst: Suppose that, under privilege, we could reveal the circumstances that my hon. Friend has in mind. Is my hon. Friend not worried that, as prior publication is no defence, the press will not have the defence that the information has been published in the House if it carries the contents of a speech—unless we can get an assurance that the privilege that protects the reporting of our proceedings will be carried forward regardless of what the Bill says?

Mr. Shepherd: That presupposes that it is necessary to expose the iniquity on the Floor of the House. Each individual Member must judge that for himself. I was deeply disheartened by the emphasis placed by my hon. Friend the Member for Lancashire, West (Mr. Hind) on what he perceived to be a responsible Member. One of the glories of this place is that those judged irresponsible often turn out in the long run to be the most responsible. This may sound like special pleading, but in this solemn and over-pompous place it is often judged that quite correct actions are irresponsible. When dealing with liberties we should be mindful that it is often important to say things that run contrary to the popular ethos of the day or to the Government's interest.

Mr. Hind: I am grateful to my hon. Friend for raising that point. Earlier in the debate, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) correctly picked me up on a point concerning the receipt of a disclosure from someone who has been notified. Surely the person who is notified commits an offence by disclosing the information to a Member of Parliament and someone who is not notified is subject to the harm test. We have a responsibility to consider the matter very carefully—especially in respect of somebody who has been notified. We have to decide where the national interest lies. We have a heavy responsibility in that regard, and must be extremely careful. Channels are open to us—through the Home Secretary and the Prime Minister—to pursue these matters. That was the point that I sought to make.

Mr. Shepherd: At the bottom of each case is a question of judgment. Every citizen has a duty to try to exercise his judgment as best he can, with regard to the nation and the circumstances in which he lives. I respect that point.

I was arguing on the basis of the preface to Lord Griffiths's judgment, and saying that one might possibly conceive of circumstances in which it was necessary to alert the public to a danger. The Government have been consistent in their view that there can be no danger that cannot be remedied internally. They argue that the Bill can satisfy all the possible contingencies that every hon. Member—and Lord Griffiths—can imagine. The Bill is defective in that very assertion. In an important speech yesterday, the hon. Member for Caithness and Sunderland (Mr. Maclennan) talked about that assertion in relation to the European convention on human rights.

The Government are constructing legislation that will bring us before the European Court of Human Rights because it allows only for the internal review of possible grave injustices. The authority of the state alone—unsupervised, and unchecked—may make unreviewable decisions on all these matters. I think that the Bill will fall before the European Court of Human Rights and I do not know many lawyers who think otherwise, although the Government seem to have their own special legal advice on these matters. It is important to caution them again and again about the dangers of not providing arrangements for the independent review of decisions that affect freedom of speech and our liberties in general. That is where the Government will come into conflict with the European court.

Were the option left open to me—the Government have wilfully closed most avenues to us—I should find it extraordinary that they should take the view that there should be no last-chance mechanism by which one can remedy an iniquity or possible danger to fellow citizens of the kind to which Lord Griffiths referred in his judgment.

Lord Griffiths's judgment is not the only judgment that we have had. I consider the Bill very much as the Baron Armstrong Bill. That gentleman has argued for most of the principles in the Bill in front of almost every court that he can find. In each court—in one court after another—the judge has overturned the central contention that there is an absolute lifelong duty, which cannot encompass the possibility that anyone else should ever have sight of a balanced reflection or an alternative view.

My right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) has repeatedly reminded us of Mr. Justice Scott's observation—that this Government are demanding a degree of confidence that cannot be achieved this side of the iron curtain. Yet we sit here while the Government pass the Bill into law. It is a mistake, and it will be confounded by a court which, fortunately, can override the judicial decisions and view of the Government, and which is sited outside the realm.

The right hon. Member for Blaenau Gwent (Mr. Foot) referred to the Duncan Sandys case, and mentioned the function of the Committee of Privileges. *The Times* recently carried an important letter from a former colleague of ours, Mr. Christopher Price. Referring to the nature of privilege, he quoted a Privileges Committee report:

"The privilege of freedom of speech enjoyed by Members of Parliament is in truth the privilege of their constituents. It is secured to Members not for their personal benefit but to enable them to discharge the functions of their office without

[Mr. Shepherd]

fear of prosecution, civil or criminal. The Commons, in their famous protestation of 1621, declared the privileges of Parliament to be the birthright and inheritance of the subject."

That is what the House of Commons is about. There is an assault on the very basis of our liberal democracy every time Government assert that only they may take a view of what constitutes national security.

A little later, we shall have a very important debate on the issue of prior publication. That, too, touches the very nature of our democracy. Judgments in the United States and Canada—and in our own history—have overturned many of the contentions in the Bill.

Mr. Dalyell: The hon. Gentleman may not have wanted to quote two further sentences from Christopher Price's letter:

"This is why the drafters of the 1688 Bill of Rights separated the powers of the High Court of Justice from the High Court of Parliament so clearly; it was also the basis for the acquittal of Clive Ponting by a British jury. They saw Ponting's action, like that of Duncan Sandys, as in the public interest and therefore incapable of being criminal."

Christopher Price's point is doubly valid.

Mr. Shepherd: I should have read the House that assertion because it is important to remind the Government that the course on which they have embarked serves neither the interests of the Government and the Conservative party, nor those of the House and the country.

As there is unlikely to be a debate on clause stand part, I should add that I do not think that the amendment goes far enough. It is defective, because, as has been pointed out, there is a tremendous anomaly. My right hon. Friend the Home Secretary has advised us that one of the liberalising aspects—in fact, it is a dangerous aspect—of the Bill is that former and existing Security Service officers could be called to give evidence in court. A newspaper that cites its source could render itself liable to prosecution, albeit with some form of damage test. It is quite respectable for a newspaper to want to call its source to give aid to its defence. The Home Secretary accepts that there will not be Crown prosecution immunity certificates and tells us that that is one of the risks.

Clearly, the contention is that the Crown servant—the member of the Security Service—may give the information only to fellow Crown servants. That is the only way in which Crown servants can be relieved of their duty of confidentiality. What happens when the Crown servant is asked to give evidence in court? He has a conflict of duty, because he has the duty of a citizen to give evidence under oath but the Bill explicitly rules that out.

The law reform committee of the Law Society of Scotland says of this clause:

"This would permit a disclosure by a Crown servant or, in certain cases, another notified person as being with lawful authority if it was made in accordance with his official duty. We are concerned that this would still leave cases of conflicting duties where the position of the person concerned would be unresolved. If a Crown servant is giving evidence on oath, for example, and is asked in effect to disclose information covered by clause 1(1), he clearly has, in one sense, a duty to disclose, but this cannot be called his official duty as such. We do not comment as to which duty should prevail in such circumstances, but believe that a clear resolution should be provided by statute for such a conflict."

That seems to be a wholly respectable position to adopt.

While I do not think that the amendment is the most satisfactory way of remedying the anxieties that will clearly confront our constitution and, I believe, will render the value of this House, in the eyes of citizens, as being ever more marginal than they now perceive it to be, I commend it to my right hon. Friend as a way of helping the Government out of the impossible dilemma that they have provided for themselves.

5.30 pm

Mr. Heffer: We may not agree entirely with everything that the Member for Aldridge-Brownhills (Mr. Shepherd) has said, but the Government should at least take a look at this amendment and perhaps bring forward a more suitable one covering the proposals that have been made today.

I should like to comment on one or two things that have been said about this matter. My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) made the point that the Attorney-General would not be rushing to prosecute Members of the House of Commons —and he has great respect for the right hon. and learned Gentleman, as I have. What worries me is whether "Queen Margaret" or "Mother" would be in quite the same frame of mind. Would the Attorney-General make the decision? Would the Prime Minister be breathing down his neck? It is just conjecture, but I am not happy about the way the Government are going at the present time. I am not happy about the Prime Minister's actions.

The Attorney-General (Sir Patrick Mayhew): I am grateful for the hon. Gentleman's kind compliment, but what he has just posited as a possibility is rather in conflict with it. May I assure him that every one of my predecessors in modern times has always brought to the question of prosecution a judicial mind and would have dismissed instantly any suggestion that he could be subjected to any pressure of the kind that the hon. Gentleman has just mentioned. In my experience this has been so clearly understood by all the Attorney's colleagues as really not to be worthy of sensible consideration at all.

Mr. Heffer: And long may it remain so. What worries me is that if Ministers—even the Attorney-General—came into total conflict with the right hon. Lady they might find themselves out of a job.

Mr. Budgen: Of course, there is great conspiracy among Law Officers. They all scratch each other's backs and try to enhance the dignity and importance of their office. But, as the hon. Gentleman will recall, the first Labour Government were brought down as a result of a great row over the Campbell case. Even in recent times very disagreeable allegations were made against Mr. Sam Silkin in relation to his attitude towards the Clay Cross councillors. The back-scratching was not very effective at that time. So the idea that all Attorneys-General are persons of the utmost political virginity in all circumstances is simply not borne out by history.

Mr. Heffer: I do not disagree with the hon. Gentleman; I am just making the point that I am not too happy with the way things in government are going at the moment. I just hope that the Attorney-General and the other Law Officers, as perhaps they should have done on past occasions, will stand up to the Prime Minister of the day and say quite clearly, "So far as we are concerned, there is

going to be no going down that path." That is the only point I am making. It is just a slight caveat in relation to the point made by my right hon. Friend. I was not actually disagreeing; I just wondered what the position might be in the present situation. However, I am glad that this aspect of the matter has been brought out.

I agree with the hon. Member for Lancashire, West (Mr. Hind) that a Member of Parliament obviously has to be responsible. We all get documents through the post, and people come to see us. If we are intelligent, responsible Members of Parliament, we look at those documents closely and decide whether they are important and whether they contain anything significant concerning the national interest. If we think that the sender is a nut-case, we put the documents in the fire or in the bin.

But from time to time somebody will come along with a significant document. As the hon. Member for Caithness and Sutherland (Mr. MacLennan) said, it may not be a civil servant, although I agree with my right hon. Friend that perhaps it would be. But it could be somebody else; the clause makes the point that it does not have to be a civil servant. However, somebody had been notified and, to that extent, was responsible. Such a person might come to one with information, and one might well decide that it concerned a matter of the greatest national importance,.

I believe that a Member of Parliament should have that role. Who else? The suggestion that it should be a policeman is ludicrous. I do not know where the hon. Gentleman who made that suggestion lives. Will he go to his local police station and say, "I have this information. it is of the gravest importance, and I should like to speak to the chief constable"? He might get the reply, "I don't know about that."

Let us be serious about this matter. If something is of grave national importance surely the Member of Parliament has a responsibility to do something about it. I accept that there may be one or two Members of Parliament who wrongly use privilege in the House of Commons, but that is rare.

The Secretary of State for the Home Department (Mr. Douglas Hurd): One is enough.

Mr. Heffer: I am just giving an example. It may be that one or two Members have used privilege wrongly. In all my years in the House I have not seen it happen, although there may have been some things about which I have thought, "I would not have done that."

Mr. Maclennan: The Home Secretary has just said, "One is enough." Does the hon. Gentleman agree that one police constable misusing information that had been put in his hands would also be enough?

Mr. Heffer: That is absolutely right—I could not have put it better myself.

The fact is that most Members of Parliament—in fact, all that I have known—raise matters in this way only when they consider them to be matters about which the nation must know. It is that important. Certainly, I would never use the privilege of the House of Commons except in respect of a matter that the nation needed to know about and had a responsibility to act upon. I do not think that Members of Parliament use their responsibility—or their so-called responsibility—wrongly. If hon. Members have proof to the contrary they have to argue that case, but in all the years I have been here I have not known Members to use privilege in that way.

The important point has already been made that we are the representatives of our constituents. We are not here as individuals. The people elect us. We are their voice. If someone comes to a Member of Parliament as a representative of the electorate and says, "I feel you should know about this matter," or, "I want you to act upon this in the interests of the nation," the hon. Member has not just a responsibility but a duty to do something about it. Therefore, that should be covered in the Bill.

Let us consider the point about going to a police officer or to the chief of police in relation to the civil servants who gave information to Churchill. What would a police officer have done if he had got that information? The only way the information could have been used in the interests of the people was for Winston Churchill and his friends to act upon it. When we look back at history, we can only thank God that they did. Unfortunately, there were too many people ranged against them, so their action was not as effective as it might have been, but things would have been far worse if the information had not been passed to them and they had not used it. Anyone who took similar action now would be in real trouble under the provisions of the Bill. Members of Parliament should have the responsibility to act in similar circumstances.

In the Watergate case, the revelations were made to the press by civil servants around the President. We know how it happened. We have read the books and seen the films. Elected representatives should have had the opportunity to act on the information in the interests of the United States.

All Governments, including Labour Governments—despite my right hon. Friend the Member for Blaenau Gwent (Mr. Foot) for whom I have a great affection—tend to use their power to keep things secret and to act against people who want to open matters up. I do not know why, because when I was a Minister I never found a secret worth bothering about. I do not know what people were on about when I was told, "Do not let the world know." What was I not to let the world know? I never knew any great secrets about anything.

For years I was classified by some organs of the press as an agent of Moscow because I was once a Young Communist. I used to joke that the worst thing that had ever happened to me was that when Stalin died, he stopped sending me a cheque regularly. I never got a cheque, but I am sure that the press thought I did.

Absolute nonsense is talked about secrecy. It is time we had a different discussion about how we can make things available to the people. The greater the lack of secrecy and the more people are involved, the more democracy there will be.

Mr. Dalyell: It is not so much that secrecy is about national security; it is often about political embarrassment. That is what causes the problem. A great deal of this problem has been about lying to the House of Commons rather than about national security.

Mr. Heffer: I could not agree more. As a Minister I regularly wrote a column for the *Walton Times*. I had written it before I became a Minister. I also used to write a column for *The Times*, but I had to stop that. I continued to write a column for the *Walton Times*. I do not know the

[Mr. Heffer]

circulation of the *Walton Times*, but it was not great. The Prime Minister of the day said that I had to stop writing that column. *[Interruption.]* It was not for literary reasons; he thought that I might embarrass the Government. I said in pleasant terms, "Thank you very much; get knotted," because I had no intention of stopping my column in the *Walton Times*.

Mr. Dalyell: Did the *Walton Times* have a circulation in part of Huyton constituency?

5.45 pm

Mr. Heffer: No, it did not, but some people in Huyton might have read it. That was absurd; it was secrecy taken to the nth degree. On one occasion I got a notice from the Prime Minister that I should not appear in a television programme. Where did the notification come from? It came from Moscow because the Prime Minister was on a visit there. How the heck he knew that I was about to appear on a local television programme, I do not know. All this secrecy is absolute nonsense and it is time it stopped.

The hon. Member for Caithness and Sutherland may not have used the best words in his amendment, but the Government should agree that it raises an important point involving the vital role of a Member of Parliament. The Government should agree that Members should be the voice of the people and should be the recipients of information that people want raised publicly. If we cannot get the point about public interest into the Bill, at least hon. Members should be able to act in the public interest. Therefore, I ask the Secretary of State to note the arguments used in the debate and to bring forward on Report a suitable amendment covering the basic principles advocated by various hon. Members.

Mr. Hurd: It is always agreeable to hear the autobiography of the stormy youth of the hon. Member for Liverpool, Walton (Mr. Heffer). This is the third time that I have heard it during these debates. I am sorry that, perhaps because of the pressure of the timetable motion on this rushed, hurried debate, he left out the next chapter about the clicking on his telephone. Perhaps we can hear that later, as it is very good stuff.

Mr. Heffer: It has stopped now.

Mr. Hurd: It is one of my worries that the hon. Gentleman has become respectable. I am afraid that he has produced evidence to that effect. I shall try to show later that inadvertently in part of what he said, he mortally wounded the case for the amendment.

As the hon. Member for Caithness and Sutherland (Mr. Maclennan) said in his modest introduction, this is a modest amendment in that it does not cover Crown servants. It covers any other person and members of the public. Therefore, it does not attract the advantages that some of its supporters have argued for it. I will not dwell on that point, which is rather technical. The hon. Gentleman was making a different point about a different part of the public than that made by many of his supporters on the Conservative Benches.

This trenches on matters of privilege. That is why the Minister has to choose his words carefully. The Bill does not affect the operation or the present extent of parliamentary privilege which has developed over many years; nor does it seek to add to it through the medium of primary legislation. It is not for the Executive or for Ministers at the Dispatch Box to tell the Committee the full extent and doctrine of parliamentary privilege, because these are ultimately matters for the House of Commons.

The right hon. Member for Blaenau Gwent (Mr. Foot) rightly reminded the Committee of the Sandys case. He said that it led to an inquiry into the operation of the Official Secrets Act 1911. The report of the Select Committee was published in April 1939. It is worth making three short quotations from that report because they are germane. The report said:

> "Privilege enjoyed by either House of Parliament or by members of either House in their capacity as members can be abrogated only by express words in statute".

I think that we would all agree with that. There are no such words in the Bill. It continued:

> "Your Committee are of the opinion that disclosures by members in the course of debate or proceedings in Parliament cannot be made the subject of proceedings under the Official Secrets Act".

That is a statement of the extent of privilege and I do not think that anyone would disagree with it. The report concluded:

> "it would be inadvisable to attempt by legislation or otherwise to define with precision the extent of the immunity from prosecution under the Official Secrets Acts to which members of Parliament are or ought to be entitled."

I know that later committees have returned to the question of putting some definition of parliamentary privilege in statutory form, but that raises questions which are outside the Bill. The hon. Member for Caithness and Sutherland and, in a more ambitious way, his supporters, seek to extend by statute the operation of parliamentary privilege, thus making lawful any disclosure of official information protected under the Bill by a member of the public to a Member of Parliament.

The matter was raised earlier this week when Mr. Speaker said in response to a point of order during the timetable debate on 13 February:

> "As the rules stand at present a communication from someone outside the House to an hon. Member is not privileged."—[*Official Report*, 13 February 1989; Vol. 147 col. 114.]

That is a statement by Mr. Speaker of the existing situation. The question is whether that existing situation should be changed.

In answer to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), the House should think long and deep before extending privilege not to hon. Members but to members of the public who might wish to communicate with them, and think about whether it wishes to provide by statute some privilege by which a member of the public might communicate with a Member of Parliament on a possibly criminal matter. I believe that the House should reflect deep and long before doing that.

Mr. Dalyell: I questioned Mr. Speaker on this matter and was told by the Clerk of the House that the distinction was between members of the public volunteering information and, for example, witnesses who had been called before a Select Committee and who were covered by privilege. Is there really a distinction between those who are called by a Select Committee as official witnesses and members of the public going to their own Member of Parliament? I think that that is a rather dangerous distinction.

Mr. Hurd: I think that it is a crucial distinction, because of the point that I have just made. In effect, the amendment is extending privilege in a way that would have implications and ramifications which the House would need to consider very carefully.

Mr. Gorst: Will my right hon. Friend give me an assurance that there will not be any narrowing of privilege in the sense that, if an hon. Member were to reveal on the Floor of the House something that was privileged and it were reported by the press, the newspaper reporting the matter would not be treated in any way differently from the way in which newspapers are treated in reporting our speeches today?

Mr. Hurd: There is no narrowing of privilege under the Bill. In one respect, which I shall mention, the position of individual members of the public is improved.

I shall now consider the matter from the other point of view that the right hon. Member for Sparkbrook mentioned—the view of the member of the public, or Crown servant.

Mr. Hattersley: I am beginning to understand the Home Secretary's debating technique. He told us that to allow the public to reveal such matters to Members of Parliament is a matter on which the House will want to think long and hard. We have thought hard for as long as the guillotine will allow, but we need to know the Home Secretary's view on the matter. We want to know not that it is a difficult problem, but whether he thinks it is appropriate. If it is not appropriate will he try and justify an assertion which up to now has been wholly unsubstantiated?

Mr. Hurd: I am coming on to my view about putting it into statute. What I have said up to now has been rehearsing the present situation in terms with which I do not think the right hon. Gentleman disagrees. However, it is important because Opposition Members have made claims that the Bill restricts parliamentary privilege. I have already established that it does not, but from the point of view of us all as Members of the House of Commons, the amendment lays down a completely new principle which I do not think can be dealt with within the confines of the Bill. It raises the point whether it would be sensible to extend privilege to members of the public communicating with Members of Parliament over matters which might be criminal. That is a major matter which goes beyond the confines of the Bill.

I now turn to members of the public or, although they are outside the terms of the amendment, Crown servants or members of the security and intelligence services. Members of the public who are covered by the amendment —people who are not Crown servants—would not in the majority of cases be affected by the amendment. It would have no effect on the ability of a person to consult his Member of Parliament about some piece of unauthorised official information which had come into his possession. In most cases, the information would not be protected by the Bill. Furthermore, in all but one of the areas that are protected by the Bill—that is warrants, which we shall discuss later—a disclosure by a member of the public is subject to a harm test, as my hon. Friend the Member for Lancashire, West (Mr. Hind) said, or in the case of crime, its equivalent, which means that it has to be proved beyond reasonable doubt.

It would be an offence for a member or former member of the security and intelligence services, or someone who is notified under clause 1—the general category with which the Committee is now familiar—to disclose information relating to security or intelligence to a Member of Parliament. That is the nub, not of the amendment, but of the argument advanced by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and the right hon. Member for Sparkbrook. Are we really saying on reflection that that would be a wise conclusion?

I now turn to the speech of the hon. Member for Walton. Any hon. Member—it does not have to be the relevant constituency Member—might well receive such information. The hon. Member for Walton has said that two or three hon. Members might abuse privilege, but I am not talking about abuse of privilege. An hon. Member, on receiving information, which might be of enormous sensitivity, from members or former members of the security or intelligence services, might, in the light of his own political convictions, decide to publish or to announce to the House what he had been told. The damage might be very substantial and would be fully protected by the privilege of the House.

The analogy with a police officer mentioned by the hon. Member for Caithness and Sutherland is wrong, as the police officer would not be protected while a Member of Parliament would be protected. When I said that it only needs one, I was simplifying the argument, but some Members of Parliament might feel, not as a matter of abuse but as a matter of political conviction, that it was their duty to read out what had been disclosed, in a manner fully protected by privilege. In that case, the damage would have been done. Does the Committee believe that it would be sensible to embody that risk in statute?

Mr. Maclennan *rose*——

Mr. Winnick *rose*——

Mr. Heffer *rose*——

Mr. Hurd: I shall give way to the hon. Member for Caithness and Sutherland who tabled the amendment.

Mr. Maclennan: I do not understand the Home Secretary's argument that a police constable would not be in the same position as a Member of Parliament. As I read the definition in the Bill, the police constable is a Crown servant and is covered under clause 7(3)(a). A police constable could take it into his head to act inappropriately, just as a Member of Parliament might. He is in pari materia.

Mr. Hurd: He is subject to discipline and under the law, whereas the Member of Parliament has the full protection of privilege, as long as he makes his disclosure not outside St. Stephen's entrance but on the Floor of the House or in a Select Committee. There is a basic difference.

6 pm

Mr. Heffer: If the individual goes to a police constable, he cannot say anything more about it. He certainly cannot go to the public. He can go to an hon. Member, but he cannot go outside. If he did, he would immediately be in trouble. The hon. Member for Caithness and Sutherland (Mr. Maclennan) said that, no matter how strongly an individual may feel, no matter how an hon. Member may

[Mr. Heffer]

feel on receipt of the information, the information must not be disclosed. That means that the Government are saying that, for all time, no matter what the problem is or how seriously it might be against the national interest, it must never be disclosed and nothing is ever to be done about it. That is the most serious statement that any Government can make. It is like what has happened in the past in the Soviet Union, eastern Europe, and all the countries that the hon. Gentleman and I have opposed because they have kept from the public the real interest of the people.

Mr. Hurd: The hon. Gentleman is mistaken. I am coming to the rights of a Member of Parliament if he were to receive such information. I am still at the earlier stage. I am talking about the absolute duty, as set out in clause 1, of a former member of the intelligence and security services. The amendment would limit, restrict or remove that absolute duty in communicating with a Member of Parliament. It is right that that should not be permitted by statute, for the reason I have given. I simply believe—I am sure that the overwhelming number of our constituents would believe it—that that is not a sensible course to take. Therefore, I could not recommend it to the House.

Mr. Gorst: Is not the protection of free speech a matter for the House to decide? If there is a danger of abuse, is it not for the House to decide, and not for the Government to lay down the parameters in statute?

Mr. Hurd: That is one of the points that I have been making. The amendment suggests that, by statute, we should create the risk that I have described. I simply do not think that many people would regard that as a safe or sensible thing to do. My hon. Friend is right. Suppose we did take that risk and put it into statute, and an hon. Member does what I fear, and uses parliamentary proceedings to disclose something of great difficulty or danger. There might then be questions about privilege and about whether he had gone too far. I am not postulating an abuse of privilege; I am postulating somebody who, because of his genuine political convictions, felt that it was his duty as a Member of the House to disclose information.

Mr. Winnick: Will the right hon. Gentleman give way?

Mr. Hurd: I will give way to the hon. Gentleman, and then I should like to answer other points.

Mr. Winnick: As the Home Secretary has just acknowledged—and the hon. Member for Hendon, North (Mr. Gorst) made this point—if there is an abuse of parliamentary procedure, it is for the House to take any action that it considers necessary. The lurid picture which the Home Secretary is painting concerns alleged spies and someone reading out a list of their names on the Floor of the House. That will not happen every one, 10 or 15 years; every case in which abuse has occurred is far more likely to be a Cathy Massiter type of case. What she revealed confirms our view that if such abuses occur, they have nothing to do with foreign agents, spies or anything else, and they should be dealt with on the Floor of the House.

Mr. Hurd: I do not think that I have been at all lurid. I have made no accusations. I have been extremely careful in the words that I have chosen. I do not wish to be pushed further into suggesting abuse of privilege, which the hon. Member for Walton himself suggested on a limited scale. I have made the point that I wanted to make—it is an important one. Honestly, it is a strange proposition before us, and it would be hard for our constituents to understand it.

To complete the argument, I refer to the civil servant —that is to say, a person who was not a member of the public in the terms of the amendment, and not a member of the security or intelligence services or notified. My hon. Friend the Member for Lancashire, West was quite right. A person in that category making unauthorised disclosures to a Member of Parliament may be committing a disciplinary offence. Whether he commits a criminal offence will depend on whether the disclosure satisfies the harm test in the Bill.

The point made by my hon. Friend the Member for Thanet, South (Mr. Aitken) has come up several times. It has also been made by my hon. Friend the Member for Hendon, North (Mr. Gorst). What is the position if a Member of Parliament receives such information? There is no offence of receipt of information in the Bill—everybody agrees with that—but there has been under earlier proposals. Quite a substantial change has been made. The Member of Parliament has not committed any offence by receiving the information. What he could do in the circumstances described would depend on the harm which he judged a disclosure by him was likely to cause. The options are wide. If he considered that any further disclosure would be likely to cause harm under the Bill, he could put the matter to the Secretary of State, under Clause 7(3)(a), or, if he was uncertain, he could seek authority to disclose it. He could behave in the way in which my hon. Friend the Member for Thanet, South evidently behaved in the case that he told us about.

The right hon. Member for Sparkbrook is right. We are not concerned so much with the position of the Member of Parliament, because that is safeguarded under a combination of the Bill and the existing extent of privilege. We are talking about the position of the member of the public and, in particular, a member of the security or intelligence services. I do not believe that it would be wise, from the purely parliamentary point of view, from the point of view of the extent of privilege, or from the point of view of the protection of necessary secrets against risk to accept the amendment or, rather, to accept the line of argument that the amendment begins and which my right hon. and hon. Friends have developed.

Mr. Richard Shepherd: Will my right hon. Friend refer to evidence in court, the duty as contained under the statute, and the duty to give evidence?

Mr. Hurd: I am obliged for the reminder. It is a point that my hon. Friend has made.

If a person acting as a witness in legal proceedings is asked to disclose official information and he believes that to do so would be an offence under the Bill, he may explain to the court that he does not believe that he can give the information without committing an offence. It is then for the court to decide whether to require that the information be given. If criminal proceedings cannot be concluded without a disclosure of official information which is harmful, or more harmful than the offence which is the subject of the proceedings, then the prosecution may have

to be withdrawn. If a Crown servant is required by the court to give information, it is not an offence for him to do so, as it is obviously in accordance with his official duty.

Mr. Dalyell: The hon. Member for Aldridge-Brownhills (Mr. Shepherd) referred to the Scottish Law Society evidence. I listened carefully to the Home Secretary. He will correct me if I am wrong, but I do not think that he has clarified the point. The Law Society of Scotland is concerned about

"a disclosure by a Crown servant (or in certain cases, another notified person), as being with lawful authority, if it was made in accordance with his official duty. We are concerned that this would still leave cases of conflicting duties where the position of the person concerned would be unresolved."

To be fair, I do not think that the Home Secretary addressed this matter. It goes on:

"If a Crown servant is giving evidence on oath, for example, and is asked in effect to disclose information covered by clause 1(1), he clearly has, in one sense, a duty to disclose but this cannot be called his official duty as such."

Incidentally, this was the result of a good deal of work by the officers of the Law Society and their working party. It goes on to state:

"We do not comment as to which duty should prevail in such circumstances but believe that a clear resolution should be provided by statute for such a conflict."

I gave that statement to officials and I hope that the Home Secretary can clear it up.

The hon. Member for Thanet, South (Mr. Aitken) spoke about the Blunt case. This is not the occasion to go in detail into that case, but I am in a minority and believe that such minorities should be able to voice an opinion. I was horrified when the statement on Blunt was made. I was also horrified when the statement was made on Hollis. I was equally horrified when statements were made on Cavendish.

If Ministers are to make statements of that kind in Parliament, they had better be full statements. Frankly, Cavendish wrote his book, which caused so much difficulty, because he thought that the statement that was made was grossly unfair to a mutual friend of his, and of mine, and possibly of the Home Secretary's, the late Sir Morris Oldfield. It was the unfair treatment of Oldfield that caused Cavendish to write that book.

This is not the time or place to reminisce, but if statements were to be made on Blunt, the whole story should have been told because—I put it not higher than this—Douglas Sutherland was possibly in a position to know that Blunt acted in the way that he did partly because he was under the instructions and orders of the late Guy Liddell and the late Dick Brooman-White, who later became the MP for Rutherglen and who had been a senior officer in the intelligence services.

If statements of that kind are to be made, it behoves politicians to tell the full story, and therefore we must be extremely careful. I appreciate that we are under the guillotine, and although the Home Secretary does not have a lot of time, I hope that he will at least comment on the Law Society of Scotland point.

Mr. Gorst: I would have liked the Home Secretary to more specific when replying to my intervention in which I asked whether something revealed in the House and then reported by the press would in any circumstances attract the possibility of prosecution. I may not have heard my right hon. Friend correctly, but he did not seem to make a clear and emphatic statement on whether any change is likely to take place in that respect as a result of the Bill.

Will the Bill make any change in the position of a Member of the European Parliament, or will he remain in exactly the same position as he is now?

My next question arises out of the possibility of information of a classified nature being supplied to an hon. Member on an anonymous basis. This is not as fanciful as my hon. Friend the Member for Thanet, South (Mr. Aitken) implied. I recall a few years ago receiving an anonymous letter informing me that a considerable security risk attached to some people employed in the Palace of Westminster. I was inclined to treat the matter in the way that I treat all anonymous letters, but the terms in which it was couched and the information given was sufficiently specific to persuade me to pass it on to the authorities.

I heard nothing for about two months. Then an official of the House came to see me to assure me that the matter had been followed up. There had been a specific security risk, I was told, and the matter had been dealt with. I mention that case to show that occasionally—it may happen only once in a decade—the odd anonymous tip-off that an hon. Member receives—remembering that some members of the public feel that only their MPs are in a position to follow certain things up—must be followed up, or one takes the risk of something dangerous being ignored.

If information of an extremely sensitive nature is brought to one's attention, one draws it privately to the attention of the relevant Minister, or whoever else. One hears nothing and in due course one inquires whether anything has been done. Finally one is told, "We have looked into it. We think we know from where you got the information. We have dealt with it. The man is a nut." That is the end of the story.

One can be left with the feeling that that is not enough and that one should pursue the matter. As I say, this may happen only once in a decade—even once in a generation—and one is left feeling that something is being hidden. One is left wondering whether the tip-off, received anonymously, came from someone who has gone through all the procedures and feels that there has been a cover-up.

6.15 pm

What will happen in such a case if one becomes persistent? One may behave in the way in which the hon. Member for Linlithgow (Mr. Dalyell) behaved over the Belgrano affair. One may refuse to take no for an answer, and whether one is right or wrong is neither here nor there. One is persistent and, let us suppose, one is on to something. I want to be assured that there will be no question of making one a notified person so that one can never reveal exactly what one has discovered.

I believe that there is danger in this legislation of creating a new class of informants—not those who give their names but those who anonymously give information which one must then decide how to use, and if the cover-up continues despite one's inquiries, one may be forced eventually to reveal it on the Floor of the House. That bothers me about the part of the Bill with which we are dealing.

Mr. Jeff Rooker (Birmingham, Perry Barr): I hope that the Home Secretary will speak again and answer various points that are being raised following his last remarks.

We have heard the expression "nut-case" used by hon. Members on both sides of the Committee to describe

[Mr. Jeff Rooker]

people outside who might wish to raise with us matters that might not seem, as it were, to be quite normal. Hon. Members will agree that those are the very issues that we must watch carefully—the persistent people who raise matters that appear dodgy, stupid and vexatious. They are the very cases at which we look carefully because of the niggle at the back of our minds, "This must not slip through the net just in case there is the germ of some substance of a complaint." The idea that Ministers or others might say, "This is a nut-case; just ignore it; everyone knows about it and nobody has bothered to do anything about it," could be dangerous.

I have served in the House for only 15 years. I was about to say that I could not recall a certain action being taken by a Member of Parliament. I should refer to a Member of the House of Commons because, in the terms of the amendment, there is no such person as a Member of Parliament. The proposal is deficient because it would cover Members of the other place, whereas we are really speaking exclusively of Members of the House of Commons.

In any event, I have not known an hon. Member to use —not misuse—privilege in bad faith. That is the test. I have used it and subsequently I have apologised, but not in relation to an issue as significant as that which we are discussing. *[Interruption.]* I think that the Home Secretary said, from a sedentary position, "One is enough," and I agree that it would be enough if only one hon. Member used privilege in bad faith.

It could be argued that it is not possible for a Member of Parliament to abuse privilege. The question is whether privilege is used in good faith and as a last resort.

The Home Secretary, in responding to my right hon. Friend the member for Birmingham, Sparkbrook (Mr. Hattersley) drew a distinction between the privilege that exists when a member of the public contacts a Member of the House of Commons, and that which exists when a member of the public is called to give evidence to a Select Committee. The right hon. Gentleman said that the witness before a Select Committee is participating as part and parcel of the proceedings of the House.

The Home Secretary also says that the amendment goes too wide. Today, unlike 10 years ago, there is a Select Committee covering every activity of Government—save the Scottish Office, for reasons that we understand. Given that an individual cannot send a letter addressed "To Parliament", because it would be opened and sent to the sender's constituency Member—which is something that the Home Secretary wishes to avoid—what would be wrong in that member of the public, who I accept is most likely to be a former civil servant, writing to the chair of, or the Clerk to, the relevant Select Committee? Such a communication would surely carry with it some privilege in respect of the person who sent it.

The Home Secretary will not think about my suggestion now, and will probably dismiss it. However, we have not yet reached the end of the Bill's passage through this House. I presume that there will be a Report stage, when amendments will be tabled. The Leader of the House indicated that that will be so, if there is time.

Mr. Hurd: Be relaxed.

Mr. Rooker: I am relaxed, but the Home Secretary is very relaxed because, as a result of the bad faith among members of the Government Front Bench, Ministers know that they are under no pressure to answer questions or to respond in debate. They are the most relaxed set of Ministers imaginable, because they enjoy the protection of the guillotine. Nevertheless, I ask the Home Secretary to give the matter further consideration before Report. It was the right hon. Gentleman who drew the distinction between an individual corresponding with a Member of Parliament and a witness before a Select Committee. I take that distinction one stage further, introducing the individual who discloses information to the Clerk to, or Chairman of, a Select Committee.

The hon. Member for Hendon, North (Mr. Gorst) asked about the reporting of the House, and the Home Secretary was not as clear as he might have been in replying to that point. The right hon. Gentleman only has to say that there will be no changes from the present position, applying as we debate the Bill, when the Bill is enacted. I do not refer to future television or radio broadcasting, but to the existing provisions for the press and broadcasting authorities, which I trust will remain the same when the Bill becomes law. If the Home Secretary gives that reassurance, he will satisfy right hon. Members in all parts of the Committee.

Mr. Foot: I hope that the Home Secretary will consider the points raised by my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), which relate to additional matters that Parliament should carefully consider. Since the Sandys case, the way in which the Select Committee on Privileges operates has been altered in a way that I thought provided for greater protection and should make the Government more willing to follow the course that some right hon. and hon. Members advocate. As matters stand, a right hon. or hon. Member cannot just raise a matter of privilege on the Floor of the House, but must first take the matter up with Mr. Speaker. So some further protection is given there.

From what the Home Secretary says, it appears that no alterations will be made to the operation of the Official Secrets Act 1911 as it applies to Members of Parliament. The right hon. Gentleman gave reasons why he does not believe that there should be such an alteration. If that is the case, we are back to the Duncan Sandys position. The report of the Committee of Privileges on that case did not mark the end of the matter in the minds of those people who felt that they had suffered under the Official Secrets Act 1911—the Churchillites, the Duncan Sandysites and the rest. They still felt that the report of the Committee of Privileges was insufficient to deal with the situation, and that the legislation should be amended. That is what Churchill wrote about, and I have referred to that matter on two or three occasions. I invite the Home Secretary to read the words that Churchill wrote on that subject.

Thirty years later, when we propose making an alteration after all those years, the Home Secretary still says, "There is no real change to that aspect," for the reasons he gave. I am not arguing that amendment No. 74 is wholly satisfactory. I believe that the change required could be effected in a different way. But I also believe that, after all those years, after all the arguments and protests that have been made, and given the opportunity we have to devise a new secrets Act that will govern our country's affairs for many years to come, the Government should be

prepared to table an amendment that will guarantee to Members of Parliament, and to any person approaching a Member of Parliament, better protection than there has been in the past—and better protection than there will be if the Bill is allowed to go forward unamended.

The Attorney-General: Perhaps I may be allowed a brief outing, to avoid the perils of over-relaxation to which the hon. Member for Birmingham, Perry Barr (Mr. Rooker) referred.

As to the Scottish point and the disclosure of protected information in legal proceedings, the categories of protected information specified in clauses 1, 2 and 3 have a common feature: they all apply to a Crown servant who "makes a damaging disclosure of any information . . . which is or has been in his possession by virtue of his position as such."

In other words, it will have been by virtue of his position that he came by the information in question. What will happen if that individual is called upon to divulge that information in court? He may say, "I do not believe that I ought to disclose that information." What will happen if he is pressed?

As my right hon. Friend the Home Secretary said, if he is giving evidence for the prosecution—and it will virtually always be in those circumstances—the prosecution can say that, if he does not wish to give evidence and the court is not prepared to give an order, the proceedings will have to be withdrawn if the matter is crucial. But that seems to be so far-fetched as to be unlikely to occur. If matters had got to that stage, the prosecution would have considered it beforehand.

6.30 pm

If, on the other hand, the court orders that person to give evidence, he is surely giving evidence in accordance with his national duty, which is the formula found in clause 7, which sets out the circumstances in which disclosure for the purposes of this Bill is made with lawful authority. Of course, it is made then, I suggest, in accordance with his official duty because, if he is a civil servant, it must be in accordance with his official duty that he should comply with an order of a court made in connection with any information that has come to him by reason of his official position.

I believe that that is all that need be said to allay Scottish and other anxieties on this point.

I will give way to the temptation to answer one point made by the right hon. Member for Blaenau Gwent (Mr. Foot). He says that no change has been made by this Bill in the position of Members of Parliament vis-a-vis the Official Secrets Act 1911. I suggest that a very important change has been made: no longer will they be guilty of an offence of receiving protected information.

Mr. Hattersley: The Home Secretary having given the Committee his views on the amendment, perhaps I can briefly do the same.

I do not dismiss in any way the central point that the Home Secretary made. He was either too polite or too pusillanimous to put it in the crude terms that I shall employ, but, as I understand his case, his problem was that, if this amendment is carried, a member of the security services who provides information to a Member of Parliament does so with impunity. Then the Member of Parliament, acting properly in one sense under the rule of privilege, makes that information public in the House of Commons and is not prosecuted for doing so. We do not have to describe the situation which is the Home Secretary's fear to realise that there is a problem at least of a theoretical sort. But I cannot conceive of a Member of Parliament's making public the sort of information which the Home Secretary fears, or ought to fear, might be made public.

Let me explain what I mean by that. It is not based on any over-elaborate or over-romantic view of Members of Parliament; any such views as I might have had 25 years ago have been dispelled over the past quarter of a century. But I cannot imagine a Member of Parliament, say, being told the name and address of an agent in place and revealing that in the House of Commons. What a Member of Parliament might reveal in the House of Commons is information which is damaging not to the interest of the state but to the interest of the Government. Again, we come back to the nub of the question when we think about the sort of revelation that the Home Secretary fears.

The Ponting case has been an example in much of our debate. We have been told throughout the debate by the Home Secretary and others that for the aggrieved public servant there are proper channels of communication. I do not think that, despite the reference to this proviso, anyone was suggesting that Mr. Ponting would have been better advised to describe the situation to a policeman. Nor, since Mr. Ponting was correcting the international errors spread by the Ministry of Defence, could it have been in Mr. Ponting's best interests to report the matter to the Secretary of State for Defence. It is in that sort of situation, where the public service officer, the public servant, believes that he must report to a Member of Parliament, not because it is his wish to undermine the interest of the state but because he believes that the Government have acted improperly, that we believe that the revelation ought to be made to a Member of Parliament.

If the Government vote against this amendment, or at least if they vote against it without promising to put something technically more accomplished in its place, they are, in my judgment, ending what I would describe as the Winston Churchill situation before the second world war. It is a long time since I read Martin Gilbert, but the information that was supplied to Mr. Churchill and that he used with such success to end the days of appeasement and the pretence that we were prepared and were preparing was almost always supplied to him by men who, under the present Bill, would be classified under clause 1 or notified that they were in the special category requiring them to maintain confidentiality on all occasions. We are preventing that from ever happening again, or we are attempting to.

I make two points to qualify my own assertion. I think, as does the hon. Member for Caithness and Sutherland (Mr. Maclennan), that in similar circumstances patriots would take the risk and still pass on the information. But we ought to be clear that, if this amendment is carried, we are legislating against the patriot doing what he thinks is his patriotic duty.

It may well be that the amendment is technically deficient in a number of ways. There is the point raised by my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) about whether it refers just to the House of Commons or to both Houses. I think that it refers to both, but I shall not be so rash as to express my view concerning whether it should refer to our House alone or to the other

[Mr. Hattersley]

place as well. If this is a proper Committee stage—we still have the vestiges of a proper Committee stage, despite the guillotine—it is not enough for the Home Secretary to rest on the technicalities. If he believes, as we do, that it is right in the circumstances I have tried to describe for a public servant to be able to communicate information to a Member of Parliament, his clear duty is to promise a better amendment. Unless he does so, I hope that my right hon. and hon. Friends will vote for the amendment.

Mr. Maclennan: I listened carefully to what was clearly a very careful speech from the Home Secretary and I found it internally somewhat contradictory. He started by saying that this was a very modest amendment and ended by saying that it would not be understood by my constituents or his.

Mr. Hurd: The hon. Gentleman is taking a little advantage of my generosity. I was answering not only his amendment, which is a modest one, but the much more ambitious propositions of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), which would encompass members of the intelligence and security forces, which of course his amendment does not.

Mr. Maclennan: I am grateful for that clarification, but it does not altogether dispose of the right hon. Gentleman's description of my amendment as one that would not be understood by our constituents. I believe that the opposite is the case: our constituents would find it utterly extraordinary if they thought that, if they came into possession of information of considerable significance, they could not, under the Bill, properly communicate it to the Member of Parliament.

The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) spoke of its being not very likely that my crofting constituents would reveal this sort of information. I have to tell him that there have been in my experience in the last 10 years two such cases. The right hon. Member for Chesham and Amersham (Sir I. Gilmour) could testify to one of them because he was the Lord Privy Seal to whom I spoke at the time about the incident. I will tell the Home Secretary about these circumstances because they show the reality of the point with which we are dealing and illustrate the fact that this is not a theoretical problem.

I have in my constituency a nuclear research establishment at which plutonium is handled on site. It is a substance of great significance in defence and it seems to me that it is quite possible that, under the provision of this Bill dealing with defence—that is, clause 2(4), which speaks of the weapons, stores or other equipment and the production and operation of such equipment—the plutonium on site and the manner of the handling of it could conceivably be covered by this Bill.

A constituent of mine who was not a Crown servant or an employee on the site came to me and said that he had very important information to give me about the manner in which the plutonium was handled. He said that he had obtained the information from someone in the know and who worked on the site and that he wanted me to do something about it because it concerned an important question. If the Home Secretary is suggesting that the constituent would have been more sensible to take that information to the village police constable rather than to me, as the Bill provides, then he is making a preposterous suggestion.

Let me give the right hon. Gentleman the other example that springs to my recollection. There was in my constituency an outstation of GCHQ, situated at Brora in Sutherland. In the early part of this decade it employed quite a large number of people in terms of the locality. Those who were employed there had always been entirely discreet about its operations. During the early 1980s, a constituent of mine who was not employed there came to me and said, "I believe that a decision will be taken to close this outstation of GCHQ. Of course that will have serious employment consequences in the community, but I would not come to you about that. I have come to you because I have been told that this is a grave error in the interests of the nation; this outstation of GCHQ is an essential part of our defensive network, and we cannot be properly looked after without it." He was not an employee. It was, perhaps, tittle-tattle. But he gave me to understand that he had been given chapter and verse.

Mr. Hattersley: Purported?

Mr. Maclennan: In the terms of the clause we are discussing, he had had disclosed to him very serious information from a Government contractor. If the Minister is suggesting that that worried constituent would have been satisfied by going to the local police constable with this information, then he is quite out of touch with reality. My constituent's response would almost certainly have been to go to the Scottish *Sunday Post* with the information, knowing that it would be broadcast very widely. In fact, my constituent came to me and I went to see the right hon. Member for Chesham and Amersham and the whole matter was properly discussed. My constituent's anxieties were alleviated to some extent.

Mr. Rooker: Did the outstation close? We are curious to know.

Mr. Maclennan: I do not wish to abuse the privilege of the House; indeed, I want to demonstrate the total propriety of hon. Members in handling these matters.

I give these anecdotes to show the Home Secretary what he does not seem to have appreciated—that these are not purely abstract matters, and that anyone who has been a Member of Parliament for as long as me has to deal with such matters from time to time. The Home Secretary has tried to reassure us that the Bill does not cut down a Member of Parliament's remedies if he should come into contact with such information. That may be so, but the Bill seems to cut down the remedies available to members of the public. That is worrying.

Section 7(3) allows for disclosure of information only in a particular way. Both of my examples are in the categories covered by the Bill, which are of disclosures to be made to a police constable or a Crown servant. That cannot be right; it simply does not make sense. The police constable is quite likely to make the wrong use of the information. Indeed, he might fail to satisfy the member of the public who is concerned about the issue that his concern is being properly dealt with. Perhaps the Home Secretary has greater faith that his constituents would be reassured by police constables in west Oxfordshire than I have that mine would be in Caithness and Sutherland. I am bound to say that this is not the appropriate way to proceed.

6·45 pm

The right hon. Member for Sparkbrook was quite right in saying that the amendment is not primarily about protecting Members of Parliament; it is about protecting the public. It may well be, despite this unsatisfactory clause, that the public will continue to communicate with their Members of Parliament as they think fit. Parliamentary privilege may well protect them, but I am not wholly convinced by the Home Secretary that the Bill does not cut down the scope of the privilege of a Member of Parliament.

The Bill is specific about the matter. Clause 7(3) describes disclosure by any person other than a Crown servant or Government contractor as a disclosure that cannot be made with lawful authority. Perhaps I should repeat that crucial point for clarification. The disclosure is not made with lawful authority if it is made to anyone other than a Crown servant or in accordance with an official authorisation. At its face value, that means that a disclosure is not made to a Member of Parliament with lawful authority, and that acts as a barrier to members of the public, and cuts down the capacity of a Member of Parliament to do his job properly.

I heard the Home Secretary quote from the Committee of Privileges and the Duncan Sandys case about proceedings relating to the Official Secrets Act. I tried to note the words, as I have not read them recently. They suggest that Members of Parliament should not be made subject to proceedings under the Official Secrets Act for disclosures of this kind. I was not entirely sure whether the Home Secretary was saying that that is still the case and the Bill does not affect that position. If he was saying that, he has gone some way to reassuring me about my main concern, which led me to table the amendment, but that is only an assertion, and it is not embodied in statute. It would certainly be much more satisfactory on a matter of such importance to have statutory clarity.

I wholly understand the Home Secretary's concerns about the possible abuse of position by a Member of Parliament, but we are concerned about balancing risks in such cases. The suggestion that Members of Parliament would be more likely to take the wrong decision than Crown servants or members of the public who are denied access by the law to their Members of Parliament is not capable of being sustained. The balance must be in favour of Members of Parliament exercising their judgment responsibly and with careful deliberation in the interests of the country. I hope that the Home Secretary will reconsider this question before the Bill receives Royal Assent.

Mr. Winnick: The only Back-Bench Member who has so far defended the Government's position is the hon. Member for Lancashire, West (Mr. Hind). I shall not criticise him in any way, because he is rather a brave soul. Whether he feels that that is a quick way of getting into the Government, I would not know. However, I congratulate him on expressing what, after all, has been a minority viewpoint in the debate. We know that at 7.15 the troops will be out and the Government will get their way as usual, but in the meantime the minority view has been put by at least one hon. Member.

I heard rumours, and I did hope, that the Leader of the House would speak during the debate on a matter which involves parliamentary privilege. I do not know whether the right hon. Gentleman is listening. I can well understand his reluctance to speak, but at least he has been present. As you may know, Miss Boothroyd, when the Prime Minister was asked at Question Time today about the number of Cabinet Ministers who have been dismissed, she simply replied that none had been dismissed; they had resigned. Since the right hon. Gentleman is widely rumoured to be in the firing line, I can well understand his reluctance to speak.

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): Order. The hon. Gentleman should confine himself to the amendment.

Mr. Winnick: In the last resort, it is the right of a private citizen or an official to go to his Member of Parliament. The Home Secretary's argument all along has, in effect, been that, if a person has reason to feel that an abuse has taken place, there are procedures available to him. Clause 7 refers to disclosures from a Crown servant. We know that the Home Secretary has put a great deal of emphasis on the fact that, if someone in the security services feels aggrieved, he can go to the person widely referred to as the ombudsman in the Security Service.

Mr. Hurd: The staff counsellor.

Mr. Winnick: Yes. But what worries me, as I am sure it worries a number of other hon. Members, is that, if an official or a private person feels that going to a Crown servant, whether that be the village constable or a much more senior person in officialdom, will not resolve the matter, or, having used those procedures, he does not feel that the matter has been put right, there is no other course left. Surely, at the end of the day, such a person has the right of any other British citizen to go to his or her Member of Parliament.

The amendment may be technically defective in a number of ways, but that is not relevant. If the principle of an amendment is accepted, the Home Secretary should say so and table another amendment on Report. It is worrying that once again the Home Secretary has completely closed that door.

I remain convinced that there may be cases—I am sure that they would not be frequent—where at the end of the day, as in the Duncan Sandys or Winston Churchill cases, a Member of Parliament should be seen. Hon. Members know from their postbags that people have more mundane problems and difficulties than the sort that we are debating. Often they have tried to resolve them through the usual channels, but at the end of the day they go to their Member of Parliament. They do not say to themselves that their Member of Parliament has nothing to do with housing or health problems. They believe that their Member of Parliament is there to look after their interests. About 70 or 80 per cent. of our constituency postbags relates to matters which are no concern to us, but obviously we take up those matters because we are expected to do so. The same applies in the event of abuse.

Mr. Hind: Does the hon. Gentleman agree that his constituent can still come to him and make a disclosure, providing that he has not been notified, and the hon. Gentleman can take up the matter? Providing that he does so in such a way that he does no harm to the national interest, he protects the fact that the disclosure has been made to him and he seeks out a remedy. On top of that, the

[Mr. Hind]

has the privilege of the House should he feel that he needs to take the matter further. Should the matter then go to court, his consitituent can argue the defence in the courts.

Mr. Winnick: But the person who has made the complaint is not protected. A Member of Parliament would do his duty. Regardless of what is in the Bill, if I received a complaint I would not rush to the Home Secretary if I did not consider that to be appropriate. Obviously, if it were appropriate, I would go to the Government, but otherwise I would pursue the matter on the Floor of the House. I do not wish to engage in any form of abuse, but after consulting senior colleagues I would do what I considered to be my duty. I trust that all hon. Members would do precisely that. The person who makes the complaint should not be in the position in which the Bill places him. The principle of the amendment should be accepted.

Let me conclude with a case that I have brought up before which concerns an official, not a private citizen—that of Cathy Massiter. It arose before there was a staff counsellor. The staff counsellor was appointed following what happened over Cathy Massiter. Whatever else one may say about her disclosures, they have undoubtedly led to some changes for the security services.

If Miss Massiter had gone to a staff counsellor and had not received satisfaction, as presumably would have happened, and she had then gone to someone higher and at the end of the day the abuse about which she was complaining had continued, she may have gone to her Member of Parliament. Such a course would have been perfectly right. However, the Bill in no way protects a complainant such as Cathy Massiter.

The Attorney-General *indicated assent.*

Mr. Winnick: It is unfortunate that once again the Home Secretary is not willing to accept the broad principle of the amendment. I do not accept that Members of Parliament abuse privilege. I have been here for less time than many other hon. Members, but I can recall few, if any, cases of abuse. We all know that the House has a way of dealing with abuse by taking such matters to the Committee of Privileges, as happens if a Member seeks to use the House for publicity purposes.

For all those reasons, the principle of the amendment should be accepted, although I am not at all surprised that the Home Secretary has again refused to accept it.

Mr. Dalyell: I thank the Attorney-General for coming to answer the Scottish point.

Mr. Hurd: Let me briefly answer some of the later points. I am not clear why the hon. Member for Caithness and Sutherland (Mr. Maclennan) thinks that either of his constituents might be prosecuted under the Bill. He will judge that better, but if he is wrong, the problem that he described will not arise. The Bill does not reduce his or her constituents' rights in this matter.

7 pm

My hon. Friend the Member for Hendon, North (Mr. Gorst) pressed me on a point that I did not cover when I spoke earlier. I can say what I think he wants me to say, because it is true. There is no change in the press reporting of our proceedings. It will still be governed by qualified privilege—a concept that has been thrashed out over the years. That means, of course, that if an hon. Member disclosed in the course of proceedings in the House a piece of information passed to him by a member of the security or intelligence services, it would be out—not just in the House, but on the news stands and in the television studios.

I tried to follow the point of my hon. Friend the Member for Hendon, North about the receiving of anonymous information. He is right to say that there could be a problem, but I do not believe that it is one that would be affected by the Bill.

The suggestions by the hon. Member for Birmingham, Perry Barr (Mr. Rooker) are matters for the House. I am not sure what the Clerk or the Chairman of the Select Committee would do when he received the piece of paper which the hon. Gentleman postulated. The House would need to think long and deep before going down that path.

The point of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) appeared to lack his usual logic. It is true that in some cases an hon. Member might not disclose what he had received, but that is not an argument in favour of an amendment which would enable every constituent to communicate, and therefore every hon. Member to disclose, any secrets which came into his hands. That would not be logical. The hon. Member for Caithness and Sutherland is right in saying that it is a matter of balance.

We have had a leisurely debate, with between 20 and 25 right hon. and hon. Members present for most of the time, with the usual—but rather reduced—gifted group of convinced critics of the Bill on both sides of the House. Those right hon. and hon. Members have not attracted the support which they obviously hoped for—*[Interruption.]* They have not persuaded me. It is not necessary to persuade a Minister, but a Minister can actually be made to do something. That means, however, attracting wider support than has been the case on this occasion. That does happen, but, of course, it has not happened on this occasion. That may be because the amendments tabled —especially this one—lack the sort of balance which I believe is better expressed in the Bill.

Mr. Norman Buchan (Paisley, South): How many hon. Members who voted with the right hon. Gentleman throughout the proceedings on this Bill does he really think believe in this Bill? There is no answer.

Mr. Gorst: Would my right hon. Friend reply to the point about whether there is a change in the position of European Members of Parliament?

Mr. Hurd: There is no change in the Bill with regard to whatever privileges there are for Members of the European Parliament. In reply to a question from the hon. Member for Perry Barr last night, I promised to look into the subject of the European Parliament, official secrets and the clause which we discussed last night. I shall need a little time to investigate that point further.

Mr. Maclennan: I thank the Home Secretary for his remarks, which were, of course, unpersuasive. I shall simply comment on what the right hon. Gentleman said about the interest of the House in this matter.

The right hon. Gentleman signalled at an early stage in our proceedings that the Bill would not be amended by the Committee, except in one respect by a Government

amendment. He indicated that he had no intention of accepting any amendments tabled by right hon. or hon. Members on either side of the Committee, however eloquent or forceful their arguments were. It is not surprising, therefore, that many right hon. and hon. Members regard the proceedings through which he has been putting us as something of a charade. The reality is that we are not shaping the legislation in any meaningful sense. The Bill will leave the House as it entered it.

The right hon. Gentleman has participated in a procedure which, I believe, has brought the legislative process into disrepute. None the less, I regard this as an important matter, and I hope that right hon. and hon. Members in all parts of the House, while recognising the technical deficiencies of the drafting, will support the principle.

Question put, That the amendment be made:—

The Committee divided: Ayes 112, Noes 274.

Division No. 96] **[7.4 pm**

AYES

Aitken, Jonathan
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cartwright, John
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cummings, John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Fatchett, Derek
Field, Frank *(Birkenhead)*
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Illsley, Eric
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Leighton, Ron
Lestor, Joan *(Eccles)*
Livsey, Richard
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
Maclennan, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Morgan, Rhodri
Murphy, Paul
Nellist, Dave
Owen, Rt Hon Dr David
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Richardson, Jo
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Sedgemore, Brian
Shepherd, Richard *(Aldridge)*
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Taylor, Mrs Ann *(Dewsbury)*
Vaz, Keith
Wall, Pat
Walley, Joan
Welsh, Andrew *(Angus E)*
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Cook and
Mr. Robert N. Wareing.

NOES

Adley, Robert
Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chope, Christopher
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lang, Ian
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*

Lord, Michael
Luce, Rt Hon Richard
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Molyneaux, Rt Hon James
Monro, Sir Hector
Moore, Rt Hon John
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Riddick, Graham
Ridsdale, Sir Julian
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tony Durant and
Mr. Kenneth Carlisle.

Question accordingly negatived.

It being after a quarter past Seven o'clock, THE CHAIRMAN *proceeded, pursuant to the order [13 February] and the resolution [15 February], to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clauses 7 and 4 ordered to stand part of the Bill.

Clause 5

INFORMATION RESULTING FROM UNAUTHORISED DISCLOSURES OR ENTRUSTED IN CONFIDENCE

Sir Ian Gilmour (Chesham and Amersham): I beg to move amendment No. 37, in page 5, line 26, at end insert—

'(2A) A person does not commit an offence under this section in respect of information which before the time of the alleged offence had become available to the public or a section of the public whether in the United Kingdom or elsewhere.'.

The Second Deputy Chairman: With this it will be convenient to consider new clause 2—*Information previously available to the public*—

'It shall be a defence for a person charged with an offence under this Act to prove that before the time of the alleged offence the information was publicly known or published in the United Kingdom or elsewhere.'.

Sir Ian Gilmour: I move the amendment in a spirit of hope, but not in a spirit of great optimism in view of the nature of our proceedings so far in Committee. My right hon. Friend the Member for Chingford (Mr. Tebbit) got it seriously wrong in his speech on the guillotine motion on Monday. He said that the proceedings on the guillotine motion were purely ritualistic. He was wrong. The proceedings in this Committee are ritualistic. That is so partly because the Committee has been gagged by what I continue to think is a very iniquitous guillotine motion, but also because the occupants of the Government Front Bench are obviously unable to make any significant concessions. We are gagged and they are shackled. That makes the whole of our proceedings fairly pointless.

When my right hon. Friend the Leader of the House moved the guillotine motion he said that he thought that the Government had got their proposals right. Clearly he meant the word "right". However, I do not think that he meant the word "proposals", because they are not being treated as proposals. They are treated as something that is already law.

When my right hon. Friend the Home Secretary stated with his customary courtesy that the Government were asking Parliament to do this, he did not mean what he said. The Government are telling Parliament what is going to happen. Therefore, I am not moving the amendment with great optimism. However, the other amendments that have been moved so far in Committee were designed to help the subject and the press. My amendment is quite different. It is designed to help the Government, so I hope that it may enjoy a better fate than the other amendments.

The amendment is designed to stop the Government making fools of themselves. All Conservative Members and possibly some Opposition Members will be in favour of it because of that. However, are the Government in favour of the amendment? We will soon find out.

As my hon. Friend the Minister of State will remember, there was a partial prior publication defence in the abortive Protection of Official Information Bill 1979. Why is there not one in this Bill? The only real reason must be that to include one would be an admission of error by the Government about what happened in the "Spycatcher" case. Clearly the prior publication defence was the nub of that case, and to include it in this Bill would be saying, "We got it wrong and we do not want to do so again." That is an understandable human reaction, but the "Spycatcher" case is a good reason for including a prior

publication defence because it would stop Governments ever again making quite such comprehensive fools of themselves. I shall return to the "Spycatcher" case later.

Another reason why the Government should accept the amendment is sheer common sense. I refer my hon. Friend the Minister of State to the title of the Bill—the Official Secrets Bill. If my hon. Friend the Minister considers carefully, I think he will agree that, once published, a secret is no longer a secret. It is like an egg—if I may use that word nowadays. Once an egg becomes a chicken it is no longer an egg. It is fairly clear that once something has been published there is absolutely no cause for the Government to become exercised about it.

Let us try to penetrate to some greater rationale for what the Government are doing. We can refer to the highest authority in this matter, namely my right hon. Friend the Home Secretary, who said on Second Reading:

"there may be circumstances in which the timing and placing of a fresh publication is bound to cause harm which earlier publication had not. A front-page spread in a daily newspaper, for example, on an item previously carried in a technical journal in another country might cause serious further harm."

My hon. Friend the Member for Thanet, South (Mr. Aitken) pointed out that that went against what Mr. Justice Caulfield had said in the *Sunday Telegraph* case. My right hon. Friend went on:

"It is a question of the harm done to the public interest. I should argue, on the ground of common sense, that it is perfectly possible to have partial, incomplete publication in a distant publication with no particular circulation and then to argue that to pick up that information, put it in a different form and splash it across the news, so causing major circulation would provide a further harm."—[*Official Report*, 21 December 1988; Vol. 144, c. 464.]

My right hon. Friend seems to think that Russian intelligence officers do not read technical journals, confining their attention to the British tabloid press. That seems extremely unlikely. The idea seems to be that our intelligence interests will not be damaged by articles that appear in the technical press, but will be damaged if rather less information—a characteristic of tabloid newspapers—is spread on the front pages.

We are trying to safeguard this country's secrets. We are not trying to safeguard the Government's face, or the intelligence service's face. Once information has been noted and is in the public domain—I have no knowledge of Russian or other secret services, but I imagine that they comb technical journals extremely carefully——

Mr. Budgen: I have the misfortune to disagree with my right hon. Friend on this issue. Is he not assuming that all foreign powers who may wish to gain secrets from our state are immensely efficient, wealthy and well informed? I know that he has a high Tory view of human nature and takes the general view that we are all idle, slothful and incompetent, so it seems uncharacteristic for him to believe that every foreign power reads every newspaper. Surely the basis of the libel law, which covers publication in all sorts of spheres and at all sorts of levels, is a much more reliable guide.

Sir Ian Gilmour: I do not regard my hon. Friend as idle or incompetent, and he is probably not slothful. He certainly has not been slothful in the Committee, but has been on his customary good form. I think that he is saying that while it is all right for information to be given to the Russians and the Chinese—he probably thinks that they are fairly competent—we should cash in on the fact that some extremely incompetent south American country may not yet know the information, and conceal it from the British people on the off chance that, for example, the Venezuelans may not know either. If he thought more about that proposition, he might not wish to stick to it. The idea that the British people should be kept in ignorance on the off chance that some petty principality or minor republic has not read a technical journal is not one that the House should entertain.

The only conceivable, serious reason to vote against the amendment is to keep the British people in ignorance. For the sake of their amour propre or that of the intelligence service, the Government say that, although the Russians already know information because it has already been published in some American journal, it is important that it should not be known to the British people because they might object to it. Perhaps the Government might say to their allies, "You can see that it has not been published over here because we control our press better than you." I do not think that that is an emblem of skill.

Mr. Greg Knight (Derby, North): Is my right hon. Friend saying that he believes that there will never be circumstances in which a second or subsequent disclosure would cause harm? That seems a risky proposition.

Sir Ian Gilmour: It does not seem risky to me. Such circumstances might exist, but there would be a greater risk in keeping the British people in ignorance while nearly all the rest of the world knew the information than in the one in a thousand chance that, once something is known to most of the world, further damage will be done by repeating it.

We have pretty high authority on prior publication because it was the basic issue in the "Spycatcher" case. Lord Bridge of Harwich, who is a high authority not only as a judge but as a former chairman of the Security Commission—we can hardly get better than him—said:

"I can see nothing whatever, either in law or on the merits, to be said for the maintenance of a total ban on discussion in the press of this country of matters of undoubted public interest and concern which the rest of the world now knows all about and can discuss freely."

Lord Oliver of Aylmerton made the same point when he said:

"To attempt, even temporarily, to create a sort of judicial cordon sanitaire against the infection from abroad of public comment and discussion is not only, as I believe, certain to be ineffective but involves taking the first steps upon a very perilous path."

Those two quotations sum up the situation very well. I hope that my hon. Friend the Minister will break the habit, not of a lifetime, but of this Committee, and accept the amendment.

7.30 pm

Mr. Robin Corbett (Birmingham, Erdington): The right hon. Member for Chesham and Amersham (Sir. I. Gilmour) put the argument in a nutshell with blinding simplicity. Once a secret is known, it is no longer a secret—it is as simple as that. This is a case where second thoughts are not best. Sometimes they are, but not in this case.

In 1979, the Government's published Bill accepted a partial prior publication defence. In other words, once the horse has bolted, there is little point in locking the stable door. In 1989, the Government say in paragraph 62 of the White Paper:

[Mr. Robin Corbett]

"It seems to the Government that this rationale"—that is, the argument in favour of prior publication—"is flawed."

It might have been more honest if the Home Secretary had said more plainly and honestly that the Government had changed their mind. There is nothing the matter with that, although I and other hon. Members may object to their new decision.

The White Paper, in defence of that, goes on to postulate an extraordinary situation. It says:

"in certain circumstances a second or subsequent disclosure may be more harmful. For example, a newspaper story about a certain matter may carry little weight in the absence of firm evidence of its validity."

We now come to the astonishing part. The White Paper says:

"confirmation of that story by, say, a senior official of the relevant Government Department would be very much more damaging."

Why on earth would even the deputy Prime Minister, Bernard Ingham, be authorised—as even he would have to be—to confirm such a story, touching as it would on vital interests of the United Kingdom? It is totally impossible to conceive of any circumstances in which any Government official would be authorised to make such a confirmatory statement. I do not believe that it would happen. In such circumstances, with information touching properly on our vital national interests, there is every good reason why such a story should not be commented on.

I can hear the Prime Minister now—either the present Prime Minister or my right hon. Friend the Member for Islwyn (Mr. Kinnock)—saying that it was not his or her practice to comment on matters of security and that they did not intend to do so. They would then sit down. However, the question remains. If a senior official is not authorised to confirm a story which, on first publication abroad, was known to be positively inaccurate, what possible harm can repetition do? I agree very much with the right hon. Member for Chesham and Amersham. The bottom line seems to be no more than saving the Government's face and avoiding embarrassment.

The Government would know whether the story published abroad was true or not. If they chose not to reveal which, as the Home Secretary outlined in the White Paper, an official would be authorised to confirm it. That can be put in the White Paper only to mock. The White Paper becomes positively bizarre when it says:

"Similarly, the publication of a list of addresses of persons in public life may capture the interest of terrorist groups much more readily than the same information scattered in disparate previous publications."

Perhaps the Minister will tell me whether it is the concept of a list that is at issue. Is it safe to publish a single name? The Home Secretary introduced the concept of that list. If a list is involved, how long is a list? The implication is that a list is longer than one particular name. How many names have to be on a list to justify the rejection of the prior publication defence?

Mr. Gerald Bermingham (St. Helens, South): I have been thinking about the matter as my hon. Friend has been speaking. Do the Government seriously consider that documents such as "Who's Who" and the telephone directory are capable of becoming the bibles of the terrorist world?

Mr. Corbett: Not even this Government would consider treating all those listed in "Who's Who" as a group and notifying them under the Bill.

Is the argument rejecting the prior publication defence concerned with the reprinting of a single specific name—and I shall give some examples in a moment—or with a group of specific names which is sensitive because of the jobs that the people concerned do? Let us consider an example. Suppose that *The Baltimore Sun* revealed that Mr. Colin McColl was the new head of MI6 and that *The Guardian* reported that in turn. What possible risk to Mr. McColl or MI6 can either the first or second publication cause? We have, after all, recently debated the Security Service Bill which admits, for the first time in statute, the existence of MI5 and MI6.

Quite properly, we know the name of the Chief Constable of Northern Ireland—although not yet the name of his successor—and it is published. We know the name of the General Officer Commanding in Northern Ireland, the name of the Secretary of State for Northern Ireland and the names of judges there. That seems to go against the Government's argument in the White Paper that, because of terrorists, it could be dangerous to publish some of those names. If that is so—and I understand the argument—I must ask the Home Secretary how many more sensitive jobs are carried out on behalf of this Government than the jobs of those senior people in Northern Ireland? If the Home Secretary seeks, through the Bill, to prevent the republication of the names of sensitive office holders, how have those names escaped clause 5? Either the Government are being carefully selective or, as I suspect, they want to be able to pick and choose under the Bill what shall be kept hidden from the British public, although it is known abroad.

Mr. Tony Marlow (Northampton, North): Is there not another aspect? Some information is of value to the press, the media and in terms of writing books. If someone gets hold of information in this country which, if he published it, as the Bill now stands, would mean committing an offence, is that not a great incentive for him to rush off to some other country, publish it there and then come and stand before the media in this country and make a fortune?

Mr. Corbett: We are still left with the proposition of the right hon. Member for Chesham and Amersham, and we cannot get away from that. Once a secret is disclosed, it is no longer a secret. There could be an argument about damage—and I understand that—but by definition, such a secret is no longer a secret—*[Interruption.]* Perhaps I could be allowed to make my own speech.

Mr. Hurd: This is very helpful. Is the hon. Gentleman saying that if damage is proved, the prior publication defence should fall?

Mr. Corbett: No, I was saying that I understood the argument. I was trying to demonstrate the mess that the Government have got themselves into. I referrred to what is said in the White Paper about the publication of a list that could be useful for terrorist purposes, whereas the Government now do not seem to follow that practice with sensitive posts.

Mr. Ray Whitney (Wycombe): If the hon. Gentleman does not accept my right hon. Friend's proposition, is he saying that he does not want the harm test? Or is he saying

that, if harm is done, he is prepared to accept that? He must accept either my right hon. Friend's proposition or that one.

Mr. Budgen *rose*——

The Second Deputy Chairman: Order. There should be only one intervention at a time.

Mr. Corbett: I am trying to demonstrate—perhaps I should have left this on one side—that what the Government seek to achieve in the Bill, in the context of the list quotation that I read from the White Paper, is something novel. It has never been done or attempted before.

Mr. Richard Shepherd *rose*——

Mr. Corbett: I should like to continue for a moment. I shall see if I can demonstrate my point this way.

Mr. Budgen *rose*——

Mr. Corbett: I must get on.

We know the names of those who head the CIA and the FBI in the United States and they are listed in the Washington telephone book. Earlier this year, *The Daily Telegraph* published the name of the new head of the KGB. No action was taken. The Moscow correspondent of *The Daily Telegraph* rejoices in the name of Ian Smiley, which is most appropriate. He told us—and no harm has been done to relations between this country and the Soviet Union—that the new boss of the KGB is General Vladimir Kryuchkov. Nothing has happened—*[Interruption.]* Hold on; I was just saying that nothing happened, so presumably we are allowed to know that.

It follows from what the Home Secretary argued in the White Paper that there are circumstances in which we would not be allowed to know about Mr. McColl being the head of MI6 or that last year the Prime Minister appointed Mr. Patrick Walker as head of MI5. Or perhaps it does not. The Home Secretary wants everyone to be certain of what risks they run, but the confusion remains.

On 4 January *The Guardian* published news of the appointment of Mr. Colin McColl as the head of MI6. On 23 January—in column *369* of *Hansard*—I asked the Attorney-General whether proceedings were to be instituted against Mr. Richard Norton-Taylor, the distinguished journalist on *The Guardian* and its editor, Mr. Peter Preston, for that publication. I got a one-word answer—"No." I take it that that matter is safe, but will such matters remain safe under the Bill? I assume that *The Guardian* picked the information up from the *Washington Post*.

Paragraph 14 of the White Paper properly refers o the need to ensure that no one is in any doubt as to the circumstances in which he would be liable to prosecution. The Home Secretary will know, of course, that there is immense uncertainty at the offices of *The Guardian* in Farringdon road as to whether it will be safe to publish such information in future.

Paragraph 63 of the White Paper says:

"in cases in which the prosecution would under the Government's proposals have to show that disclosure was likely to result in harm, the offence would not be made out if no further harm was likely to arise from a second disclosure."

[HON. MEMBERS: "What is harm?"] Let us get this straight. At the start of the process, the Secretary of State for Defence, I suppose, takes advice on whether that second publication has caused further harm. I assume that if he concludes that it has not, and if he has that advice confirmed by the Attorney-General, there will be no prosecution. Or are the Government saying that the matter is to be decided, not by the Attorney-General, but by the courts and that it is for the courts to determine whether harm has been caused by a second or subsequent publication and that, to that extent, what is proposed in the clause is a system of automatic prosecution?

Mr. Hurd: *indicated dissent.*

Mr. Corbett: The Home Secretary shakes his head, but I cannot believe that he is saying that he alone will decide whether or not a reprint has caused further harm. I cannot believe that even he will take that upon himself.

Mr. Hurd: I shall not be deciding anything. The whole point of the Bill is to remove such discretions from Government. As my right hon. and learned Friend the Attorney-General explained—and as is normal—it will be for the prosecuting authorities to judge in the ordinary way whether the second disclosure has caused harm. If they believe that it has, a prosecution may result. The prosecution would then have to show that the second disclosure had caused harm under the different tests of harm in the Bill. The defence could then argue that it had not—that the first disclosure did but that the second did not. The hon. Gentleman has totally failed to prove that there are no circumstances whatever in which a second disclosure could do harm.

Mr. Corbett: I am grateful to the Home Secretary for that explanation. So, in judging whether to prosecute, the test is not whether a little or a middling amount or a lot of harm has resulted but whether any harm has resulted.

Mr. Gorst: The matter is clearer even than my right hon. Friend the Home Secretary has made it. The first occasion when publication takes place and harm is done will be followed by the second occasion when harm may be done and it will be simply for the courts to decide which did the most harm. That must be perfectly clear.

7.45 pm

Mr. Corbett: I am grateful to the hon. Gentleman.

My point is that, when a report is seen in an overseas publication, editors and journalists in this country will be incapable of properly assessing whether further harm may or may not be done when they are deciding whether to publish an allegation in the public interest. Let me give an example——

Mr. Budgen: Does not the hon. Gentleman start from a misunderstanding of what constitutes a secret? A secret is a relationship. If he and I have a piece of information in common, it may be a secret between us. It will not cease to be a secret merely because he tells a third party; it will merely have been disclosed to another. My right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) said that a secret is like an egg—that when one cracks it, it ceases to be a whole egg, but that is a false analogy.

Mr. Corbett: With respect, I do not accept that.

Sir Ian Gilmour: A secret is not a relationship at all. According to the Concise Oxford Dictionary, it is something unknown or unrevealed.

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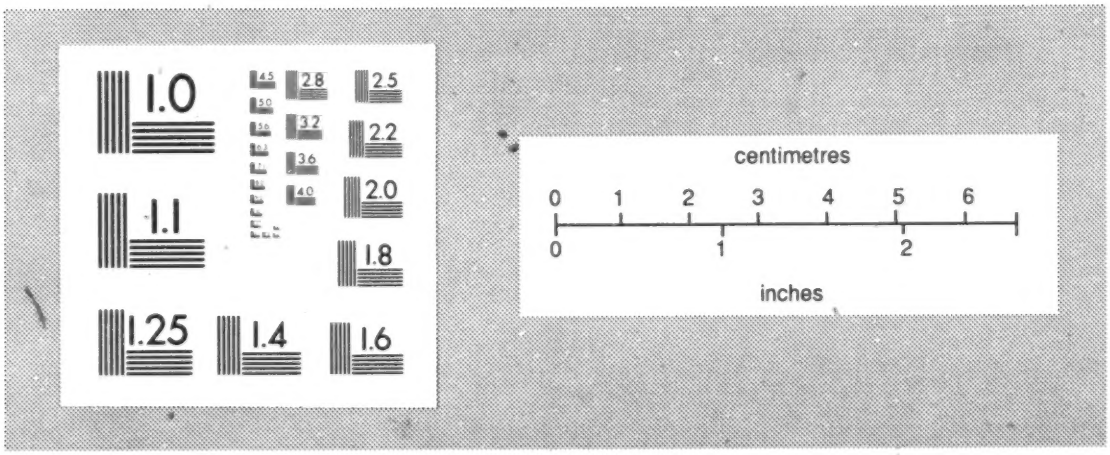

Mr. Corbett: I am grateful to the right hon. Gentleman for that explanation.

Let me come back to my example. Suppose that the *Washington Post* ran a story saying that Britain had given secret undertakings to the United States Government not to use nuclear weapons based in Britain without the prior approval of the United States Government. Let us suppose that the report was based on an unauthorised leak by an official at the Ministry of Defence or the Washington embassy. Let us further suppose that a newspaper or television programme here wanted to run a story about it on the basis that it was a matter of public interest, whether true or not—I acknowledge that it would be of much more interest if it were true. For the sake of argument, let us suppose that it is not true and, improbably, that the Government put up a spokesman to deny the story. As I understand it, if the Government decide that even though the story is untrue and even though it has been published for the second time, it could still cause damage, those who published it here could be prosecuted.

Now let us suppose that the story is true and that the Government deny it. Suppose that, as in the case posited by the right hon. Member for Old Bexley and Sidcup (Mr. Heath), there is a by-election pending and the disclosure is not convenient, so the Government deny that the information is true. That seems to suggest that prosecution could go ahead on the damage test. That must be so.

Under the Bill, no action can be taken if an unauthorised disclosure of our secret information is made by a foreign national abroad. But suppose that Sky television reported the hypothetical secret undertaking not to use nuclear weapons without prior American approval. What would happen then? The answer seems to be, "It depends." If the Sky satellite broadcast into x thousand British homes came as a report from the New York bureau, I think that no action could be taken, but if the *Daily Express* reported what it had heard on Sky television, the editor, Nick Lloyd, could be marched straight into Pentonville.

Mr. Rooker: After a trial.

Mr. Corbett: Of course, after a trial.

Let us suppose that Sky broadcast that report, not from its New York office but from London, up to the satellite and back down to the United Kingdom. In that case it would be caught, and so would the editor of any newspaper reporting that item. This is the stupidity of what the Government are proposing: the same information, the same disclosure, but the mere accident of a different office—one in New York, one in London—making all the difference between prosecution and no prosecution.

In fact, the position would be even more ludicrous, because x thousand people watching Sky television coming out of New York could quite properly have information, whereas millions not watching Sky would not be able to read about it in the *Daily Express* or see it on ITN later that night. The Home Secretary knows fine well—and this is another aspect of the ludicrousness of the situation—what Sky will do in those circumstances. Where is it going to broadcast that information from? London or New York? The Home Secretary knows fine well that Sky will ensure that such information always comes from New York so that the long arm of the Government cannot reach it.

There is something else that I hope the Home Secretary will be able to tell us about. I do not know whether this is a case of second publication, but it is close to it. What about all the imported world-class newspapers that come into Britain—*Le Figaro*, *Le Monde*, *La Stampa*, *International Herald Tribune*? They carry information which, under this Bill, it would be an offence to carry. Some of these publications even come in via one of these new-fangled mangles. What happens in those circumstances? Somebody idly buys *La Stampa* in a tobacconist's shop in Soho because he happens to enjoy reading that paper. Apparently he is all right, but if a British journalist from the *Daily Mail* or *The Daily Telegraph* picks up a copy of *La Stampa* and says, "Oh, that is an interesting story; I will offer it to my editor," the newspaper will not be able to publish it because that would be genuine republication.

Does the Home Secretary want to say something?

Mr. Hurd *indicated dissent.*

Mr. Corbett: Fine.

This is a very serious matter for editors and journalists, and an extremely serious matter for the British people in regard to their right to access to proper information. How on earth are editors and journalists expected to assess the potential harm surrounding a story published elsewhere earlier, upon which no Government official has commented? I will give the Home Secretary the answer to that question. The Guild of British Newspaper Editors put it very succinctly when it said, "This is an impossible task." Unless the Government change their mind about this, it will inhibit publication of information not desperately vital to our national security, information which, in other circumstances, those newspapers might well have published.

Earlier in the debate, we reached the heights of farce when the Government argued that it might be all right to publish some of this information in a small magazine with limited circulation but not in the *Daily Mail*. Presumably the argument is that, because of cash limits in the Kremlin, there are restrictions on its ability to take out magazines. That was said earlier in this debate—or something very close to that. Are the Government still going to use that argument? Is the accident of circulation going to be among the measures of damage or potential damage? I say "accident" because, clearly, only a limited number of people are interested in aeroplanes, for example, and subscribe to *Flight*, against the millions who buy the *Daily Mail*. So I ask the Home Secretary yet again where in this is the certainty for editors and journalists.

The Government have not made out their case for changing their view of 10 years ago. They would lose nothing by changing their mind back and, perhaps, getting a little much-needed respect over this Bill. They would not lose anything, because the much-loved damage test would remain in the Bill even though the prior publication defence was admissible. I hope that, when the right hon. Gentleman has listened to the debate on this all-party amendment, he will come to the conclusion that the words used in 1979 were right and that those in this Bill are wrong.

Mr. Tony Baldry (Banbury): The speech we have just heard was very revealing. We are now on the fourth day of the Committee stage, having had a Second Reading, yet even now it is quite clear that hon. Members on the

Opposition Front Bench have completely failed to master the Bill. Even at this stage the hon. Member for Birmingham, Erdington (Mr. Corbett) says that the Home Secretary will make the decision about prosecution. He has not grasped that, under clause 9, prosecution decisions will be a matter for the Attorney-General.

It is quite clear also—and I will expand on this in a second—that the hon. Gentleman and his hon. Friends have not grasped the provisions of clause 6(3). Perhaps the reason the hon. Gentleman was so keen to rush through his speech that he realised at last that he really had not grasped what the Bill was about. Or perhaps it was the realisation that there are now only five other Labour Members in the Chamber, despite his party's much-vaunted complaints about the guillotine.

I wish to make three points. First, my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) was absolutely right in saying that this is an Official—official—Secrets Bill. It is concerned with official information—official British information—and information that is not official falls, by definition, outside its parameters. Therefore it is quite untrue that this legislation would in any way prevent the publication, in this country, of information made publicly available by the Government of any other country. So, to start off, we are dealing with a limited amount of information; it is information that is official to this country.

We should also note that clause 6(3) explicitly states that no offence is committed, even if official information provided by us to another state, and then made available by that state under its own laws, is published. Under the Bill that is not an offence. Let me put it in simple terms: if the British Government make available to the American Government information that is then published under that country's freedom of information legislation, further publication of that information is not, and cannot be, an offence under clause 6(3).

Secondly, even when we are dealing with official information, in those categories of information where the harm test applies, the defendant can, of course, argue that the fact of any prior publication meant that damage had been caused by the first disclosure and that any subsequent publication of the information did not cause the harm specified in the Bill. That defence—the harm test—is already available to the defendant. It would be for the prosecution to prove damage, and it would be for the jury to decide.

Thirdly, having regard to the fact that we are dealing with official information and that the defence of the harm test exists already, it would be wrong in principle and in practice to have an absolute offence of prior publication. My right hon. Friend and those who support his amendment are saying that there should be an absolute defence of prior publication, that once the information is seen anywhere, that is a total defence.

Mr. Aitken: As my hon. Friend is learned in the law, I wonder if he could clarify one point in his argument in regard to the harm test. As I understand the Bill, the harm test does not apply to what might usually be called the absolute offences—those in the categories in clause 1, and some of those in clause 4 to do with interception, communication, and so on. If I am right about that, what is the relevance of the harm test? Surely it does not apply if an absolute offence has been created.

Mr. Baldry: My hon. Friend answers his own question. It has been made clear throughout the proceedings on the Bill, from Second Reading onwards, that there are certain provisions to which the harm test does not apply.

Mr. Hurd: If my hon. Friend the Member for Thanet, South (Mr. Aitken) reads clause 5(3) he will see that there is indeed a damage or a harm test for all offences in clauses 1 to 3. We are not talking now about what the former member of the intelligence or Security Service has done; we are talking about the actual disclosure.

8 pm

Mr. Baldry: The thrust of the point is that the harm test applies to most of the Bill. The vast majority of Government information has been taken out of the parameters of the Bill. We went through all that on Second Reading. The harm test applies to most of the information referred to in the Bill and a defendant could pray that in aid. Even where the harm test does not apply—where there is an absolute offence under clause 1—my hon. Friend the Member for Thanet, South (Mr. Aitken) should take into account clause 5(3), as my right hon. Friend said.

The absolute defence of prior publication does not exist in the law at the moment. It has never existed in the law of this land. If a defendant says, "No harm has been done by my revelation, because the harm was already done," that deals with cases such as "Spycatcher" which my right hon. Friend the Member for Chesham and Amersham sought to ridicule. A defendant could pray that in aid before a jury. As my hon. Friend the Member for Derby, North (Mr. Knight) said, to argue for such a general defence one must assume that there could be no circumstances in which a second or subsequent disclosure could cause harm.

My right hon. Friend the Member for Chesham and Amersham and other hon. Members who support the amendment might be so cavalier as to take that risk, but I——

Mr. Richard Shepherd: I should be grateful if my hon. Friend would give an example of the risk. Information that we give in confidence to foreign Governments may be leaked abroad by being published, for example, in *Corriere della Sera*. That point has been explored before. Therefore, the information is widely disseminated. Our courts have dealt with that. What example has my hon. Friend in mind of subsequent revelation which will cause as much harm as the original disclosure?

Mr. Baldry: My hon. Friend seeks to assert that there are no circumstances in which a subsequent or second disclosure could cause harm. I, and, I suspect, the vast majority of hon. Members, are not prepared to take that risk. It is an unnecessary risk, given the provisions of the Bill.

Mr. Whitney: May I offer to my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) an example? We now know about Chevaline. The secret of Chevaline was kept from the British public and from the British Parliament by a small group in the Labour Cabinet. They kept it from the rest of the country because they did not wish the main part of the Labour party to know about it. There can be little doubt that the Soviet intelligence services knew about the decision on Chevaline. It would have been possible for the Soviet security services to leak that in a remote newspaper, and the information

[Mr. Whitney]

would then have been picked up by a British newspaper. The effect would have been that the Labour Government would have turned tail and cancelled Chevaline, and that would have damaged British defence interests.

Mr. Baldry: I am grateful to my hon. Friend. I do not think that those who support the Bill need to give examples. The burden of proof is on those who so cavalierly take the attitude that it is possible to take the risk of subsequent or further disclosure.

Mr. Richard Shepherd: There is no risk.

Mr. Baldry: My hon. Friend says that there is no risk. He must stand by that. Given the protection within the context of the legislation—the Attorney having to agree a prosecution, the defence of the harm test, the limited amount of information which is covered, and the fact that it has to be official information—there is no need for the nation to take the risk of subsequent disclosure causing harm. If those who support the amendment wish to be so cavalier, that is up to them, but I suspect that, when the Committee has to vote, it will decide that there is no need to be so cavalier with official information.

We have a fine balance in the Bill between the interests of a community and the proper rights of the citizen within it. The reason why those who support the amendment seek to create examples is that, throughout all the proceedings on the Bill, they have sought to put up artificial coconut shies so that they can try to knock them down. They have to look the people in the eye and say, "We are prepared to take a risk that there could never, in any circumstances, be a situation where the subsequent disclosure of official information could cause harm, and we are prepared to offer any defendant an absolute defence in all circumstances." That defence would be that, the information having been published elsewhere, the defendant could say, "There can be no prosecution in those circumstances because I could not have done any harm." I do not think that the Committee should be led down that lane.

Ms. Diane Abbott (Hackney, North and Stoke Newington): We have had occasion over the past few days to contemplate the dangers of fundamentalist religion. I am obliged to contemplate the dangers of fundamentalist Government Back Benchers who claim that they have no need to prove their case. One does not need to be an expert on the security services or even on the affairs of the Home Office to know that, once a secret is revealed, it can no longer be a secret. When asked to demonstrate their case by giving examples, even the most loyal of Government Back Benchers were floundering.

It is common sense that a secret, once revealed, is no longer a secret. Therefore, why are the Government trying to push the defence of no prior publication? However much the Government may wriggle, and whatever byzantine examples they build, if we are to imagine circumstances in which a second publication causes harm when first publication did not, we have to imagine massed ranks of spies, enemy agents, criminals and journalists who are asleep, illiterate or drunk, or who are generally falling down on their duty.

I must speculate on why the Government are trying in the clause to promote a proposition which is patently absurd. I can come up with only two reasons. One hates to go over painful history, but the first reason relates to the "Spycatcher" case, where the Government's case was largely smashed by the defence being able to demonstrate, by much painstaking work, that virtually everything in the disputed book had been published elsewhere by Mr. Chapman Pincher. All the Bill can be understood if we consider the past embarrassments of the Government. That is the whip that is flicking the poor Secretary of State on. That is the impetus to make sure that similar embarrassments do not happen again. It is because of what happened with prior publication in the "Spycatcher" case that the Government are trying to promote a transparent absurdity.

The second reason why the Government are trying to pass into law the transparent absurdity that a secret that has already been published is somehow still a secret is the notion, not of keeping our secrets from enemies of the public, spies or enemy agents, but of keeping secrets from the people themselves. It is a "them and us" notion. It is the notion that it is all right for insiders to know something, but it would be rather too embarrassing if the public at large knew about it.

Because the motivation behind the clause is not the public good but past Government embarrassment, and the "them and us" notion that, in some paternalistic sense, there are some things that insiders should know but the general public should not know, and because the attempts of Government Back Benchers to defend that absurdity have been so transparent, I speak in support of the amendments.

Mr. Hurd: It might be for the convenience of the Committee if I gave at this point the Government's reaction to the amendment.

When we spent a substantial time discussing the public interest defence, I felt that a major clash of well argued principles was involved. In this case, the loophole which has been opened by the amendment has not been justified by my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour). I shall try to explain why.

The main principle which we are trying to adhere to in the Bill involves harm and whether disclosure was harmful. That principle runs through all our arguments, even when we argue that there is an absolute offence because all forms of disclosure in that category would be harmful. It is not a matter of great principle whether the information has been published before. The central issue is whether the disclosure was harmful. It may well be that in many cases, perhaps even in most cases, the question whether there has been prior publication is relevant in assessing harm. No one denies that. The question is whether it must always be the governing consideration, whatever other arguments might be produced about harm or likely harm.

Mr. Gorst: How does my right hon. Friend reconcile what he has just said with the provisions of article 10 of the European convention on human rights? After talking about

"freedom of expression . . . regardless of frontiers",

there is a reservation in paragraph 2 which says:

"The exercise of these freedoms . . . may be subject to such . . . conditions as are prescribed by law and are necessary".

If there is prior publication abroad, how will it be possible to say that the provision is necessary. Even if there is harm, that provision is not recognised by the article that I have quoted.

Mr. Hurd: We discussed article 10 yesterday, and the hon. Member for Caithness and Sutherland dealt with it. I shall come to the point as to why I believe that harm which could be caused by secondary publication could meet the criteria of harm in the Bill and therefore the criterion in article 10 of the European convention on human rights.

The hon. Member for Birmingham, Erdington (Mr. Corbett) mentioned the Sky channel. The hon. Gentleman is under a misapprehension, as Sky is within the jurisdiction of this country and therefore within the scope of the Bill because of the uplink from the United Kingdom, although the satellite is Luxembourg-based. Therefore, the worries that he built upon that distinction do not exist.

I entirely accept what the hon. Gentleman said about *The Guardian* newspaper being in a muddle about that. In the nicest possible way, may I say that no other newspaper has been so consistently muddled and has so muddled its readers about the Bill. I do not understand why newspapers should be in a muddle about this point, because the assessment that they will make is exactly the same for publication or republication. If the criminal law is to apply, newspapers will have to think before publishing something which might fall within the scope of the criminal law. The problem will not be made any more difficult, because the tests of harm remain the same for publication or republication.

To return to the main point, which is extremely important, in many examples second publication would do no harm because, if there was any harm, it had been caused by the first publication. In the unlikely event that the prosecuting authorities decided to mount a case, the defence would argue precisely that: it would argue that no damage had been done. Moreover, the prosecution would have to prove that the defendant knew or had reasonable cause to know that such damage would be caused. That is a very high hurdle for a prosecution which was trying to show that, although something had been published elsewhere, there had been damage on secondary publication which met the test of harm.

8.15 pm

In clause 5, the test of harm is very high in those circumstances. There is no question of there being no prior publication defence. The question is whether that defence should be absolute and should sweep the board in all circumstances, and whether it should trump all other arguments before they are made. As my hon. Friend the Member for Banbury (Mr. Baldry) said, that puts an onus on the supporters of the amendment to justify so absolute a defence. We are saying that it should not be absolute and that it should be for the jury to decide in such cases.

I am sorry that I missed the first few minutes of the speech of my right hon. Friend the Member for Chesham and Amersham, but I listened to him carefully. He and the hon. Member for Erdington were deeply and delightfully out of date. My right hon. Friend was thinking solely in terms of the Soviet Union. That may have been realistic in the old days, and I do not wish to discuss whether the Soviet Union monitors or wishes to monitor every publication so thoroughly and so immediately that no second publication could possibly cause harm. I shall not go into that, because it is not relevant to this argument.

My hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) left the Chamber after making an extremely relevant point. We are not talking only of the Soviet Union and other super-powers; we are talking emphatically about a number of other Governments which, in one way or another, support state terrorism. There is no reason to suppose that they are equipped to read every publication and that they would automatically pick up anything useful to them from a first publication. Nor are we talking only about Governments. Here I drop the banter to stress a crucial point.

During the debate on the Security Service Bill, I mentioned the increasing effort of the security services devoted to counter-terrorist work. There are quite a few organisations—two or three in Northern Ireland and others in the middle east—which are quite sophisticated and probably attempt to piece together, bit by bit, disclosure by disclosure, how we counter their efforts in relation to techniques, equipment or personnel. *[Interruption.]* The hon. Member for Erdington casts scorn on that, but it is not a comical matter. If there were a leak or a disclosure in some relatively obscure publication of something which was secret or important to counter-terrorism—the hon. Member for Linlithgow (Mr. Dalyell) will take my point—there is no reason to suppose that the people who are trying to keep ahead of us and piece together how we deal with their activities would necessarily pick up that publication the first time.

Therefore, it should be open to the prosecution not to make any assumptions but to argue before a jury that the second publication had caused the harm. As I said, it will be a high hurdle that it will have to pass. It will have to prove not only that harm had been done but that those who published it knew that harm was likely to be done. They are two high hurdles. To say that that is wholly and on every occasion totally absurd, that that risk can be easily run and that there are no circumstances in which the fact of the first publication should not be an absolute and total defence seems to be a risky business.

Mr. Gorst: Surely the problem and, perhaps, the fallacy in my right hon. Friend's argument is that the prosecution will also have to prove that, on the first occasion, publication was not known to the people to whom it might have been damaging were it to be known by them.

Mr. Hurd: The onus will be on the prosecution to prove beyond reasonable doubt that the second publication did harm of the kind defined in the Bill. As I said, that will be a difficult business. I am not saying that the prosecution will have an easy task. I am saying that it must be given the opportunity in such circumstances to deploy that case. It should not, regardless of any conceivable circumstances, be ruled out as a line of argument.

Mr. Richard Shepherd: This is clearly a most important point. There is a corresponding case. My right hon. Friend is effectively and reasonably putting an anxiety about some circumstances—not all—of a subsequent publication. Will he give hon. Members just one instance, so that we can see what is identified, of a subsequent publication that has been damaging or has been held up in the courts or anywhere? I just want one instance.

Mr. Hurd: I am giving instances not of past cases but of present dilemmas—*[Interruption.]* I am not talking about hypotheses; I am giving a series of facts.

Mr. Shepherd: Not of past cases.

Mr. Hurd: I am speaking not of past cases, I agree, but of what is happening today. What has happened in the past four or five years, and what has certainly happened in the work of the Security Service, is a major concentration of effort on countering terrorists and the supporters of terrorists. My hon. Friend is right to take the matter seriously.

This example is important—other people may think of other examples—and it is a real example in the work of Government. I would not be happy if there were this loophole which, in all circumstances, would enable the prior publication defence to be absent. I do not think that would be safe. I refer to the point which my right hon. Friend made at the beginning of his remarks and which the hon. Member for Hackney, North and Stoke Newington (Ms. Abbott) developed in exaggerated terms.

It is not possible to regard the absence of an absolute prior publication defence as the result of an effort to avoid embarrassment or to keep British people in ignorance of something that other people know. We must consider the harm tests and the hurdle that the prosecution would have to surmount when faced by first publication. We should also consider the point in the Bill about which I reminded my hon. Friend the Member for Thanet, South (Mr. Aitken) and which covers all the offences listed in clauses 1 to 3. It is not plausible to argue that this is an attempt to keep people in the dark.

Mr. Shepherd: Part of what my right hon. Friend has been contending for has been recent history. I refer to the "Spycatcher" case and the investment of huge sums by the British Government to pursue right up to the House of Lords something that was previously published and available all around the world. One pressure is the sheer cost of the state prosecuting a newspaper for publishing something that had been published and previously available. Will the Home Secretary give me an instance of such a cost to society at large on the hypothesis that a subsequent revelation might be harmful? I can understand a first revelation being harmful, but I should like an instance of a second revelation being harmful.

Mr. Hurd: If this amendment were passed, that kind of instance would be more likely. The Committee must consider whether it is worth taking that risk. My hon. Friend mentioned the "Spycatcher" case. That involved the civil law—the search for injunctions. I think that my hon. Friend was satisfied by the ultimate judgment, but there was a great deal of speculation that we were proposing to put into the Bill matter that would alter the civil law on confidentiality. Contary to expectations, we did not do that. We, too, believe that we can live with the judgment in the civil case.

This is a matter of criminal law. It is a matter of deterring within the narrow field that we are talking about. It is a matter in which criminal sanctions might lie if deterrence failed. In the great majority of cases in which prosecutions might be tempted to prosecute, the presence of a first publication would create difficulties for them, which they would see that they were unlikely to surmount. In cases in which they unwisely proceeded to prosecution on a second disclosure, the jury would simply be unconvinced that the second disclosure had caused harm.

There could be—it is right that the Committee should understand this point—a relatively small number of cases in which the prosecution should be able to argue that the second disclosure had done one or more of the harms specified in the Bill and that the person disclosing for the second time knew that that was likely to be the result. There might be few cases, but they could be serious and dangerous.

Mr. Maclennan: The Home Secretary is clearly floundering. He has failed to answer a question by several Conservative Members about whether there were any real circumstances in which the repetition of what is not any longer secret could be harmful. By his failure to address that question, he has made it abundantly plain that there is not any serious, or indeed any, risk.

Mr. Hurd: The hon. Gentleman lashes out at me. Having spent a bit of time on this matter now, does he say that no harm could be produced by the relevation in a major national newspaper of techniques in counter-terrorism which had previously been disclosed in a technical journal? Does he say that there is no possibility of serious harm resulting from that second disclosure?

Mr. Maclennan: By his riposte to my attack, the Home Secretary has demonstrated that he is trying to move the burden of proof from himself. He has been asked by several Conservative Members to give any instance he cares to choose of a situation in which the repetition of what is already public—that is, what is already not secret—could be damaging. Despite the fact that he has until 10 pm, and all hon. Members are ready to give way to him, he has not been able to show that the repetition of what is already in the public domain could be harmful.

Mr. Rooker: There is a difficulty. I accept some of the thoughts behind the Home Secretary's position. If he gave an example to satisfy hon. Members' questions, the immediate response would be for hon. Members to ask "Why did you not prosecute?" Only that kind of example would be meaningful, but, clearly, it will not come from the Home Secretary.

Mr. Maclennan: The Home Secretary's unwillingness or inability to give an example is a reflection of what is plain common sense—that what is already public cannot be secret. It is not only a matter of common sense but a matter of the meaning of language.

Several Hon. Members *rose*——

8.30 pm

Mr. Maclennan: I will give way in due course, but I hope that hon. Members will allow me to develop my argument.

The right hon. Member for Chesham and Amersham (Sir I. Gilmour) put the case which has not yet been answered. When official information has been published, it is no longer secret and therefore it cannot in any real sense of the word need to be covered by the law.

Several Hon. Members *rose*——

Mr. Maclennan: I have not yet had an opportunity to develop my argument. I shall be willing to give way later.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Douglas Hogg): The hon. Gentleman is making a bad case very slowly.

Mr. Maclennan: I am making it slowly because of the number of interventions.

I take seriously the Home Secretary's assertion that we must address the issue whether publication has caused harm. But this prior publication defence is intended to deal with issues where there is an absolute offence—for example, concerning information about the interception of communications or actions done under a warrant or by members of the intelligence or security services. These are absolute offences where there is no harm test.

Mr. Jeremy Hanley (Richmond and Barnes) *rose*——

Mr. Maclennan: No, I must be allowed to finish at least a few sentences.

There being no harm test involved, it seems clear that it is unreasonable not to recognise that if information of that kind—it is the "Spycatcher" situation—has been published, it should be open to journalists to repeat it.

Mr. Hanley: Would the hon. Gentleman seek to defend a person in a situation where it was impossible to prove that he had put information in an obscure journal merely so that he could subsequently publish in a broader arena, and in a situation where it was impossible to prove that he had leaked the information to the first obscure journal?

Mr. Maclennan: That point was ably dealt with by the right hon. Member for Chesham and Amersham, when he pointed out that, on the whole, spies are more inclined to read the technical journals than the columns of the *Sun* to get their information, and the damage will have been done by the first revelations.

Mr. Douglas Hogg: Sloppy thinking.

Mr. Maclennan: The Under-Secretary has come into the Committee late and has not heard any of the discussion on the amendment. If it is sloppy thinking, it is thinking that was espoused by the Conservative Government of which he was a member when they published the earlier measure. At no point during the debate has the Home Secretary attempted to explain why he has stood on his head, for that is what he has done. Although he has said, "We got it entirely wrong," he has not been prepared to give the reasoning why he has changed his mind.

Mr. Hurd: I have not changed my mind.

Mr. Maclennan: The right hon. Gentleman may not have changed his mind, but the Government have. The measure published in 1979 had a prior publication defence, as he knows.

A telling point was made in an intervention by the hon. Member for Hendon, North (Mr. Gorst) about the virtual certainty that what is proposed runs foul of article 2.2 of the European convention on human rights. The refusal to allow prior publication to be regarded as a proper defence is plainly disproportionate. There can be no question but that if the matter came before the European Court—as it definitely would if it ever got before a British court in the first place—we should again be dragged back and have the Government's position struck down.

The Home Secretary said yesterday when I was dealing with the relevance of article 10 and the freedom of information guaranteed by the European convention that he was prepared to consider the issue again and return to the matter at a later stage, having taken further advice. I hope that that is his intention, for if there is any part of the Bill which needs reconsideration, it is that applying to the republication of what is no longer secret. It must be ridiculous to make it a criminal offence to republish what is in the public domain.

Mr. Whitney: The hon. Member for Caithness and Sutherland (Mr. Maclennan), like all other critics of the Bill, resolutely refuses to take on board the basic point that harm must be created. I do not know how often we need to repeat that. Unless additional harm can be proved, there can be no point in bringing a prosecution and one would not be brought.

As my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) said, we are not living in a simple world of John Le Carré, of spying, of the Soviet Union and of dead letter boxes. It is a much more complicated world, one in which many other countries are potential enemies and involved in state terrorism. Indeed, the techniques used against the national interest go wide, into the sphere of political warfare and disinformation. It is against that much more complicated background that we must consider this legislation.

I offer the Committee a case history so that we may understand what we must legislate for in relation to disinformation techniques and the like. My example is manufactured in the sense that it was a manufactured piece of intelligence from the Soviet intelligence service. That much seems to be well documented. It could have been a piece of real hard intelligence, although I am sure it was not.

In mid-1983 the Soviet intelligence service started to create a story that AIDS was a phenomenon which had emerged from United States genetic engineering experiments in Fort Detrick in Maryland. It then sought to use the prior publication technique to sell that information around the world, and originally the Soviet magazine *Liturnaya Gazeta* quoted allegedly the Indian magazine *Patriot* as the original source of the story. Subsequently, *Patriot* denied that it was, but by that time the disinformation was on its way.

It ran around the world, so that by 26 October 1986 it was a front page story in the *Sunday Express*, a major coup for that paper here. A certain Professor Jacob Segal was billed as a French professor—he was in fact an East German—and the same story was retailed. It went a month later to a Spanish magazine and then to an Argentine magazine, and each time it was quoted as being an original source.

I offer that story to the Committee as a demonstration of a bogus piece of information, but a technique against which we must frame our legislation. It might have been a piece of real intelligence from British official sources.

Mr. Hugh Dykes (Harrow, East): I am not only most grateful to my hon. Friend but astonished by the example that he gives, which disproves his own argument. Is he postulating that because a rubbish newspaper with a big circulation chooses to run a daft story based on disinformation or lies generated by the Soviet intelligence service, that story should be subject to the test of harm or of prior publication?

Mr. Richard Shepherd: Besides, what does that have to do with the Bill?

Mr. Dykes: My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) asks what it has to do with the Bill, which is an even more relevant question.

Mr. Whitney: The example that I gave relates to a spurious item of intelligence, but the Committee should consider the techniques that are used in the world of disinformation and prior publication.

For an example nearer home, I revert to the hypothetical case that I used when I intervened in the speech by my hon. Friend the Member for Banbury (Mr. Baldry), which seemed to create some amusement among my hon. and right hon. Friends.

Mr. Richard Shepherd: I want to be helpful to my hon. Friend, but he is travelling over terrain that is not to his advantage. Yesterday, we had the benefit of the background to the Chevaline case, but it bore no relationship to the example that my hon. Friend gives. It does not serve the purpose that he has construed that it will serve, but serves that identified by the right hon. Member for Plymouth, Devonport (Dr. Owen) in his exposition of that story, as to the nature of maintaining a vital defence secret from society. The right hon. Gentleman made the point that classification was broken under authorisation by our then Secretary of State for Defence, Francis Pym.

Mr. Whitney: I am entirely aware of the point to which my hon. Friend refers. The right hon. Member for Plymouth, Devonport (Dr. Owen), who obviously cannot be with the Committee tonight, put a certain gloss on those events. It may be that he had a certain interest, given that he was so closely involved in them.

I ask my hon. Friend and the Committee to extend their imagination further. I well understand the role played by my noble Friend Lord Pym, but the situation then was different. The Conservative party and the British people as a whole understood—and still understand—the need to keep our Polaris submarines and nuclear missiles effective. The problem with the Labour Government's responsible leadership at that time was that they had grave doubts about the Labour party. I hope that my hon. Friend now better understands the example that I hypothesised.

In 1975 or 1976, the Soviet network was, one must assume, effective enough to understand the work on Chevaline that had been put in hand. That is not the issue. But how easy it would have been to use the Indian *Patriot* or some other external newspaper as the medium of primary publication, and then to run in Britain the great story that the Labour Government were embarking on the Chevaline programme. Would the Labour Government have had the courage to admit to that decision, or would they have caved in? None of us shall ever know. My assumption is that the Labour Government would have turned tail and fled from Chevaline, and that British defence interests would then have been harmed.

Ms. Abbott: I have listened carefully as the hon. Gentleman has given the Committee that example not once, but twice. I am clear that the second publication would have embarrassed the then Labour Government, but I am not clear why it would have materially affected British defence interests. Embarrassment is one thing, but matters of defence and national interest are another.

Mr. Whitney: It is safe to assume that the information in question would have been well in the hands of hostile intelligence services, and had it appeared in an obscure magazine published in some remote African town, no harm would have been done. But if that report had been picked up by the British press, it would have argued, under the test of prior publication, that as the "Tanganyika Echo" had carried that story, it could do so. If it had done so, it is 99 to 100 per cent. certain that the then Labour Government would have turned tail on their decision to develop Chevaline. Consequently, British defence interests would have been harmed.

8.45 pm

Sir Ian Gilmour: My hon. Friend's contention is that, had the provisions of the Bill been law at that time, the then Labour Government would have brought a prosecution against any newspaper that published such a report. Is he seriously suggesting that that example is relevant? My right hon. Friend's Bill may be illiberal, but I do not believe that it is as illiberal as that. Is my hon. Friend seriously suggesting that if a newspaper republished information that a Labour Government was spending money on updating nuclear weapons, they would have brought a prosecution?

Mr. Whitney: I was seriously suggesting that, in the circumstances that I hypothesised, the then Labour Government would have given their eye teeth for the protection given by the Bill, because then such a report could not have appeared in the British press. I refer to the deterrent effect of such a provision. I do not know what a former Labour Government might have done, but does my right hon. Friend agree that British defence interests could have been harmed? We are all citing hypothetical cases, and by definition are stretching to know what might happen in certain circumstances.

I offer the Committee another example.

Mr. Richard Shepherd: My hon. Friend's first example seems risible to me. Is he suggesting that a defence of second publication is unnecessary on the basis that a Government might stop what they were doing, and that that of itself must be against the national interest? That is a ludicrous line of argument.

Mr. Whitney: This is a more serious subject than my hon. Friend seems to allow. The record of a very few people in the last Labour Government keeping the Chevaline decision very secret is well known. The chances of that secret being known at the time would have been much greater without the defence of prior publication. I do not know what kind of secrets we might be talking about today, but it requires little imagination to bring the argument into the present and into the future, and to understand the defence of the national interest as opposed to a harm test that would have to be accepted by a court.

Mr. Edward Heath (Old Bexley and Sidcup): Is my hon. Friend saying that if information of the kind he described was published in a technical journal overseas and then republished in this country by newspapers, and that as a result, CND supporters in the Opposition brought down a Labour Government, that would be treated as a case of harm?

Mr. Whitney: My right hon. Friend takes a more sanguine view than that to which his normal state of pessimism has accustomed us. He assumes that the Labour Government would have fallen. I hope that he is right. I agree that their chances of falling at the next general

election would have been high, but that might have been some time away, and we would have suffered four more years of harm under a Labour Government that had written off a sensible defence policy that my right hon. Friend had launched.

I give the Committee another example, which concerns publication of the name of a former head of MI6. These days, we are accustomed to such names being published, but in days before, that was not the case. Once that name was published in a German magazine in 1976, a British newspaper carried a photograph of the head of MI6 on its front page. That is dangerous. It exposed that individual to terrorist risk. That is another example of prior publication. Admittedly, and sadly, in that area, we have moved on.

This is the real world. This is not the simple world in which my right hon. Friends are able to make fun of these propositions. The serious proposition is that the harm must be proved. It is very difficult; it must be perfectly clear to a court. Therefore it is extraordinary, as has been said many times this evening, that those who criticise the Bill seem to think that there can be no case at all in which harm can be created. The reality, of course, is that it can be created.

Mr. Dalyell: Unlike the hon. Member for Caithness and Sutherland (Mr. Maclennan), I do not think that the Home Secretary was floundering or bantering on this issue. If the House of Commons is to be responsible about this we have to take what the Home Secretary says about Governments extremely seriously. In fact, it is frivolous not to.

I say to the hon. Member for Wycombe (Mr. Whitney) that the Chevaline issue was very complicated. When I tried to rebuke Jim Callaghan when the first bombshell of Chevaline came, he replied very sweetly, as only a former Prime Minister can, "You didn't have the wit to ask me." Nor, indeed, did any of us. Secondly, technically, I am told, Chevaline was a very complex upgrading issue. It was not a new project and there was not an element of deceit. I am not at all sure that it was a good example, but I do not want to stray.

I want to put two questions to the Home Secretary. He intervened to respond to a point that was made much earlier by the hon. Member for Thanet, South (Mr. Aitken) about the repetition of information conveyed and covered by so-called absolute offences. The right hon. Gentleman referred, in replying to his hon. Friend, to clause 5(3). Could I ask him to confirm that clause 5(3) has nothing to do with absolute offences? It refers to offences under clauses 1 to 3, which contain harm tests. The absolute offences that we are talking about are in clause 4(3). Any and every repetition of this information is a fresh offence regardless of whether it causes harm and even if it is clear that no harm is done. The 20th or 30th repetition of information covered by clause 4(3)—that is, unauthorised phone tapping—is still an offence. Is this not a ludicrous situation?

Mr. Hurd: The absolute offence to which the Committee has given most attention—quite naturally, it took up most of our first day—is created under clause 1: that is, the offence for a member or former member of the security or intelligence services to make a disclosure which relates or purports to relate to security or intelligence. That offence, commonly called an absolute offence, is covered, as the hon. Gentleman will see, by clause 5(3), which he quoted. He is perfectly correct to say that the other so-called absolute offence, which has to do with warrants legally issued, comes under clause 4 and is therefore not caught by clause 5(3). But the first one, revelations by members or former members of the security or intelligence services, is covered in the cases we are talking about.

Mr. Dalyell: I thank the Home Secretary for his courtesy.

On the question of Wright, which I think a lot of this is about, my opinion—I say nothing that I did not say on behalf of the national executive when I was asked at the Bournemouth conference—is that Wright was a fantasist. He was plain wrong on a whole list of things, for instance about Alistair Watson. I believed the former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Mr. Heath), when he said that it was quite untrue that Victor Rothschild introduced Wright to him when he was Prime Minister. That appears in the book, and there are all sorts of other inaccuracies. Everything that one has first-hand knowledge of seems to have been rather wide of the mark.

My question is this: in these circumstances why did the Government not shrug their collective shoulders, smile gently and let it sail by? What was the purpose of drawing such attention to this? One has one's suspicions, but they may not be for this debate, that it was to make a political point, which was very different from the ostensible reason.

I shall be supporting, I suppose—with all the reservations I have mentioned, because we take the Home Secretary's point very seriously—the spirit of the amendment tabled by the right hon. Member for Chesham and Amersham (Sir I. Gilmour), because of the sort of case that occurred in the Zircon affair. It may be within the recollection of the House that Zircon got great publicity, although when one looked at the film it was perhaps all a bit tame.

The serious point for the Committee is that in a magazine called *Interspace* there were far more useful technical details of the elevation of Skynet IV than appeared either in the film that Duncan Campbell made or in any sections of the press. In that technical magazine, edited by Roger Stanyard, there was information that was far more useful; and the February 1985 Newsletter, like every other *Interspace* publication, was on the mailing list of Intersputnik, the technical headquarters in Moscow. It really seems a bit absurd to make such a fuss about Zircon when the technical details were on the Soviet mailing list.

Mr. Corbett: Does my hon. Friend share my memory of the Zircon affair, that the Government's major objection was that the name of that project had become public and this would send yet another signal to the United States that the Government were unable to keep secrets?

Mr. Dalyell: I think that it was partly about the Americans and partly about another film in the series, which was politically embarrassing, called "Cabinet". In a sense it just proves that what is politically embarrassing is far more serious than national security.

I sit down with the reflection of Sir Frank Cooper, the former permanent secretary to the Ministry of Defence, who said that all this information was well known to every schoolchild in Milton Keynes.

In these circumstances I think we ought to take on board the general principles.

Mr. Whitney: I am grateful to the hon. Gentleman for giving way. During the Zircon affair, am I not right in my recollection that the Leader of the Opposition was invited to the Ministry of Defence on Privy Council terms and given a full briefing and came out acknowledging that a security breach had been committed?

Mr. Dalyell: I just leave it that I was not present at that meeting.

9 pm

Mr. Ivan Lawrence (Burton): I do not know why so many Members from all corners of the House—the hon. Member for Linlithgow (Mr. Dalyell) is an exception—are treating this very important issue of national security in quite such a cavalier fashion. I am not sure that it will do much for the regard with which this place is held in the country when people hear these debates.

I object to the amendments on two grounds. First, they might do harm to the future security of the state, and secondly, they would make it more difficult for an innocent person accused of an official secrets offence to be acquitted. I do not understand why Opposition Members think that either of those results is worth arguing for.

I also do not understand why the fact that a damaging disclosure has been made somewhere before should be a complete defence to a second publication, if that second publication is itself harmful. Of course, I have heard both Conservative and Labour Members say that once a secret is out it is no longer a secret, ha ha. But we are not playing with words; we are talking about harm to the national interest. I do not understand why my hon. Friends are arguing that if some damaging revelation reaches two people it might just as well reach 2 million people. There may be many circumstances where some things are damaging and they become more damaging the more people know about them.

I have heard some of my hon. Friends asking other hon. Members for examples. I can give some examples. If the news that some gold bullion is walled up in the Hammersmith flyover appears in the sort of publication that virtually nobody reads and then wide coverage is given in a national newspaper, so that all the criminals in London start hacking away at Hammersmith flyover to get the bullion out, surely the fact that more people know about that official secret—as it may be under clause 4, which covers crime—is more harmful?

Suppose that a nuclear aeroplane crashed somewhere in the Channel and somebody somewhere says "Well, I think it is just four miles off Calais and five miles down from a rock," and that is published in a publication. Perhaps it is just speculation, but then somebody else decides to publish it because it is a fascinating secret that would generate a lot of newspaper sales. An enormous amount of harm might be done to something, which it was vital should not be published in the national interest.

Perhaps somebody will give the name of a villain who is kept in custody at Winson Green prison. Perhaps at some time it would be easier to spring him from there than from some other prison. The more people who know that fact, the more likely it is that serious criminal offences will be committed.

One could go on. The point is that the more people who know something that is damaging and harmful, the more harm may be done. We are talking nonsense if we say that, just because a fact has got out in one place, it can never cause more harm, however many times it is repeated to other people. That just goes against common sense.

Mr. Corbett: I must defend the integrity of the staff and governor of Winson Green prison, although that is by the by. Is the hon. and learned Gentleman really saying that those responsible for the management and conduct of our national press are all as irresponsible as he is making them out to be?

Mr. Lawrence: Sometimes—and that "sometimes" might do a lot of harm to the security of the nation. All I am saying is that it is wholly reasonable for prior publication to be an argument for not convicting someone where no harm is done by a second or subsequent publication, but it is wholly unreasonable to say that harm will never ever be done by a further publication. Those who have been advancing that argument are—I hope they will forgive me for being impertinent—talking nonsense.

What of the man who wanted to sell his official secrets to a publisher? It would make a mockery of the Bill if such a person could get round it by going to the United States, Australia, the Solomon Islands—I hope that no one will say that that is a terrible defamation of the Solomon Islands—or anywhere in the world and publishing, if, as a result of that publication, he could argue that, because the secret had been published elsewhere, that was a defence. He would be able not only to drive a coach and horses through the legislation, but completely to ignore it. I cannot believe that hon. Members want no Official Secrets Act. I simply do not understand why they seem to be agitating for the amendment.

Mr. Richard Shepherd: If an individual, whether a Crown servant or otherwise, publishes abroad in contravention of his duties under the Act, he commits an offence. No defence of prior publication protects him against that. If he comes back to Britain and is therefore in the jurisdiction, he will be prosecuted, and rightly so.

Mr. Lawrence: But we may not be able to prosecute him for an offence that he has committed abroad, if he stays outside the jurisdiction and there is no way of bringing him back to Britain for trial. That is precisely what happened with Peter Wright. Although he might have committed a criminal offence if what he had done had been committed in Britain, he could not be prosecuted for that criminal offence because he was outside the jurisdiction and there was no way to get him back into Britain to be prosecuted.

I have the greatest respect for my hon. Friend and for the courage and tenacity with which he has proceeded, but if he thinks that the point that he has just made is a good one, some may wonder whether all the points he has been making by way of intervention have been as good as he thinks they are.

Sir Nicholas Bonsor (Upminster): I agree with almost everything that my hon. and learned Friend has said, but I hope that he will do justice to what my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has said. He appears to be saying that if the person who had committed an offence by publishing abroad came back to Britain he could be prosecuted, but not otherwise. Surely the same is true if he remained abroad and published here, so I do not think that that is a particularly good argument either.

Mr. Lawrence: The suggestion in the amendment is that there should be a defence if there is prior publication in the United Kingdom or elsewhere. If the prior publication had been in another country where there was no extradition, then, even though that prior publication was a criminal offence, the claim that prior publication is no protection when a criminal offence has been committed simply would not apply. A man who had released that publication in breach of our Official Secrets Act could not, in fact, be convicted if he was in a country from which there was no extradition. Therefore, no criminal offence would have been committed. As a result, the prior publication defence would be perfectly usable if we gave one.

I am saying that a coach and horses would be driven through the Bill, or it could be completely sidestepped, by somebody going abroad, committing a criminal offence by publishing something that is harmful to the state and then somebody here saying that there was prior publication. If the second publication causes no harm because all the world knows what was published in some other country, there will be no prosecution.

That brings me to the second heading. We talked about the same kind of thing when we dealt with the public interest defence. I do not understand why those who want to protect the honest whistleblower want to make it more difficult for him to be acquitted. Perhaps they do not follow the legal process. If the burden is on the prosecution to prove that harm has been caused and it is obvious that there has been no harm because there has been some prior publication, no prosecution may be initiated.

Let us suppose that the Attorney-General or the Director of Public Prosecutions, or whoever makes these decisions, decides that he wants to prosecute because he believes that there is a chance that somebody will be convicted—which is not a good way of initiating prosecutions. If the prosecution is unable to discharge its burden of proving that harm is being caused because of the release of that information, the case will be stopped by the judge. Whether there is no prosecution in the first place or whether the case is stopped by the judge, those things will occur before the onus moves to the defendant to initiate a defence. By that time, he has been through the expensive process of having lawyers spending more time in court and he is running the risk that his defence might go wrong and a jury might disbelieve him.

I was howled down this afternoon because I dared to defend the independent Bar. However, in this case right hon. and hon. Members want to give more money to lawyers, want more prosecutions to be initiated, want longer trials and want to put more innocent people at risk. I do not understand that.

We have never had a defence of prior publication, because of the harm that it might do to the security of the state. It is not that it will certainly do so on tens of thousands of occasions, but that it might do so on some occasions. It is a sensible preventive device not to allow any more chance of harm to the national interest than is necessary.

I have heard no good reason why we should start now with the defence of prior publication, especially if it might mean more innocent people being placed at risk.

Mr. Heath: I wish to make three points. First, I say to my hon. and learned Friend the Member for Burton (Mr. Lawrence) that the reason why there has been considerable hilarity over some of the speeches this evening is that the examples which have been cited of a possible offence have been ridiculous. My hon. and learned Friend, in his opening remarks, gave no examples which one could in any way relate to the serious matter of national security. That is why we were amused.

Secondly, a few years ago the right hon. Member for Leeds, East (Mr. Healey) intervened in a debate—he spoke as a former Secretary of State for Defence and Chancellor of the Exchequer—to tell the House that the Chevaline question was decided by the 1970-74 Government. I have never disputed that. That makes the discussion tonight all the more irrelevant.

Mr. Whitney *rose*——

Mr. Heath: Of course I shall give way. I know that my hon. Friend has a bee in his bonnet.

Mr. Whitney: I recognise that it was my right hon. Friend and his Government who took the first decision, and he very much deserves to be congratulated on it. Had the example that I suggested transpired and if, in the first 18 months of a Labour Government, they had faced the attack which would have been launched and they had cancelled Chevaline at that stage, does not my right hon. Friend feel that the national interest would have been harmed?

Mr. Heath: No. I do not accept either the proposition put forward by my hon. Friend or the one put forward by myself.

What happened was that Lord Wilson, as he now is, in 1964 fought the election on the abolition of nuclear weapons in this country, and was kept in power until 1970 by maintaining them. As he was Prime Minister at the time that my hon. Friend mentioned, he would have done exactly the same if anybody had put forward the sort of propositions which my hon. Friend has just mentioned. I have none of the anxieties of my hon. Friend, and I am sorry if they keep him awake at night.

The third question was the one raised by my hon. and learned Friend the Member for Burton and one or two hon. Members previously. Why do we say that this amendment is desirable? I shall explain it as briefly as I can.

9.15 pm

My right hon. Friend the Home Secretary has gone to considerable lengths to show us how difficult it would be for the prosecution ever to bring a successful case in this matter. He has not been able to give any examples in which such a case could be brought, and he is an imaginative man. He writes excellent novels, but he cannot produce any convincing novel tonight. I accept that he has gone to great lengths to show that the hurdles which any prosecution would have to jump, to have any chance of success, are very high.

I accept that, so why am I worried about it? If the Bill remains as it is, the use of the threat of prosecution against the media in every form is not only undesirable; it is disastrous. The Government have only themselves to blame for these thoughts being in people's minds after the lengths to which they were prepared to go over "Spycatcher", and after the events surrounding the BBC incident in Glasgow.

We have heard examples of the way in which news and information have been suppressed and we are forced to recognise that a Minister, the Attorney-General, the Home

[Mr. Heath]

Secretary or someone acting in the name of the Prime Minister may go to an editor, or to the chairman of the BBC or ITN, and say, "Look, this is in the Bill. We've heard that you've got hold of something which was published in a small column in a technical journal in Singapore, and you are now proposing to publish it. If you do, the prosecution will wade in. Think of what it's going to cost you to try to fight this off." That is the real danger, and it should not be allowed to exist in a parliamentary democracy.

We are now the most secretive country in the world, and that is not healthy. We have heard far too many examples of that technique being used against the media. It may well now be used against Members of Parliament and others who have information because they travel widely and read journals.

When I am asked why I believe that the amendment should be accepted and why, even though there is a slight risk of it happening, I am prepared to take that risk, the answer is that I believe that the greater danger comes from the use of the threat against the media and those who have the responsibility to keep the public informed and against the right that the British public has to be informed. That simply is the justification for dealing with the matter through the amendment.

Mr. Lawrence: Is my right hon. Friend aware that the ladies of the Burton Conservative Association hang upon his every word in this place? They were greatly disturbed when he quoted what I said in a debate on this Bill. He said:

"No, let us get it away and let us get to bed. The only thing that concerns him"—

that is, me—

"is how early he can get to bed."—[*Official Report*, 13 February 1989; Vol. 147, C. 86.]

I hope that my right hon. Friend will be good enough to retract that quite scurrilous allegation or, more interestingly, give examples—or is he saying that what he said was in the public interest?

Mr. Heath: My hon. and learned Friend had better consult *Hansard* and he will see how he ended his address. I am sorry that the ladies in his constituency are worried about him. I should have thought that, using such phraseology, some of them might have been rather flattered. Perhaps he can explain why the gentlemen of Burton are not in the least worried about that.

Mr. Foot: It is a great delight to follow the right hon. Member for Old Bexley and Sidcup (Mr. Heath), who is in such excellent form, and getting his troops off to bed as he used to when he was Chief Whip. He is doing so a little earlier tonight. It is dangerous for any Conservative Members to interrupt him, because they will be sent off without any chance of returning with a sufficient retort for quite a long time. They should be more cautious about the way they interrupt the right hon. Gentleman.

In one sense I differ from the right hon. Gentleman: I have more sympathy for the Home Secretary than he displayed. I shall return later to the more general points that he made.

I agree with my hon. Friend the Member for Linlithgow (Mr. Dalyell) that it is absurd for any hon. Member to say that the case that the Home Secretary made to us tonight was not serious. Of course it was. He argued it seriously, and although he could not give any specific examples when asked to do so, he described the modern circumstances in which such republication could be severely damaging.

It is no good any hon. Member contributing to this debate without admitting that the Home Secretary presented a serious argument to the House and the country. In some debates it is much more important to go for the strong parts of an opponent's argument than the weak ones—there are usually plenty of those. When I hear some of the right hon. Gentleman's supporters, I am reconverted 100 per cent. to the case against him. If we can only isolate the Home Secretary and his case from that embroidered by some of his supporters, we should try to answer it.

Although unable to give actual illustrations, the right hon. Gentleman was able to show that dangers could exist—particularly in the growth of terrorist affairs throughout the world. Nobody would dispute that those dangers are increasing year by year—almost month by month. I understand that there are circumstances in which it could be said that republication could place in the hands of terrorists in some countries information that they might not have received from the original publication. That part of the right hon. Gentleman's argument at any rate should be accepted, perhaps not as conclusive, but as one part of the general argument with which we must deal.

When we agree with the Home Secretary and admit that such cases exist and that he is trying to guard us and the rest of the country agains peril, surely, in fairness—and particularly in the light of the previous discussions—the right hon. Gentleman should try to understand the other side of the argument. He has not really attempted to do so.

I speak as a journalist who, for quite a number of years, was the editor of a newspaper. It is a difficult job; people have to make up their minds on many matters in a short space of time. They have to make judgments, not necessarily in the same way as politicians, who may have a little longer. With newspapers going to press every day, journalists have to make up their minds quickly. I believe that the Home Secretary and the Government have a duty to consider the kind of problems that journalists face.

I am talking about only the most reputable newspapers. I do not care about the *Sun* and other such newspapers, which I do not regard as newspapers at all. Nobody needs to worry about them—although they are the newspapers that are fed through the corrupt machine to which the right hon. Member for Old Bexley and Sidcup sometimes refers. I do not wish to disregard what he has said on that subject. Of course he is perfectly right to describe the relationship between the Government and the press generally—which is of serious consequence to the country—as corrupt, particularly in the way that information about terrorism is fed to newspapers.

What happened in the Gibraltar case was outrageous. The Home Secretary told us to look at terrorist examples. Yet a few days after the shooting in Gibraltar, what was fed out to the press by the Bernard Ingham machine and taken up by papers such as *The Sunday Times* was lies, for which they had to pay thousands of pounds in damages to people who had been maligned. Some of those libel actions were fed out from No. 10 Downing street—*[Interruption.]*—and it is no good for the Home Secretary to laugh.

We want to clean up these matters. It makes it more difficult for the House to deal with this question, with the terrorist question and with its dangers in the proper way

while we have that corrupt relationship between No. 10 Downing street and a great section of the press. The Government have come near to proving the case on that, because they have not had a word to say in answer to that charge. But in the light of the new terrorist dangers, in the light of the way in which those matters are now dealt with by No. 10 Downing street and elsewhere, and especially in the light of the way in which the best newspapers in the country—I leave out all the Murdoch lot—had to deal with the problem all through the "Spycatcher" affair, it is not satisfactory that the Home Secretary should take no account of the problems that they had to face.

Mr. Hurd *rose*——

Mr. Foot: I shall give way in a moment.

The Independent, *The Guardian* and *The Observer*, three reputable newspapers, had to choose whether to risk prosecution. Newspapers do not like to be prosecuted because they are considered to be guilty of injuring the defence of the nation. All those newspapers had to take the decision whether to reprint matters that were widely published in other parts of the world. They were told that they would be committing an offence if they did so and would have to spend tens of thousands of pounds if they went ahead.

Mr. Hurd: I am grateful for the fair-minded comment at the beginning of the right hon. Gentleman's speech. I wonder whether we can strike a bargain. Can we agree that we do not have to choose between saying that prior publication can never be a defence and saying that it must always be an absolute defence? Can we meet in the middle and leave it to the jury?

Mr. Foot: I am grateful for the Home Secretary's intervention. I was going to come to my bargain, although I do not have the permission of the right hon. Member for Chesham and Amersham (Sir I. Gilmour) who moved amendment No. 37, so I would have made it my own proposition. The Home Secretary has come to a proposed bargain before, but this is not a satisfactory bargain. The House must decide such matters. It is no good to say, "Leave it to the jury." What will be put to the jury? We know what judges have said. We do not always have to listen to them, but the judges said at the end of the "Spycatcher" affair, "We had better have some greater clarity about the law. The only people who can do that are the House of Commons and Parliament." That is what the judges should say when they find themselves in a hopeless mess and tangle, as they were at the end of the "Spycatcher" affair, and that is what they did say.

It is no good for the Home Secretary to say that we do not need to change the law, but should leave it to the jury to sort out afterwards, That is not satisfactory and does not meet the criticisms about prior publication that were made by the judges. At the end of the "Spycatcher" affair, the implication of most of the judgment was that there should be some changes in the law to prevent the British Government [illegible] going ahead with an appeal when they had a case that could not survive. The Government failed hopelessly. We must sort the matter out. It is no good to say that we should leave it to the jury. We must have a change in the law which makes the matter clearer.

If the Home Secretary really wants a bargain, he should consider amendment No. 37, which the right hon. Member for Chesham and Amersham moved so excellently. Nobody who has listened to the debate can deny that there is a powerful case for the amendment.

9.30 pm

I do not think that the Home Secretary was putting up a fake case. I think that he was speaking from the point of view of what he considered to be necessity as a person who is partly in charge of dealing with the appalling problems of terrorism that we face in modern society. If the Government had the good will to do so, they could modify the amendment to satisfy both objectives and to give proper guidance to the jury. We could add the word "substantially" so that the provision read, "information which . . . had substantially become available". That would guard against the danger of the abstruse single matter which it was claimed would give the defence for the larger newspapers back here.

I am sure that the Government could come up with an amendment which would be satisfactory for their purpose but help the decent editors in this country—those who are trying to serve the public by providing them with news which, in the "Spycatcher" case, was available all over the world. What happened in that case was an absurdity of the first order, and I do not imagine that the Home Secretary would dream of defending it. The principal decent newspapers—I am excluding all the Murdoch lot—could not report, for the benefit of the people of this country, what was being read about all over the world. That is not tolerable, and it is not tolerable for the Home Secretary to come along and say, "I am very sorry. I cannot do anything about that. Compared with the other problems with which I have to deal, it is not very important." It is not good enough, after all this muddle, to say yet again that we must leave the jury to sort it out.

I plead with the Home Secretary yet again—as hon. Members have on other clauses of the Bill—to take the provision away and see whether he cannot find an alternative wording to ensure that, even if prepublication were not a defence in 100 per cent. of cases, it would be a defence in most cases. That would relieve decent editors, who have faced problems over the past year or so, of their difficulty. That would be good not only for the editors and their peace of mind, but for the health of free debate in this democracy of ours. If the Home Secretary believes in that free democracy—and I think he does—I hope that he will be prepared to reconsider the amendment, which is one of the most important that has been proposed in Committee.

Mr. Dykes: I do not know whether my right hon. Friend the Home Secretary will respond to that invitation. There are those among us who have sympathy with the Home Secretary and appreciate the underlying importance of the clause. We have a natural preoccupation with the genuine security interests of the nation, the British public and our armed forces. I freely acknowledge that I am tempted in that direction. I was disappointed, therefore, when the Home Secretary intervened to give his reaction. With respect, I do not think that he dealt with the points of anxiety raised by hon. Members, especially Conservative Members who support my right hon. Friend's amendment.

I am sure that my hon. Friend the Member for Wycombe (Mr. Whitney) will not mind my saying this, as he knows that I have great respect for him and for his experience in these matters, but I think that his examples

[Mr. Dykes]

added enormously to the Committee's confusion and that they were ill chosen. I was struck by the enigma that arises from his allusion to the mention in a German magazine of the MI5 chief. I believe that 70,000 people fly across the Atlantic every day. That sounds like an enormous number —something like 140 planes, each with 500 people on board. I imagine that about 5,000 people, mostly business people, come back from Germany to Britain each day. I could postulate that perhaps half of them, one way or another—either by speaking German or by having it drawn to their attention by somebody who spoke English, as a lot of people in Germany do—could come by this information. Half would be 2,500 people, and those people would then come back with the name of the head of MI5 and pass it on to friends at dinner parties. What would my right hon. Friend say in those circumstances? Would he say that too few people in Britain knew about this secret once they got back to Heathrow, or too many?

Mr. Whitney: My hon. Friend has given a figure of 2,500. I do not know the total readership of the *Evening Standard*—perhaps 1 million or 2 million—but what we are talking about is a risk growth of 2,500 to perhaps 1 or 2 million, and out of that number there might well be some crazy person who would say "If that man is the head of MI5 I will go and assassinate him." That is the danger. That is the public harm that is created.

Mr. Dykes: One always comes back to the conclusion that these things are being postulated—I refer to this clause without amendment—for the convenience of any given Administration, or its security branch, or the service chiefs, to prevent embarrassing things from being revealed, rather than for genuine, intrinsic national security. That is the conclusion one keeps coming to.

Mr. Hurd: That exchange between my two hon. Friends is interesting, because it is precisely the kind of exchange which, under the Bill, might take place between the prosecution and the defence. Is my hon. Friend so unhappy about his chances of success with that argument that he believes that he must win automatically without the case being heard at all? Why could the matter not be left to a jury?

Mr. Dykes: We are not dealing with espionage and the true breaches of security that are dealt with in part 1 of the Official Secrets Act. This is the ultimate absurdity of the "Spycatcher" example. I suppose that one could say there is a complete range, from the tiny little technical journal. I hope that my right hon. Friend was not suggesting that *Literaturnaya Gazyeta* was in that category, because, as it is a wide circulation newspaper in the Soviet Union, its editor would be most offended. I will not mention by name the tiny technical journals of the kind that I have in mind, because I might offend some trade association or other, but a tiny technical journal might publish something, and a newspaper with a large circulation might be the next publication to carry it.

Then at the other end of this range of absurdities—and most of the real-world examples will, of course, be within the range, is "Spycatcher". That is what most induces hon. Members in all parts of the House to insist on this amendment. At least I hope they will, unless we can get a further explanation or reaction from the Home Secretary to the offer that has been made by the right hon. Member for Blaenau Gwent (Mr. Foot). However, I do not think that that will be forthcoming tonight.

Inevitably we come back to the conclusion that the Government—and this is an anxiety that journalists have expressed already—would rather threaten the press with something that would be embarrassing than provide for something that is a genuine aspect of national security. I do not think that the case for not amending this clause can be based on vague suppositions about the efficiency or inefficiency of foreign intelligence services. It is all far too conjectural.

Let me give another theoretical example—and I hope that no one will misunderstand me. Hon. Members in all parts of the House condemn the growth in world terrorism and, indeed, in state or quasi-state terrorism. I will not mention any real-world examples, because I do not want to offend hon. Members, but what if we were imbued with the idea of a just cause for terrorist acts? At the moment, I do not myself particularly see them, although one can sometimes go back to historical acts or mistakes in particular countries, producing a terrorist reaction. We condemn the act itself, even if not the underlying causes.

What if there were manifestly an overwhelming conviction that the cause was a just one and either a foreign Government or the British Government—in this case, we are considering only a British Government—decided that they had to suppress all information because it was embarrassing in the context of their own policies and had nothing to do with state security? I wonder also whether we are grappling with the notion of a high hurdle or with the notion of a low hurdle. Was "Spycatcher" a high hurdle for the Government because of the absurd result, or was it originally deemed to be a low hurdle, and is that why hundreds of thousands of pounds were expended——

Mr. Richard Shepherd: Millions.

Mr. Dykes: Yes, millions.

—and in the end we had a laughable result? Is that the reason for the endless farce so far as the true arguments about state security and the true protection of the public are concerned?

We have had absurd examples from the past of the security services rampaging round London making fools of themselves. I am sad to say that, by definition, those people are not always stable in character and behaviour; they are often fanatical and strange. The nature of the activity attracts people like that. Covering up such activity in the past does not protect the present security of the country.

The Americans and the French also have a reputation for secrecy, but it is now much less than ours. The obsession with secrecy has grown extraordinarily in recent years in this country. No theoretical examples were available to those defending the existing text of the Bill, nor could my right hon. Friend the Home Secretary produce a conjectural reason why the existing clause should be supported. I can understand why. I am not criticising him, because I can see the dilemma that he was in.

Because the public interest debate was turned down by the Government—a great opportunity lost—we have a tragic result. My right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) might accept

textual adjustments to the wording which he has felicitously presented to the Committee. Without the public interest defence, the amendment is even more necessary. I hope that that is the conclusion of the Committee.

Mr. Rooker: There has been a presumption throughout the debate that the first disclosure is a minor disclosure. There have been constant references to the small circulation of technical magazines. One can think of many examples. The first disclosure may not be minor but if there is not a prosecution, the disclosure may be repeated and there may then be an attempted prosecution. Does the person who publishes the story the second time know that all the harm that could have been done was done the first time? Because there was no prosecution the first time, even though there was a small circulation, the person might think that he could repeat the story.

We were told in the White Paper that by and large people should know whether they would be liable to prosecution. A publication with a big circulation is not necessarily wrong in repeating a story that first appeared in a small paper. Action might not have been taken the first time but might be taken the second time because someone decides that harm is done the second time. Some people may wonder why there was not a prosecution the first time. That point should be addressed by the Home Secretary.

If these proceedings were not being guillotined, and if we were conducting the sort of scrutiny which we would in Standing Committee, and which it is the duty of the Chair to see that we do, I would ask a question which arises from an intervention by the Home Secretary. In response to the Home Secretary, the hon. Member for Harrow, East (Mr. Dykes) said that the MI5 person would not be covered because he would be dealt with by clause 1. Why is clause 5(6) in the Bill? I do not know. I should like an explanation. If there is time for an explanation before the guillotine drops, we will be grateful, even though in asking the question I realise that I am out of order.

9.45 pm

Mr. Aitken: The Committee has had a very good and reflective debate. Although I was not entirely convinced, the Home Secretary's speech deployed a case which needs a serious answer. Ultimately, the clause involves a very fine balance which must have been recognised by the Government, as in 1979, under Lord Whitelaw, their Official Secrets Bill contained a prior publication defence. Although Lord Whitelaw is no great softy when it comes to freedom of the press and libertarian instincts, he put in the prior publication defence and my right hon. Friend the Home Secretary took it out. That demonstrates the fine distinction as to what is the right course.

It comes down to one question: in what sort of society do we want to live and have our freedom? My right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) hit the nail on the head when he said that he felt that Britain today is the most secretive country in the free world. It has become so secret as a result of a large number of new pressures of which "Spycatcher" was perhaps the most spectacular example.

Of course my right hon. Friend the Home Secretary is right to deploy the thesis that there could be some risk from second publication. I should have been more convinced had he been able to give a single example from his imagination or his knowledge; nevertheless, the Committee should accept that possibility. However, one has to balance that risk against not whether we are prepared to take a risk, but whether we are prepared to have a law that will be an ass and ultimately will make the Government look silly. That is the area of choice.

Two different mentalities are involved. The Home Secretary, who sounded so reasonable, so sensible and so civilised, represents the Whitehall mentality. My right hon. Friend sprang from Whitehall and he still has more than a touch of the mandarin's mind in his politician's garments. That mandarin's mind really wants to keep the lid on as tight as possible. One can give numerous examples about how that mandarin's mind works. I remember vividly how Whitehall clamped D notices on British newspapers when George Blake was coming to trial. George Blake was a famous double agent. There was no question of anything being revealed by the British press which the Soviets did not already know. The Government were trying to suppress the truth from the people of Britain, not keep the lid on something that was a genuine security matter in respect of the Soviet Union.

I remember one moment during my own trial at the Old Bailey. A deputy secretary at the Foreign Office had some difficulty in explaining how the report on which the whole case turned could possibly be secret when every single fact had already been published. Perhaps the most embarrassing fact was that a Foreign Office official had actually written the report. In a rather memorable moment of cross-examination, the defence counsel asked the Foreign Office official if, when he gave a briefing on the report, he had to pretend that he was the hall porter or to wear a mask, since the only problem was that his identity had been revealed. The Foreign Office official paused for a long time before saying, "Well, it was very embarrassing, and embarrassment and security are not really two different things." That is the Whitehall mentality when it comes to suppressing information.

Let us suppose that we were in the United States and our debates were being televised. How staggered and stunned the American public would be to see a great democracy such as Great Britain solemnly arguing about imposing major suppressing devices and shackling the press and saying that if a secret has already been published it should be an offence for a second publication to take place. It would be totally against the United States Constitution, the Freedom of Information Act and the whole tradition of investigative journalism where reporters are not mere messenger boys, the lickspittles of the lobby, or the Ingham hallelujah chorus but real detectives of democracy. The whole ethos of American society is an open society.

Mr. Whitney: Before my hon. Friend leaves the subject of origins—he has referred to our right hon. Friend the Home Secretary and his Whitehall origins—does he agree that his own distinguished journalistic origins might have coloured his attitudes? As we look at this difficult issue, which, as my hon. Friend has said, is extremely finely balanced, his instincts stem from a journalistic approach, just as my right hon. Friend's instincts stem from the interests of the state. We accept that there is a difference, but there is nothing wrong with that. If there is an allegation of bias, there may also be motes in other people's eyes.

Mr. Aitken: I cheerfully plead guilty to the mote in my eye and to believing in openness and in the freedom of the press. I am not ashamed of that, any more than my hon. Friend should be ashamed of some of his origins which are cloaked in mystery.

The amendment comes down to the kind of society that we want to live in. There is nothing wrong with the concept that my hon. Friend the Member for Wycombe (Mr. Whitney) wants to personalise—perhaps I do, too. On the one hand, we have the openness and journalists' mentality —let us not forget that my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) was a most distinguished editor and newspaper owner in his day—and on the other hand we have the Whitehall mentality of the Treasury Bench.

As my right hon. Friend the Member for Old Bexley and Sidcup said, the Whitehall mentality has become gravely tarnished in the past few years as a result of excessively authoritarian behaviour by the Government of the day. Let us look at the "Spycatcher" affair and the way in which the Gibraltar press matters were handled. I am talking not about security matters but about the briefings that were put out about the Gibraltar affair. The Government have unclean hands when it comes to freedom versus authoritarianism. The ghost of Peter Wright stalks through the pages of the Bill. There is the absurdity of going after another Peter Wright, and being able to clobber him and, above all, letting the threat of prosecution dangle like an unpleasant sword of Damocles over the head of every editor, so that they will face enormous costs if they dare to take a risk on a second publication.

It is nonsense to spend vast sums of public money trying to chase after a horse that has already bolted and to slam a stable door that cannot be sensibly closed, unless one is in the vindictive and authoritarian frame of mind that the Government got into in the "Spycatcher" affair.

I remind hon. Members of Jefferson's famous phrase. He said that if he had to choose between a Government without newspapers or newspapers without a Government, he would choose the latter. I would choose the Bill without this clause, because it is a threat to newspapers which are still a healthy influence in our society.

Mr. Richard Shepherd: It is a rare privilege to follow my hon. Friend the Member for Thanet, South (Mr. Aitken) on a theme that is central to the issue. We are concerned —I willingly support my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) and the right hon. Member for Blaenau Gwent (Mr. Foot) and observe the points made by the former leader of my party—because the Bill is constructed in such a way as to reject any of the balances and contentions that a free society needs. It is allied to the Security Service Bill, which created several absolute offences. Even the construction of this Bill, with its absolute offences and low damage tests, creates a new offence in connection with publication.

Clause 6 prevents the repetition in the United Kingdom press of information leaked abroad by someone not subject to the Bill—for example, a foreign civil servant or an EEC official. We have pursued this matter, and my right hon. Friend the Home Secretary accepted it as far back as the White Paper. It was a narrow addition to the limitations on the press to publish, but it was a limitation. It is now graver and more serious. We have a portrayal of the Government's increasingly authoritarian attitude to the press. It is a genuine worry, and it is why we support the contention behind the amendment.

By the Home Secretary's hypothesis, they are matters which concern us, and we appreciate the fineness of the judgment in this area, but it is clear that he has constructed a Bill which does not provide the balance that our democracy needs. The prime purpose of a free press is to preserve public control over the men and measures of Government, to use a well-known expression.

The Home Secretary did not give an example where the second publication could cause harm. This is the creation of a new publishing offence. A newspaper may not publish, without the possibility of prosecution, information that has been leaked in Belgium or in Italy or information given by the British Government to one of those Governments. If it is published in one of those countries and is then published again in this country—currently, that is not an offence—it may be an offence under the Bill. The Home Secretary has acknowledged that, yet it remains in the Bill. That must mean that he is creating a new offence, and I still do not understand the necessity to create a new offence against the press.

This is the Wright trial all over again. One of our judges said in that instance:

> "The Crown is only entitled to restrain the publication of intelligence information if such publication would be against the public interest"—

we agree with that—

> "as it normally will be if theretofore undisclosed. But if the matter sought to be published is no longer secret, there is unlikely to be any damage to the public interest."

I quote that from Lord Brightman. I will not speak at length because I know that my right hon. Friend the Member for Chesham and Amersham wishes to address the Committee. The amendment is worthy of consideration.

Sir Ian Gilmour: I am surprised that the Home Secretary did not use the most obvious example of damage that could be done the second time round, which was the action in the "Spycatcher" trial. That caused damage because it spread a great deal of knowledge—I do not know how much of it was right; clearly a great deal of it was wrong—around the world. That was perhaps the best example that could have been given, but it was not employed.

I was not joking when I was said to be cavalier by some of my hon. Friends, who are perhaps themselves in danger of being pompous. I said that the amendment was designed to help the Government rather than the people of the nation because it would prevent cases such as "Spycatcher", a case which did great damage to the Government and the intelligence service. That is a serious point because if damage is to be done—which is extremely unlikely, apart from in that case—it will be done by bringing the case.

It has been said that none of my hon. Friends has been able to produce a serious example of how damage could be done the second time round. The Home Secretary did not do that either, although after being interrupted by the hon. Member for Caithness and Sutherland (Mr. Maclennan) he made an effort to do so.

Mr. Hurd: I spent some time explaining—as the hon. Member for Linlithgow (Mr. Dalyell) and the right hon. Member for Blaenau Gwent (Mr. Foot) acknowledged —how there was, in my view, quite a serious risk that,

from a second disclosure, states which supported state terrorism or terrorist organisations might learn information which they badly needed about techniques, equipment or personnel involved in the counter-terrorist effort. It is true that I could not produce an actual past case, but it is not true to say, as has been said repeatedly, that I did not adduce dangers that could happen, because I did.

Sir Ian Gilmour: I thought my right hon. Friend's explanation on that came after the interruption by the hon. Member for Caithness and Sutherland, but I accept that it came earlier. I still do not see how that could happen. I cannot see how any newspaper in this country could behave in that way or how, if it did, it would be affected by the clause. To that extent, it is unreal.

However, we are aware that there are risks to the freedom of the press. It used to be thought that taking risks with the freedom of the press was just as bad as, or even worse than, taking risks with security. I do not believe that there is a risk, but if there is, it can be easily met by an amendment incorporating a provision dealing with counter-terrorism, which would stop the terroristic use of clause 5. It is clear that it could be used to intimidate the press, and that if left unamended clause 5 will intimidate and stop many things being published. It will mean the British press not learning things that the press of every other country will know.

If, on reflection, my right hon. Friend seriously believes that any newspaper would behave in the way that he described——

It being Ten o'clock, THE CHAIRMAN *proceeded, pursuant to the order [13 February] and the resolution [15 February], to put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The Committee divided: Ayes 97, Noes 247.

Division No. 99] **[10 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beith, A. J.
Benn, Rt Hon Tony
Benyon, W.
Bermingham, Gerald
Boateng, Paul
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Buchan, Norman
Buck, Sir Antony
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Cartwright, John
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Crowther, Stan
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Duffy, A. E. P.
Dunnachie, Jimmy
Dykes, Hugh
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Galloway, George
George, Bruce
Gilmour, Rt Hon Sir Ian
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Haynes, Frank
Heath, Rt Hon Edward
Henderson, Doug
Hinchliffe, David
Holland, Stuart
Hood, Jimmy
Howells, Geraint
Hughes, John *(Coventry NE)*
Johnston, Sir Russell
Jones, Ieuan *(Ynys Môn)*
Kinnock, Rt Hon Neil
Leighton, Ron
Lestor, Joan *(Eccles)*
Livsey, Richard
McAvoy, Thomas
McFall, John
McKay, Allen *(Barnsley West)*
Maclennan, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Martlew, Eric
Meale, Alan
Michael, Alun
Murphy, Paul
Nellist, Dave
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Randall, Stuart
Richardson, Jo
Robinson, Geoffrey
Rooker, Jeff
Rost, Peter
Ruddock, Joan
Sedgemore, Brian
Shepherd, Richard *(Aldridge)*
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Teddy *(S'end E)*
Vaz, Keith
Wall, Pat
Walley, Joan
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Cook and
Mr. Robert N. Wareing.

NOES

Adley, Robert
Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chope, Christopher
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gill, Christopher
Glyn, Dr Alan
Goodson-Wickes, Dr Charles
Gow, Ian
Gower, Sir Raymond
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim

Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lang, Ian
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Moore, Rt Hon John
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Riddick, Graham
Ridsdale, Sir Julian
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tony Durant and
Mr. David Lightbown.

Question accordingly negatived.

Clause 5 ordered to stand part of the Bill.

Clause 6

INFORMATION ENTRUSTED IN CONFIDENCE TO OTHER STATES OR INTERNATIONAL ORGANISATIONS

Mr. Maclennan: I beg to move amendment No. 75, in page 6, line 4, leave out 'defence or international relations' and insert 'or defence'.

The Chairman of Ways and Means (Mr. Harold Walker): With this it will be convenient to consider amendment No. 76, in page 6, line 39, leave out 'defence and international relations' and insert 'and defence'.

Mr. Maclennan: The context of the amendments is the extraordinary provision of clause 6 whose purpose seems to be to make it a criminal offence to disclose British information relating to

"security or intelligence, defence or international relations,"

if that information has been leaked in another country; for that is what I think is meant by the phrase in the Bill

"disclosed . . . without the authority of that State".

It is highly anomalous because the existence of the offence in British law does not result from a criminal act of leaking having occurred in another country. The disclosure may not have been criminal in that other country where it took place.

The effect of the clause is that a British citizen could be imprisoned in Britain for up to two years for repeating information that has been leaked abroad without infringing the local law in, for example, Brussels or Strasbourg. On the other hand, because the law is different in the United States, Canada or Australia, where there is a legal right to obtain information through a Freedom of Information Act so that disclosure is achieved not through leaking but by applying for the information, the British citizen is at liberty to repeat it.

10.15 pm

It is astonishing that a criminal offence in Britain should depend upon the state of the law in the country in which the information becomes available. It is bizarre that it should be a criminal offence to publish information leaked in Brussels but not if it has been obtained under the Freedom of Information Act in the United States. That is the highly anomalous effect of clause 6.

Whatever may be the virtues or follies of that, it is unacceptable that the categories of information leaked which lead to the imposition of a penalty of up to two years' imprisonment should yet again include that extremely vague reference to international relations.

Under clause 6(2) it is an offence to repeat information which has been supplied by Britain to another Government or an international body which has been improperly disclosed by someone who does not commit an offence under the Bill in so doing.

My purpose is to reduce the impact of that by deleting the words "international relations". The new offence applies to information specified as I have described, but the reference to international relations amounts to an extraordinary extension of the law because it applies to the repetition of information which may have been widely available abroad. However, I do not want to run the risk of repeating the arguments that we have just had on prior publication.

Whether that provision is justified is arguable. The Government have previously argued that it is necessary primarily to protect increasing international co-operation in recent years on defence and international problems such as terrorism. But by including international relations the Bill has gone substantially beyond what the Government earlier sought to cover. It covers disclosures on any subject if they have been discussed by the Government, Government Departments or international bodies or their organs. The purpose of my amendment is reduce the ambit of this sweeping clause, which is anomalous and indefensible.

Mr. Terence L. Higgins (Worthing): I intervene briefly. It is always difficult under a guillotine motion to know precisely where to raise some points, but this seems to be an appropriate point to raise a matter that is giving me some cause for concern.

It has been an underlying theme of my right hon. Friend the Home Secretary's arguments in support of the Bill that it is in many ways a liberalising measure in as much as much information that was previously caught by the old legislation will no longer be caught, even, it is sometimes stressed, the United Kingdom Budget.

There may be those who have some doubts about it, because, if a Budget leak takes place, it is possible that the Revenue could suffer substantial loss as a result, for example, of the change in the rate of excise duty on petrol, wine or cigarettes being known in advance. I accept, however, that it is the Home Secretary's general intention to widen the exemptions from the effect of secrets legislation as much as possible.

Having said that, I then begin to wonder whether the extent of this liberalisation is as great as we suppose. Let us suppose that there is some information within the economic management sector that is given in confidence to the OECD, which I presume must be an international organisation within the definition in the Bill. If that is then leaked in some way, or subsequently disclosed unlawfully, that would appear to give rise to the full impact of the criminal law falling upon the individual who publishes that information. If it was obtained directly and published, it would not be subject to criminal law, but if it was given to some other international body or other state and subsequently published, it would still be caught as it is under existing legislation. That appears to be rather strange and curious and I hope, therefore, that the Minister in his reply will be able to put my mind at rest.

The clause widens the matter considerably. I shall cite another matter which concerns me. A journalist from this country, who covers events in Europe, could obtain information from some international body—not necessarily the OECD, but perhaps the European Commission—and in good faith believe that that is something which is generally known in Strasbourg or Brussels and is, therefore, something that he could report back to a newspaper in this country for publication. It may turn out, however, to be something that was authorised either by the state or by the organisation concerned. It would then seem that the individual or the newspaper who had published that information in this country would be subject under criminal law to the sanctions imposed in the Bill. I hope that my hon. Friend can clarify that point.

The final point that I would like to make at this stage—perhaps some others will emerge during the discussions, as they have previously—is that we are taking stringent measures, in many ways of an extraordinary kind, to protect the information which we give to international organisations or other states. I speak not only of whether

[Mr. Terence L. Higgins]

that information should be released, but of the argument that the mere disclosure may be harmful to our international relations, although the information itself turns out not to be so.

I ask the Minister how many other countries have such reciprocal legislation? Is it the case, for example, that the United States is equally concerned that, perhaps, if it gave us information in confidence, which was then subsequently published, that would damage its international relations? Does it have such legislation? If it does, we can take the matter from there. If it does not, one is bound to ask why we have to be much more sensitive than the United States on such issues. I would be grateful if the Minister could at least tell us the position of the United States and the main European Common Market countries in that regard. I hope that he can enlighten us on those points because the clause gives considerable cause for concern.

Mr. Dalyell: I want to ask one question. Most of the offences under this clause would presumably be committed by people in the Civil Service. If that is so, is there any truth in the suggestion that the Government are thinking of using the Civil Service discipline regulations to have some authority over civil servants in this respect with a view to cutting or curtailing pensions? Is there a threat to remove the pensions rights of a Civil Service leaker? I would of course like a categoric denial.

Mr. John Patten: I can deal with that now. Of course, the hon. Gentleman raises a very important point which is of concern to civil servants and to the Committee. Pension forfeiture provisions cannot be used as a disciplinary measure. They can apply only to people who are convicted of a criminal offence. The hon. Gentleman asked me to give a binding undertaking or a clear statement of the Government's position. We have no proposals at the moment to bring forward legislation to alter the existing public service pension forfeiture arrangements. I hope that the hon. Member for Linlithgow (Mr. Dalyell) is satisfied with that undertaking.

Mr. Dalyell: That is a completely reasonable reply to my question.

Mr. Greg Knight: On a point of order, Mr. Walker. You are aware that on Monday there was much comment in the House from Opposition Members about the fact that the Government were being unreasonable in the allocation of time for discussing the clauses in the Bill. However, Conservative Members have noticed that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) has not been present in the Chamber since 7.15 this evening. Have we been allocated too much time and——

The Chairman of Ways and Means: Order. Let us not waste any more time.

Mr. Buchan: It might be out of order for me to mention the fact that the absence of any Conservative Members who support the Bill has been the most notable feature of our proceedings this week. The hon. Member for Derby, North (Mr. Knight) must be the first Conservative Member to support the Bill. The problem facing the Government is not the absence of Opposition Members, but the fact that they are desperately trying to find Conservative Members to support the Bill.

I asked the Home Secretary only a few moments ago how many Conservative Members who voted for the Bill actually supported it. He did not reply. The answer was probably none. Anyone who has listened to five or 10 minutes of our debates on the Bill must have been convinced that it would be an utter tragedy for this country if it were passed. The Bill and the proceeding have been a travesty. For the hon. Member for Derby, North to appear suddenly with this kind of nonsense——

Mr. Greg Knight: I have been here all week.

Mr. Buchan: The hon. Gentleman certainly has not been here all week. I have been here all week apart from the past three hours when I was discussing the city of Glasgow in 1990. If I had not been doing that, I would have been here discussing the position in Britain in 1989.

I am very concerned about this clause because we are not being given an opportunity, probably for the best of reasons I suspect, to debate amendment No. 60 which would leave out "be damaging" and change the wording to "would cause serious injury to the interests of the nation." I understand why we are not going to discuss amendment No 60. We have discussed that wording before and presumably it would be repetitive to discuss it in this part of the Bill. However, in many ways I would be less worried if that caveat were inserted. As it is, we are left with the situation where "international relations" is left unqualified and without significance and what is damaging to international relations becomes a crime.

Some of the most notable services to humanity have been performed by investigative journalists who have leaked information. For example, it might have reflected more honour on this country if, before the invasion of Suez, we had known a bit more about the international relationships then prevailing between Britain and France and the events in Egypt and Israel. This clause puts a blanket prevention or a cloud of anxiety on the good, intelligent and honest journalist whose job it is to find out what the hell is going on in "international relations".

Mr. Higgins: I note that the part of clause 6(4) that the amendment seeks to leave out refers to "international relations", which term is said to have

"the same meaning as in section 1, 2 and 3 above",

which the hon. Gentleman mentioned a moment ago. That is very strange: we would have expected to find the definition of international relations not by reference to earlier clauses but in the definitions that appear in clause 13—which, of course, we shall not be able to discuss. Is this not an extraordinary piece of drafting? Perhaps the Minister will pick it up in his reply.

10.30 pm

Mr. Buchan: I am sorry. I have been so absorbed in the lack of caveat in the "damage" provision that I did not notice that. It is indeed very strange—and dangerous too—that "international relations" should be inserted in such a form when clauses 1 and 2 deal with the "formation" of the Bill: security and intelligence, and then defence. Is this intended? It seems extraordinary that the term should have been left raw and unqualified if, in fact, it means "defence and security". I do not think that the Minister himself knows the answer, but it would be useful to hear an answer.

If "international relations" means "defence and security", we are in a different ball game, and it is time that

we were aware of it. I would not mind giving way now so that the Minister can tell us whether this was intended. Are we dealing with defence and security, or what? Until now we have assumed that we were dealing with the simple, straightforward issue of international relations.

Mr. Maclennan: Perhaps I can help the hon. Gentleman. We are considering two amendments. The first reference to "international relations" is in clause 6(1)(a)(i), which deals with

"security or intelligence, defence or international relations"

and to which amendment No. 75 relates. The second appears in subsection (4). The hon. Gentleman is quite right to have raised those questions.

Mr. Buchan: That forces us back to the terrible drafting of the Bill. Let us look at the word "or", for example. Subsection (4) refers to "security or intelligence" and "defence", but subsection 1(a)(i)—it sounds like a football pool, does it not?—refers to

"security or intelligence, defence or international relations",

which has an entirely different significance. That, surely, means that "international relations" does not refer to intelligence, security or defence. We come back to the grammar of the Bill. Quite apart from its dangers, it has not even been drafted well.

I will sit down if the Minister can give me an answer. Does "international relations" mean "intelligence, defence and security", or does it mean what we normally mean by it—relationships between countries?

Mr. Maclennan *rose*——

Mr. Buchan: If Conservative Members cannot solve their problems, we shall have to do it for them. It is their bloody Bill.

Mr. Maclennan: I hesitate to do the Minister's work for him——

Mr. Buchan: It looks as if the hon. Gentleman will have to.

Mr. Maclennan: May I draw the hon. Gentleman's attention to the definition in clause 3(5)? That describes international relations as including

"any matter relating to a State other than the United Kingdom . . .which is capable of affecting the relations of the United Kingdom with another State".

That is an all-embracing definition.

Mr. Buchan: Absolutely. Is the Minister going to try to be helpful, or not? I pause for a reply.

Mr. John Patten: I thought that the hon. Gentleman was taking us through bits of the Bill that he had read and other bits that he had not. The hon. Member for Caithness and Sutherland (Mr. Maclennan) is quite right: international relations are described on the face of the Bill, in lines 1 to 6 of clause 3(5). Clause 6(4) refers to the damage tests that are attracted to the offence, and the offence is described in clause 6(2).

Mr. Buchan: But, with respect, it does not say that. Clause 6(4) says:

"For the purposes of this section"—

that is, the whole of clause 6—

"'security or intelligence', 'defence' and 'international relations' have the same meaning as in section 1, 2 and 3 above".

The Minister is now pushing us on to sections 1, 2 and 3, which refer to security, defence and international relations, which is defined as being

"between international organisations or between one or more States and one or more such organisations and includes any matter relating to a state".

In other words, the question of security or intelligence has nothing to do, in that case, with international relations. We are back to the simplistic definition after all.

Mr. Patten: The hon. Gentleman seems to have overlooked clause 6(1) (a):

"any information, document or other article which—
(i) relates to security or intelligence, defence or international relations".

Mr. Buchan: On the contrary, I was making a specific point about clause 6(1)(a)(i) when I pointed out that the "or" could not by definition—if it meant anything at all—subsume international relations with security intelligence or defence. We now know that we are not dealing with security or defence—or at least I think that that is what the Minister is saying. We are dealing with it only as defined in clause 3(5):

"the relations between States, between international organisations or between one or more States".

We are not, therefore, dealing with the matters with which the Official Secrets Bill purports to deal—that is, defence and security leaks. We are dealing with the investigation, commentary and publication of attitudes, relationships, manners and matters happening between states.

I gave an example——

Mr. Patten: Clause 6 applies, where:

"(a) any information, document or other article . . .
(i) relates to security or intelligence, defence or international relations".

If the hon. Gentleman reads through clause 6, he will see that it all flows.

Mr. Buchan: For the purpose of the debate, we are proceeding on the assumption the Minister is making that "international relations" means the definition in clause 3(5). That is right. I am merely pointing out the difficulties we then have in clause 6(4).

We are saying, therefore, that we are not dealing with the relationship of international relations, security aspects, defence and intelligence, but are giving the full meaning of the word to "or" and, therefore, isolating "international relations". [HON. MEMBERS: "No."] I cannot conduct any more English lessons. We are dealing with international relations as such and

"the disclosure without lawful authority of the information, document or article by the person".

The problem that the Minister and the Committee face is that the purpose of decent, good journalism is precisely to expose secret negotiations where it can. If there is any problem that has bedevilled relations throughout the 20th century, it has been secret diplomacy. I gave one obvious example, which acted as the death knell for the future of the British empire. The Suez affair was a climacteric which could not have occurred if the people of this country had known in advance the deal that had been made between Britain, France and Israel. If any journalist had discovered that, far from being punished, he should have been made a national hero because he would have prevented us from committing one of our worst crimes and disasters. Such actions are prevented by clause 6.

It is the function of the good journalist to ferret out secrecy in diplomacy. One has only to think of the

[Mr. Buchan]

apparatus of the Common Market. I see that the hon. Member for Southend, East (Mr. Taylor) is present; he pricks up his ears as soon as someone mentions the Common Market. It is perfectly proper that secret agreements within the Common Market purporting to be on behalf of the people of this country are ferreted out and published. Clause 6 is a further attack on the freedom of the word in this country. It has moved into a wider area than the area we have been discussing until now and it does not even have the caveat of the more serious definition of harm, which we attempted to put in. We wanted to replace the word "damage" with "serious harm" or "serious damage". For that reason, I support amendment No. 75.

Mr. Richard Shepherd: In the spirit of inquiry, I should like to ask a hypothetical question to find out how the clause might apply. As my hon. Friend the Minister rightly said, the clause states:

"This section applies where . . . any information, document or other article which relates to security or intelligence, defence or international relations"

comes into a person's possession.

Mr. John Patten: So my hon. Friend agrees that the interpretation that I gave the hon. Member for Paisley, South (Mr. Buchan) was correct?

Mr. Shepherd: I do not propose to play games with the Minister at this late hour—and under sentence of the guillotine at that.

Suppose that the Foreign Office is in communication with the Foreign Ministry in Madrid, and that it is its purpose to dispose of a peripheral problem—Gibraltar. In confidential talks that have not been the subject of discussion in the House, the Foreign Office makes it known to the Spanish Foreign Ministry that its objective is to accommodate Spanish interests in Gibraltar.

Through the indiscretion of a Spanish Foreign Ministry official, the information comes into the possession of the major newspaper of Spain. That newspaper wants to play down the embarrassment to Britain but nevertheless wants to send a signal to the Spanish people that, despite all the huffing and puffing of the British Foreign Office, the matter is settled: Britain is to dispose of its interests in Gibraltar and its support for the Gibraltese people, in whatever way is easiest. That is Britain's policy objective.

As I understand the clause, it would make it an offence to publish that information here, because it would trigger the damage described in clause 3(2), about which there is some concern in the Committee. I believe that yesterday my right hon. Friend the Home Secretary undertook to reconsider clause 3(3), which says that an offence has been committed by virtue of the fact that the information is confidential and the damage proven.

If the words "international relations" remain, the clause may inhibit the ability of the British public to make a real contribution, through the House, to the formulation of British foreign policy—something for which the House is responsible and for which it is held responsible by the electorate. The Bill as drafted could diminish seriously our ability freely to discuss information which, of its nature, becomes available from abroad.

Mr. Maclennan: Has the hon. Gentleman noticed the anomaly that the clause encapsulates? If the information that he describes were passed directly to the Pentagon, having been obtained as a result of the exercise by a United States citizen of his rights under the Freedom of Information Act and published in the United States, as opposed to Spain, it would not be a criminal offence under the Bill to repeat it in this country. In this case the nature of the crime would be dictated not by our domestic requirements but by the domestic law of Spain or the United States.

Mr. Shepherd: It is altogether a curious clause, and that is why it is worth exploring. I know that the United States has something called "sovereign Government immunity", which enables the United States Government to remove from the public record information that is sensitive to foreign Governments. I understand that, and I would not criticise it.

Let me push the Gibraltese scenario a little further. We know that the position that I have outlined is not the Government's declared position. We know, too, that Britain has a number of peripheral problems. Belize, the Falklands, Gibraltar and Hong Kong are the four well known ones. The declared aim of Britain was the declared aim of Britain, but somehow, at the end of the day, we seem to accommodate something different from that which Foreign Office Ministers have told the House of Commons.

It was not my intention to go all the way down that road. I wanted to say merely that if this provision is allowed to stand as it is, it will be very difficult for a British paper to publish information that has become available. I am not sure why that new offence should be created in the Bill. Therefore, I look forward to clarification from my hon. Friend. Why do the Government want blanket control over information whose publication is not at present an offence?

10.45 pm

Mr. Stuart Randall (Kingston upon Hull, West): Clause 6 deals with the disclosure of information that has been entrusted in confidence to other states or international organisations. The amendment with which we are dealing concerns subsection (1), which provides that where any information relating to security, intelligence, defence or international relations, which has been given in confidence by the United Kingdom to another state, has come into a person's possession without the authority of that state, that person is guilty of an offence if he makes a damaging disclosure.

We are lacking a real Committee stage. The impression I have from other hon. Members is that they agree with me that we have been unable to grasp the dimension of the matters with which this clause deals. It seems to expand the scope of the Bill very considerably. We have had no notes on the clauses, and I cannot understand why the Government feel it necessary to include any information that embraces international relations. I imagine that few hon. Members can envisage the real nature of any information that is referred to here relating to international relations. I imagine that quite a lot of it is trivial stuff—specifications, drafts, and so on. Nevertheless, I am disturbed, and quite alarmed, that the Bill should make provision for this catch-all facility.

On many occasions concern has been expressed in the House of Commons about the old Act having this catch-all effect. We seem to be going down that path—certainly so far as all the information associated with international

relations is concerned. I thought that we were supposed to be liberalising the 1911 Act. Instead, we seem to be going in the other direction.

I should like to understand the Government's motive behind clause 6(1)(a)(i), which refers to

"any information, document or other article which—relates to security or intelligence, defence or international relations".

Let me put a few questions to the Minister so that I may understand why this provision has been included. First, what consideration is given to this question of the prevention of damaging disclosure by other Governments? Is it a two-way process? Do we have a deal within the EEC to ensure that there is coherence, if that is required?

Secondly, have there been disclosures which have prompted the Government to introduce the provision on international relations? I do not want the detail; I just want to know whether there is a serious problem. Are there difficulties with other countries that prevent us protecting our interests? I should like the Minister to answer that.

Mr. Gorst: I may help the hon. Gentleman who is thinking aloud about the Government's motives. The same may apply to other clauses which we have already discussed. I think the answer is that, like the nuclear deterrent, the provision will have failed if it has to be used. Exactly the same applies to all the new aspects that we have been discussing. If they lead to a prosecution, they will have failed. Unless the offences are monumentally obvious—by their very nature they will not be—the provisions will never have to be used. In parliamentary terms they are the equivalent of the nuclear deterrent. They are unlikely to be utilised.

Mr. Randall: I am grateful to the hon. Gentleman for his comments. I find that depressing. It suggests that the legislation that we are creating is largely irrelevant.

Mr. Buchan: The purpose is not to use them but to put an apparatus of repression over the whole area. The same deterrence argument is made in support of the bomb. The real point is to prevent expression. It is part of the suppressing of the freedom of the word.

Mr. Randall: I will put forward a hypothetical case which I thought up in the Library just now, having read through the Bill. If we consider all the information referred to, I can imagine such a case emerging. Let us see the implications in the context of the Bill.

Let us suppose that a motor manufacturer, in conjunction with the Government, has produced a performance specification for a motor car. Let us assume that the document is sent by Her Majesty's Government to Brussels and is incorporated into a draft directive which would have confidential status. I hope that the Minister will listen; I should like him to comment on this because in a way it tests the comments of the hon. Member for Hendon, North (Mr. Gorst) and of my hon. Friend the Member for Paisley, South (Mr. Buchan).

Let us assume that a British chap in the Commission allows, perhaps wrongly, the trade association for the relevant part of the industry to have access to the information. So a disclosure takes place without authority. The person in the trade association in turn consults individual member companies to find out what they think about the performance specification. Would that be an illegal act and could there be a prosecution? If so, we are creating legislation which would be unfair to British manufacturers.

If France and other countries do not have such legislation, will some manufacturers within the European Community have advantages over others? Will the legislation put British suppliers at a disadvantage? That is an example of the way in which classes of confidential information pass through the authorisation procedure. How does that process stand up to the legislation? If it does not, the consequences could be quite serious.

In earlier debates we heard that disclosure of international information can have two effects. First, it can damage confidence in our diplomatic service through the breach of confidentiality, and, secondly, the disclosure of confidential information can cause direct harm. Where do the Government stand? Were they encountering difficulties? We need to know whether direct disclosure is causing difficulties for the Government and for European Community countries. How often does it happen? In order to achieve some understanding of the matter—if we were in Standing Committee we would do so through amendments—it would be interesting to know the manifestation of such disclosure. Are press stories diplomatically embarrassing or are we concerned with the exploitation of contracts and commercial information?

Another matter about which I am uncertain, and, since we are in Committee, it should be clarified, is whether there are pressures from the EEC. Is the integration of the European Community a factor? If it is, is there a need for disclosure to be included in the Official Secrets Bill because there is growing confidentiality and more secrecy between the nations of the European Community? Like my hon. Friend the Member for Paisley, South (Mr. Buchan), I am worried about the tightening up of information and the prevention of journalistic leaks.

I shall not go into detail, but we heard about corruption in the EEC involving £6 billion a year. When such a fraud is taking place—which I understand involves agriculture, shipping, imports, exports and pharmaceuticals—the prevention of disclosures of information raises certain questions.

Mr. Greg Knight: Will the hon. Gentleman tell us how any fraud that involves farming is related

"to security or intelligence, defence or international relations"?

Mr. Randall: The hon. Gentleman is consulting the Bill, but I am referring to the amendment which relates to international relations.

Finally, what are the shortcomings of the existing arrangements and why have the Government made changes in that way? I have tried to show the Minister that we need a far better understanding of the Bill, which we would have achieved by thrashing it out in Standing Committee. My impression from reading the Bill and gleaning what information I could—of course there is very little to read and few people to talk to on these matters —is that the Bill represents a step in a worrying direction and it appears that section 2 of the Official Secrets Act wil not die for a long time.

11 pm

Mr. Teddy Taylor (Southend, East): I shall take only a short time to raise a serious issue. I fully appreciate the Minister's problem. Often, clauses in legislation on official secrets or, say, child care must be drawn so widely that we create an impossible situation to justify a certain position.

[Mr. Teddy Taylor]

I can appreciate how a wide proposal can often be misinterpreted as stating that a ridiculous thing can happen in a certain context.

However, we are entitled to ask the Minister to state the Government's future intentions and policy in broad terms. There is only one matter on which I should like an assurance. Will the Minister assure me that, by and large, and subject to all kinds of matters, it is not the Government's intention to use this clause as a means of trying to suppress reports about frauds, launderings and illegalities? The definition of an international organisation in clause 3(5) is so wide that it can include anything. It covers

"any matter relating to a State other than the United Kingdom or to an international organisation which is capable of affecting the relations of the United Kingdom with another State or with an international organisation."

That can cover anything—any report on any subject—the disclosure of which could result in damaging relations.

We all know that there are massive, costly frauds in the EEC. There have been all kinds of ridiculous reports. For example, the other day we heard about how an enormous amount of EEC money is being spent on financing the Mafia for delivering non-existent fruit juice to NATO headquarters in Palermo. That is damaging and embarrassing. Relations between Britain and the EEC could be embarrassed if a report from one Government Department to another in the United Kingdom were revealed. People in the EEC would be upset. We know that there is a massive fraud in exporting so-called food, and exporting offal and calling it pure beef.

It is not because of some journalists that we know that such things are happening. We have had confirmation from the Court of Auditors that there is a mass, widespread fraud, which is costing every taxpayer in Great Britain a great deal, and is causing great damage. We know that the Government are interested in the matter. The Prime Minister said that she will raise it at the next meeting of the European Council and find out what on earth we can do to stop agricultural fraud.

Mr. Greg Knight: Subsection (1)(a) is about communications in confidence. Our right hon. Friend the Prime Minister is not making such communications in confidence.

Mr. Taylor: I cannot understand what my hon. Friend is trying to get at. Of course my right hon. Friend makes public speeches. But Government Departments write papers for her. Details about further frauds involving the Mafia or the IRA—we know that they are both involved—are not the type of thing that the Prime Minister would make a public speech about. There might be a report from the Minister of Agriculture, Fisheries and Food or from the Secretary of State for Trade and Industry at No. 10. That would be a confidential matter. If revealed, it could damage relations between the United Kingdom and the EEC. My hon. Friend must surely accept that that can happen.

The Government are interested in the matter, and we hope that something can be done about frauds, irregularities and wrongdoings. However, there are other kinds of wrongdoings. Hon. Members may remember that, after giving lots of money at Fontainebleau, the Prime Minister came back with a wonderful piece of paper that said that we would have strict budgetary control. We know now what happened. We did not know what happened the other time. By using accountancy frauds, the Commission was able to put the matter out the window. There were ridiculous accountancy devices, such as a 10-month year in 1987.

I can appreciate that the Government do not want to cause trouble between Britain and the EEC, between Britain and France, or between Britain and Germany by having confidential matters revealed. I can appreciate their point of view, and I am sure that they can appreciate ours and that of the people who want to find out about those matters.

On the other hand, if things are being done which cost people money because laws are being broken—because frauds are being committed and money is being siphoned off to help the IRA and the Mafia—we would surely never use this type of clause to prosecute people because they have revealed an illegality.

We are not gunning for the Minister in any way. We appreciate the difficulty of drafting a suitable clause; if it is too wide, people will say that the Government could do ridiculous things. I hope that we can be assured that the Government have no intention of using the clause to prosecute somebody for disclosing the truth about a fraud, an illegality or a wrongdoing. If my hon. Friend could say yes to that, it would give a clear idea of what the Government have in mind.

Mr. John Patten: I begin by saying yes to my hon. Friend the Member for Southend, East (Mr. Taylor)—yes in a policy sense, because no Government supports fraud. I can answer yes to his question about the clause—he asked whether we would use clause 6—because it deals only with our official information which goes out of this country, provided in confidence, about international relations to another state or to an international organisation.

My hon. Friend will no doubt know, because he took part in the debates on the provision, that clause 3 deals with confidential information provided to this country. I hope that my hon. Friend is content with that reassurance.

Mr. Teddy Taylor: Yes, I am. But information can often be transmitted by the Government to an international organisation about frauds and illegalities taking place elsewhere. In other words, this is United Kingdom information provided by United Kingdom Departments about activities elsewhere. I am grateful for what the Minister said. His answer was clear and precise, and I hope he will accept that, while this is United Kingdom information going out, it could be concerned with frauds happening elsewhere.

Mr. Maclennan: Does the Minister——

The First Deputy Chairman of Ways and Means (Sir Paul Dean): Order. We should have one intervention at a time. Mr. Patten.

Mr. Patten: I am willing to give way to the hon. Gentleman, Sir Paul.

Mr. Maclennan: Does the Minister feel able to give the assurance that he has given to his hon. Friend the Member for Southend, East (Mr. Taylor)? We had a long debate earlier today in which the Attorney-General made it clear that issues of prosecution—about fraud or anything else

—were determined not by Government policy but by him in a judicial capacity. He was at great pains to make that point, and I think that the Minister was present when he made it.

Mr. Patten: I was answering two specific questions asked by my hon. Friend the Member for Southend, East. One was a policy question. He asked whether it was the intention of Her Majesty's Government to undertake cover-ups about frauds, and the answer is no. I expressed the answer as yes because that was how he asked me to express it.

His second question—the answer to which he no doubt knew, but he was probing the Treasury Bench—was about clause 6. I said that it deals only with our official information relating to international relations which we provide in confidence to another state or to an international organisation.

Matters for prosecution under clause 3—under which some prosecutions might be brought—would be for the Attorney-General using his powers under clause 9, and those were the points to which my right hon. and learned Friend referred when he addressed the Committee this afternoon.

I will explain why the Government think this provision is important and then I will answer each of the detailed questions asked by my right hon. Friend the Member for Worthing (Mr. Higgins); the important example about the Spanish newspaper, the *El Pais*, given by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd); and the hypothetical example posed by the hon. Member for Kingston upon Hull, West (Mr. Randall).

It is clear that the hon. Member for Caithness and Sutherland (Mr. Maclennan) agrees that it is right to protect information relating to security, intelligence or defence that this country provides in confidence.

Mr. Maclennan *indicated dissent.*

Mr. Patten: The hon. Gentleman does not agree with that proposition, and I am deeply disappointed. We should be prepared to protect information relating to defence when its disclosure would jeopardise our interests abroad. Equally, information concerning matters of the greatest sensitivity about relations between states whose disclosure would have the same effect should also be protected.

Let me give the Committee examples illustrating the validity of that argument. Even if the hon. Member for Caithness and Sutherland does not want such information to be protected—I repeat that I was disappointed to see him indicate dissent from a sedentary position—I am sure he accepts that international co-operation is one of the best ways of pursuing measures to curb and to combat international terrorism. Surely there cannot be anything between the hon. Gentleman and myself in that respect.

Mr. Maclennan: Of course I accept that intelligence and security information must be protected. My objection is that the creation of an offence under clause 6 will depend on whether the disclosure that occurred in another country was legal. It is information that is to be protected, but the clause ties the offence to the manner in which the information was made public.

Mr. Patten: I am not sure that the hon. Gentleman entirely understands the clause. I shall develop my first example and then give another.

Under the Bill, most forms of co-operation at Government level will fall not under the security, intelligence or defence heads, but under information relating to international relations. If such information is not protected by the clause, the effectiveness of the co-operation could be threatened.

I give a harder example—my first was rather a burst of generality—of how sensitive information could go unprotected should the Committee decide to accept the amendment. Suppose we were debating with another country, or with a number of countries, the possibility of taking measures against a state in response to its violation of human rights. That is something that we discuss from time to time in international forums—and something we are pressed to do all the time in relation to some countries. Suppose also that in the course of those discussions we provided confidential information as to how our country would enforce the measures.

If that information was leaked by an official of one of the countries with which we were co-ordinating our actions against the state with the bad human rights record, and if the journalist to whom that leak was given published it in this country, the state against which we were contemplating taking action might immediately take retaliatory action against any British citizens resident there. As we know from certain things that have been said in some states this week, such a situation could have harmful consequences.

Under the amendment, the journalist would be free to publish—though any prosecution would be subject to the damage tests. Under the Bill, the person making the disclosure could be prosecuted—but how could he be convicted? He or she could not be convicted unless the prosecution proved that they knew the information had originally been provided by our country to other countries, that it had been provided in confidence, that its disclosure by the journalist, for example, endangered the safety of Britons abroad, and that the journalist knew what he was doing.

11.15 pm

We have had some examples put to the Committee. The example of the EC trade association was an interesting one, but the information that the hon. Member for Kingston upon Hull, West mentioned, even if it were official information, would not fall within the definition in clause 3(5). Therefore, it would not be caught by clause 6. In other words, it would not fall within the definition of international relations as set out in the Bill.

My hon. Friend the Member for Aldridge-Brownhills gave a specific Spanish example. I prefer not to talk about the Gibraltar question, which is a policy issue, but I think it was as good an example as any put to the Committee. I hope that I can reassure my hon. Friend. He was perhaps a bit grumpy with me when I intervened in his speech. I hope he did not think that I was in any sense trying to divide him from the hon. Member for Paisley, South (Mr. Buchan). I was simply trying to get to the facts. If he thinks I was making a cheap political point, I apologise. If he reads *Hansard*, he will not find me making a cheap political point at any stage.

As regards the example my hon. Friend gave of a report in a Spanish newspaper, there would be no offence under clause 6 if a newspaper in this country published what was leaked to and appeared in a Spanish newspaper following a disclosure without authority by a Spanish civil servant

[Mr. Patten]

unless publication had caused further damage here. In my hon. Friend's case, that would come under clause 3(2) and the jeopardising of our interests abroad—it would be the jeopardising test. It is extremely difficult to imagine circumstances in which any jury would be prepared to convict.

Mr. Richard Shepherd: I know that the Government rely very much on the test of harm as described in clause 3(2), and the anxiety has been about the test of harm being met by clause 3(3)—information of its nature confidential. Although the Government's legal adviser says that it is absolutely certain that that is not so, the Government are to meet the anxiety by redrafting the provision. Is my hon. Friend giving us an undertaking that the Government's amendments will be moved on Report so that the House will have an opportunity to look at how the scheme of things works?

Mr. Patten: I think my hon. Friend was in the Committee yesterday when my right hon. Friend gave the undertaking to reconsider the issue. But I should like to press my hon. Friend the Member for Aldridge-Brownhills a little further. Is he satisfied with the explanation about the position concerning the supposed publication in a Spanish newspaper, in the context of the undertaking given by my right hon. Friend yesterday?

Mr. Shepherd: This is nonsense. Without seeing something, I cannot say whether I am satisfied. I was here yesterday when my right hon. Friend spoke on this matter. He gave an undertaking to redraft the clause. I have asked my hon. Friend the Minister of State whether it will be done by Report. He then asks me—this is the usual circumlocutory route—whether I was present yesterday when the Secretary of State said that he would amend the Bill. The question to which I return is, "Will it be done for the Report stage?"

Mr. Patten: I can only repeat the undertaking that was given yesterday by my right hon. Friend. I hope that my hon. Friend will listen to what I say. On the face of the Bill, as drafted, and not as amended, on the example of the Spanish newspaper that was given by my hon. Friend, under clause 3(2) there would be the possibility of prosecution only if it could be demonstrated that we were jeopardising our interests abroad.

Mr. Shepherd: This is maddening. My right hon. Friend conceded yesterday that there could be a misunderstanding, as the Bill is drafted, and that clause 3(3) triggers off or satisfies the damage test. That is the reason why my right hon. Friend is to amend it. So for my hon. Friend the Minister of State to say that it does not raise the anxiety, as the Bill is drafted, seems to be contradicting the Secretary of State. I do not know why my hon. Friend is getting into a fluff over this; I was merely asking a very simple question.

Mr. Patten: I never quite know what "getting into a fluff" means, but, with the permission of the Committee, I shall read the words of my right hon. Friend from yesterday's *Official Report*. He said:

"On behalf of the Government, I am happy that the matter should be aired again, if that is the view of my right hon. Friend"—

and there he was referring to my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour)—

"when it is procedurally in order to do so. If that is on Report, as you have suggested, Mr. Walker, we will fall in with whatever arrangemens suit the Committee."—[*Official Report*, 15 February 1989; Vol. 147, c. 337.]

My right hon. Friend had to add that conditional "if that is on Report" because that is a matter for selection. [HON. MEMBERS: "Ah!"] No, I am simply repeating for the avoidance of doubt the undertaking that my right hon. Friend gave to the Committee yesterday.

If I were to express a hope, certainly in the light of the strong feelings of my hon. Friend the Member for Aldridge-Brownhills, which I respect, it would be that we can dispose of this matter on Report.

May I deal next with the three important points that were raised by my right hon. Friend the Member for Worthing? On the OECD point, my right hon. Friend seemed to be saying—I see that he indicates assent—that the effect of clause 6 is that the disclosure of information provided to another state could be an offence, but if disclosed here before being provided it would not be an offence.

I think that that would not be the case, because information about economic matters alone does not become information relating to international relations simply because it is provided to another country or to another organisation.

Mr. Higgins: My understanding from the Bill is that it clearly does. Anything is "international relations" if it is translated from one country to another, as I understand the clause. Therefore, we are in the rather absurd position where something that is not subject to criminal law if it is discovered here and published becomes subject to the criminal law if it is given to another country and then published. The moment that one gives some information on, say, zero-rating of VAT to another country, that is in the sphere of international relations.

Mr. Patten: With great respect to my right hon. Friend, I must say that just because a piece of information is supplied to an international organisation or to another State does not mean that it automatically falls within the ambit of international relations. A lot of information flows from one country to another which does not remotely affect international relations. That is certainly not the effect of clause 3(5).

Mr. Buchan *rose*——

Mr. Maclennan *rose*——

Mr. Patten: I shall deal with my right hon. Friend's second point, referring to information coming back from Brussels.

Mr. Higgins: May we stay with the first point for a moment, because it is not clear? Clause 3(1) refers to

"any information, document or other article relating to international relations".

The example that I have given of a change in the rate of value added tax in the context of an approximation of indirect taxation within the EEC is clearly a matter of discussion in international relations. As I understand it, if the information is obtained here and is published, it is not subject to criminal law. But, more importantly, we have no way of telling which way it has been arrived at and which penalty is to be imposed.

Mr. Patten: The penalty, if any were attracted to the OECD example—I do not believe that one would be—is there for all to see in clause 3(2), which says:

"For the purposes of subsection (1) above a disclosure is damaging if . . . it jeopardises the interests of the United Kingdom abroad, seriously obstructs the promotion or protection by the United Kingdom of those interests or endangers the safety of British citizens abroad".

Mr. Higgins: But it is not just a question whether the information is damaging. We know that it is said to be damaging if it is leaked at all because that shows that we cannot keep things confidential.

Mr. Patten: All that is subject to the damage test that I have just read.

My right hon. Friend referred to material coming back from Brussels. If I understood his point correctly, a prosecution could succeed only if damage can be proved.

I cannot supply my right hon. Friend with the practices and procedures of the EC countries and the United States for dealing with such information, nor do I think that it is necessary. Here I refer to a point raised by the hon. Member for Kingston upon Hull, West. We have no need for any kind of reciprocal information because we are protecting our interests, not those of any other countries. The Bill has been drafted in the light of United Kingdom experience and the protection of United Kingdom experience here.

The amendment would inhibit the Government from pursuing the most effective means of protecting and promoting Britain's interests, and I sincerely hope that the hon. Member for Caithness and Sutherland will not try to weaken the Bill so radically by pushing the amendment to a Division.

Mr. Randall: Let me refer the Minister to clause 3(5) which says:

"'international relations' means the relations between States".

I was referring to relations between states. At the end of that subsection it says:

"which is capable of affecting the relations of the United Kingdom with another State".

The case that I gave of a motor manufacturer in Europe which involved communications of information between Her Majesty's Government and the Commission would qualify. The various countries involved in motor manufacture would be the ones that would be affected.

We shall not thrash this matter out tonight, but I hope that the Minister will write to me about it before Report.

Mr. Patten: Of course I shall.

Mr. Higgins: Since we are in Committee, may I seek to persuade my hon. Friend that mine is a point that he should look at before Report? Clause 6(1)(a) applies to anything which

"has been communicated in confidence by or on behalf of the United Kingdom to another State or to an international organisation".

Even if we take it that narrowly, it would seem that any information that is communicated to another organisation or state comes within the ambit of the clause. As I was arguing at the beginning, such information may not be of a kind which attracts a criminal penalty within the context of the rest of the Bill, but would seem to do so if it is then communicated abroad.

Mr. Patten: I entirely see the point that my right hon. Friend is making, but I suggest to him that he needs to look closely at subsection (1)(a) which provides for

"any information, document or other article which—

(i) relates to security or intelligence, defence or international relations".

A set of economic statistics does not necessarily relate to international relations.

11.30 pm

Mr. Higgins: The approximation of value added tax clearly does. We are much involved in international negotiations about the approximation of value added tax. It is within the scope of the clause and, therefore, it appears to attract a criminal sanction if the information is leaked and then published in this country. There is no dispute that the approximation of value added tax is a matter of international relations. If I have understood it correctly—indeed my right hon. Friend the Home Secretary said as much—if there were a leak from the Treasury about the approximation of value added tax, that is not something which would be subject to criminal sanctions.

My hon. Friend must study this and consider my specific example, which is a clear-cut one.

Mr. Maclennan: I share the concern expressed by the right hon. Member for Worthing (Mr. Higgins) about this point. Indeed, it was such concerns that led me to table the amendment in the first place. What I should like to press the Minister on, however, is what he has not dealt with —the fact that this offence depends on the domestic law of the country in which the leak occurred.

As I have said, if a leak about the harmonisation of taxes occurs in a country where it is improper, it appears that that would create an offence in this country under the clause. However, if the information is obtained in a country such as the United States under the Freedom of Information Act, there would be no criminal offence as a result of the publication of that information. I ask the Minister whether it is tolerable that the existence of the criminal penalty should turn on the state of the domestic law of foreign countries. That is monstrous, and I do not know why the Minister did not answer the point earlier. I presume that it was because he had not thought of it and had not been advised. The least that the Minister can do is take this matter away. He should not give us an arrogant reply that suggests that he has actually thought about these matters, when he has not even had the courtesy to reply to the points that have been made.

It is extremely arrogant to reply to the debate in the way in which the Minister has. He has not answered the points which have been made and he has treated the amendment as though it were a frivolous one. It is an extremely serious provision which creates a criminal offence which could result in people being sent to prison for two years. It is about time that the Minister stopped treating the House in this de haut en bas manner. Frequently, in earlier stages of the debate, he has had to come to the House to apologise for getting it wrong. The right hon. Member for Worthing has made an extremely important point. The Minister would know that it is an extremely important point, and he should give an explanation.

Earlier the Home Secretary admitted that the definition under clause 3(5) was unsatisfactory. In answer to an

[Mr. Maclennan]

intervention from the right hon. Member for Chesham and Amersham (Sir I. Gilmour), the Home Secretary accepted that

"In this section 'international relations' means the relations between States"

was not of itself an adequate definition. He undertook to consider how that definition could be tightened up. The passage that the Minister quoted had nothing to do with the undertaking given by the Home Secretary. The Minister must reconsider this matter in the light of the points made in the debate.

Furthermore, the Minister's answer to the hon. Member for Kingston upon Hull, West (Mr. Randall) was wrong. He was wrong to say that the matter was not covered by clause 3(5). The question of specifications of cars presented by this country to the Commission in Brussels to become the subject matter of a European Community directive is plainly an international matter as defined in the clause. By sweeping such propositions aside in a cavalier manner, the Minister again showed his contempt for the proceedings of the Committee which has characterised his whole approach to the Bill from the outset. It is about time that he treated the Committee with some seriousness. Obviously he expects us to let the whole thing go through without any more question just because he said it.

Mr. Corbett: In response to a question from the hon. Member for Southend, East (Mr. Taylor) the Minister gave an assurance that it was not the Government's intention to use the provisions in clause 6 to inhibit the publication of evidence in relation to fraud which originates in this country which is to be sent to Brussels for action to be taken. He gave the hon. Member for Southend, East a specific undertaking that the clause would not be used in that way. However, clause 4(2)(a)(iii) relates to information which

"impedes the prevention or detection of offences".

Quite properly, as fraud is involved, the police could argue, "For heaven's sake, if that gets out it will inhibit us in properly dealing with the detection of the suspected offence." There is at least the possibility that the police might use that argument when they are undertaking this kind of special investigation. That should at least cause the Minister to question the blanket assurance that he gave to his hon. Friend the Member for Southend, East.

Amendment negatived.

Clause 6 ordered to stand part of the Bill.

Clause 8

SAFEGUARDING OF INFORMATION

Mr. Richard Shepherd: I beg to move amendment No. 40, in page 8, line 8, leave out 'fails to comply with' and insert 'retains it after receiving'.

This amendment is more by way of inquiry and to provide more background. The amendment is intended to meet the possibility of someone who improperly receives information and destroys it and therefore is not able to return it. We are all mindful that there have been several newspaper instances and I will not base my arguments on them. However, what happens if the information has been destroyed and cannot be returned and the person cannot confirm to the satisfaction of the authorities that it has been destroyed? I want clarification on that.

Mr. Foot: Although the hon. Member for Aldridge-Brownhills (Mr. Shepherd) has introduced his amendment as if it were a minor amendment, it has many implications and it touches on other clauses which we should have the opportunity to discuss.

I accept that problems arise with the guillotine and I have some sympathy with the hon. Member for Caithness and Sutherland (Mr. Maclennan). The Minister's difficulties arise through the operation of the guillotine. I am sure that if it had not been for the operation of the guillotine, the Minister would not have given such a clumsy answer to one of his colleagues who was seeking a reassurance about the concession made by the Home Secretary. We have all sat through two consecutive days' debates on the Bill and if it had not been so late at night I am sure that the Minister would have leapt to his feet and accepted the need for an amendment which the Home Secretary agreed and there would have been no trouble on that score.

The right hon. Member for Worthing (Mr. Higgins) also put forward very serious arguments, and in a proper Committee stage without a guillotine the Minister would have had a chance to consider what had been said before the debate on clause stand part. But the possibility of any debate on clause stand part has been removed, which makes consideration of the Bill much more difficult.

Thanks to the way in which the guillotine has fallen, and thanks to its crude operation, we have not discussed clause 7 at all. Clause 7, however, touches on amendment No. 40, which tries to remedy the position, although whether it could do so is very doubtful. Although clauses 7 and 8, like clause 6, have wider aims—wider, indeed, than some of us had previously understood the Bill to comprise—they try in part to deal with those who have authority to use information that they obtained as Ministers, specifying how they must gain the authorisation. They would have to comply not only with clause 8 and the appropriate amendments, but with clause 7 as well.

It is clear from even a rough reading of the two clauses that if they had been in operation over the past 30 or 40 years far and away the worst offender against them would have been Sir Winston Churchill. No one has ever carted away documents from No. 10 Downing street—or wherever else he had been—on such a huge scale. That was very much to the benefit of the reading public, and, I would think, to the national interest as well. It certainly benefited the gaiety of nations for Sir Winston to be able to take away such huge quantities of documents and to use them as he did between 1945 and 1951. I was in the House at the time, and I may say that Sir Winston was much better employed in writing his memoirs than he was in conducting the opposition here—although he managed to perform the two tasks at the same time.

Let us suppose that Sir Winston had had to go through the details of each of those documents and to obtain authorisation in each case. Let us suppose that he had been told that if he did not do it properly he would be had up. I assure the House that I am not exaggerating. Winston Churchill thought that the state belonged to him, in a sense —that the state owed him a living. To some extent it did, because his services had been so great. Incidentally, this

characteristic ran in the family: it dates back to the days of the Duke of Marlborough, who also did some services to the country and who carted away huge quantities of state documents, long before such nonsense as this was laid before the House of Commons.

It is a question of some interest and importance how the legislation will apply to, for instance, Ministers writing their memoirs. There has been quite a lot of controversy in the newspapers about that recently. Until a few years ago there was an absolute provision that if Ministers did not go to the head of the Cabinet—whoever that might be—in the proper way and obtain permission, they would be infringing the rules laid down by the Cabinet Office.

Of course, it was never exactly clear how the Official Secrets Act applied to such operations. In a sense, the matter was covered by authorisation of some form being given. I suppose that what would be claimed about clause 7—which we are not allowed to discuss under the guillotine—is that the form of authorisation is stated and touched upon in clause 8. Here again, the Committee should look at these matters properly, have the chance to examine them and the chance to put up amendments to the Government, on which the Government could make their replies. That is how legislation of this kind should be carried through. But it is the Government's decision that we are not allowed to discuss clause 7 in detail—or in any sense. Perhaps people would like to read it all. I do not know if I would be in order to read it out now—I should think that I would be. Anybody who reads it will see that it is trying to deal with this subject, although it has been excluded from our discussions. It is partly governed by clause 8.

The hon. Member for Aldridge-Brownhills has sought to have an amendment accepted that could be some protection, but it is not sufficient protection. That emphasises how wrong it is for the Committee to be forced to discuss such matters with no possibility for further amendments at such a late stage.

11.45 pm

Mr. Gorst: Listening to the right hon. Gentleman has made me reflect. I wonder whether he is able to answer my rhetorical question. We have about 15 minutes, in which the Minister may also be able to reply, before we finish the Committee stage. Has the right hon. Gentleman wondered whether it would be appropriate, in view of all the uncertainty about what might be regarded as classified information that could be used without damage, and the reverse, for there to be machinery available so that newspapers could ring someone up and say, "Can we use this information? Is it classified?"? Perhaps we should have a whole Ministry to deal with the subject.

Mr. Foot: That might be one way of dealing with the matter. There was a question raised when somebody was arguing about the operation of the Official Secrets Act 1911 only a few months ago. An editor asked a Minister, "How should we deal with such a question?" The reply was, "Ring up No. 10 and see whether you can publish". Some of the other journalists did not think that that was the most sensible or liberal way to deal with the question.

I do not intend any mockery of the Minister when I say that on this, as on previous occasions, he has stood up to the blast of argument as well as he is able in the circumstances. But he should agree that it is a bad way to conduct legislation of this nature in the House of that Commons. If we consider the debate on the amendment or the debate on clause 6 and the position of journalists, what should have happened is what would have happened in the case of any other interests outside the House. There was a chance for the Minister to go to the editors, the Newspaper Publishers Association or even the National Union of Journalists. Of course, it is terrible to suggest to the Government that they should ever have discussions with the people who do the work. That is an outrageous proposition, which the Minister would throw out of the window immediately.

But let us consider the Newspaper Publishers Association, the Guild of British Newspaper Editors or the people who have professional qualifications in these matters. We are introducing a maze of new regulations through which they will have to steer if they are to do what they see as their duty to publish what they are entitled to publish and what the British people should be able to read. Why were the people who will have to operate the legislation not consulted? If it had been the farmers, there would have been plenty of consultation. If other people had been involved, there would have been consultation. But I do not think that there has been any consultation with the people in the newspaper business, who will have to operate these rules. If there was any such consultation, the results of it have not been translated into the Bill.

We have not much time left on the Bill and it is a great pity that such a Bill should be put through the House of Commons in such a way. That is not an attack on the Minister, or the Home Secretary, alone. As I said in a previous debate, I have listened carefully to what he and others have had to say on specific clauses. They have made a much better case on some clauses than on others, but on some they have hardly made a case at all.

Mr. Bermingham: Has my right hon. Friend considered the problems that might arise in respect of a communication that is purely oral? How does one comply with a request for the return of an oral communication or prove that one has disposed of a piece of information conveyed orally?

Mr. Foot: The Government have not even caught up with the telephone, let alone with the other modern inventions, which are beyond me. They do not seem to know that journalists use that extraordinary modern instrument.

The clauses need to be properly examined, and that is what a proper Committee stage would have achieved. Instead, we have had an absolute travesty of a Committee stage. These clauses are not as important as the preceding clauses, but they are just as badly drafted and are just as likely to give rise to future difficulties. Hon. Members say, "The House of Lords had better come to our rescue." I have never been very much in favour of the House of Lords coming to our rescue. I think that the House of Commons should do its duty, but as the Government have denied us the right to do our duty, I hope that others will look very carefully at clauses 6, 7 and 8, which we have had not the slightest chance of examining in any proper detail.

Mr. Randall: I shall be very brief, as we have only a few minutes left because of this awful guillotine.

I should like to make a suggestion about amendment No. 40, which refers to a person's being guilty of an offence if he fails to comply with an official direction for the return or disposal of documentation. I believe that the direction

[Mr. Randall]

says that a person must not retain a document after receiving the official direction. Essentially the official direction will be a piece of paper saying, "Mr. Smith. Reference XYZ. Please return or destroy the information by 10 o'clock on such and such a date." It would be a very simple thing. I am appealing for simplification.

I think that the amendment would make matters clearer. We are constantly told that legal language is too difficult for people to understand and that we should create laws that people can comprehend. The amendment would be an improvement. It would be better to link the guilt with a person's retaining information after receiving an official direction rather than his failure to comply with an official direction. I shall leave it to the Minister to see what we can do about that.

The proposal is a good one, which would improve the Bill, and we can use this opportunity to see whether the Minister is his own man. I am referring not only to the hon. Gentleman but to the Home Secretary when I say that very little has been given away during our proceedings. The Bill has hardly been changed at all. We have just about squeaked a Report stage. This is a sad occasion. As a result of the Bill, the Government have got themselves a bad reputation even among their own supporters. I refer the House to the article in *The Guardian* today which said that the Bill is highly restrictive.

Mr. Bermingham: Even allowing for the amendment in its current terms if the information is oral, as leaked information very often is, can my hon. Friend perhaps give the Minister some advice, if the Minister is prepared to listen, as to how one disposes of it? How could one prove that one had got rid of it or that one had forgotten it? *[Interruption.]* If the hon. Member for Derby, North (Mr. Knight) wants to make a pertinent comment it would be awfully nice if he had the good manners and courtesy to get to his feet and say so. But let us leave that aside.

The fact is that the information is not just in documentary form. It does not come that way; it very often comes in oral form. How does this clause deal with oral information? It is nonsensical that the Minister has failed to address this point, and it is nonsensical that the Bill does not deal with it.

Mr. Randall: My hon. Friend has raised a very interesting question. I refer him to clause 8(4), which refers to any person who

"has in his possession or under his control any document or article".

On the question of what happens after oral disclosure takes place, I still say that, instead of reading "Resist, resist, resist" from the briefs provided by the Department, the Minister ought to concede this point. That would make this a very special occasion, bearing mind the fact that we are in the last few minutes of the Committee stage. The Minister would be improving the legislation and making it easier to read. It would be a worthwhile thing to do. Indeed, it would enhance the Minister's political virility. He would be his own man. He would actually be making a decision at the Dispatch Box, and that would enhance his position. We are giving him a great chance to end the Committee stage with a big bang by actually accepting an amendment.

Mr. John Patten: What an extraordinary set of statements from the hon. Member for Kingston upon Hull, West (Mr. Randall), who just wandered into the Committee, for the first time, towards the end of the day and picked up the brief, presumably because his hon. and right hon. Friends had exhausted themselves by their exertions.

Mr. Whitney: Where is the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley)?

Mr. Patten: My hon. Friend the Member for Wycombe (Mr. Whitney) asks, "Where is the right hon. Member for Birmingham, Sparkbrook?" I am afraid I have not set eyes on him since 7.15 pm.

The right hon. Member for Blaenau Gwent (Mr. Foot) said that it was extremely important that when we looked at issues that could affect the media and journalism in this country, we should consult. In fact, we did have a number of consultations. The right hon. Gentleman mentioned the Guild of British Newspaper Editors. Well, respresentatives of that organisation came to see me on more than one occasion to discuss a number of these issues. Indeed, some of the changes that were made between the White Paper stage and the Bill stage—I refer to the crime category, with which clause 4 deals—reflect, to a certain extent, arguments that were put forward by those people, and my right hon. Friend and I have told them so on a number of occasions.

Mr. Greg Knight: Will my hon. Friend give way?

Mr. Patten: I must finish this reply in the two minutes that I have left.

My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) put forward an innocent-sounding argument. He asked what would happen to an unfortunate person who had been given a bit of confidential information. Of course, under the Bill it is not an offence to receive information, as is also the case under section 2 of the Official Secrets Act. My hon. Friend talked about such a person, rather than giving the information back, shoving it in the fire or mincing it up. Presumably such a person would have no difficulty at all in proving to the authorities what he had done. The unfortunate side effect of my hon. Friend's amendment—and I am sure he did not intend this—is that it would allow people to destroy information, to destroy documents, to destroy articles, not belonging to them, and to prevent those who had committed a criminal offence from being identified.

What we are dealing with are not trivial papers but articles that could put lives in danger or threaten the security of the country. We could be talking about papers that refer to the design of a weapon or about a computer disk, which is an article, containing the names of security and intelligence service personnel. Are we really to say that once such a document or article is out of official hands it can never be recovered? I am sure that my hon. Friend the Member for Aldridge-Brownhills did not intend that to be the case——

It being Twelve o'clock, THE CHAIRMAN *proceeded, pursuant to the order [13 February] and the resolution [15 February], to put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded, pursuant to the order [13 February] and the resolution [15 February], to put forthwith the Questions necessary for the disposal of the business to be concluded at Twelve o'clock.*

Clauses 8 to 16 ordered to stand part of the Bill.

Schedule 1 agreed to.

Schedule 2

REPEALS AND REVOCATION

Motion made, and Question put, That this schedule be the second schedule to the Bill:—

The Committee divided: Ayes 178, Noes 33.

Division No. 100] **[12.01 am**

AYES

Alexander, Richard
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkinson, David
Baker, Nicholas *(Dorset N)*
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Brazier, Julian
Bright, Graham
Browne, John *(Winchester)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Emery, Sir Peter
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gill, Christopher
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Gower, Sir Raymond
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Major, Rt Hon John
Malins, Humfrey
Marland, Paul
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Moss, Malcolm
Moynihan, Hon Colin
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Patten, John *(Oxford W)*
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Rathbone, Tim
Redwood, John
Ridsdale, Sir Julian
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanley, Rt Hon Sir John
Stevens, Lewis
Stradling Thomas, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Tony Durant and
Mr. David Maclean.

NOES

Abbott, Ms Diane
Barnes, Harry *(Derbyshire NE)*
Battle, John
Benn, Rt Hon Tony
Bermingham, Gerald
Buchan, Norman
Campbell, Menzies *(Fife NE)*
Cook, Robin *(Livingston)*
Corbett, Robin
Foot, Rt Hon Michael
Foster, Derek
Godman, Dr Norman A.
Hinchliffe, David
Hughes, John *(Coventry NE)*
Johnston, Sir Russell
Kinnock, Rt Hon Neil
Livsey, Richard
McAvoy, Thomas
McFall, John
McKay, Allen *(Barnsley West)*
Maclennan, Robert
McWilliam, John
Martlew, Eric
Michael, Alun
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Randall, Stuart
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Spearing, Nigel
Steel, Rt Hon David
Welsh, Andrew *(Angus E)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Jimmy Dunnachie.

Question accordingly agreed to.

Schedule 2 agreed to.

Bill reported, with amendment; as amended, to be considered this day.

Rate Support Grant (Derbyshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor.]*

12.13 am

Mr. Dennis Skinner (Bolsover): The reason for this debate is partly to try to redress much of the imbalance that has occurred in the Tory press in Derbyshire and nationally about rates and rate support grants——

Mr. Greg Knight (Derby, North): On a point of order, Mr. Deputy Speaker.

Mr. Skinner: I thought that this might happen.

Mr. Knight: The hon. Member for Bolsover (Mr. Skinner) obviously has clairvoyant powers.

I refer you, Mr. Deputy Speaker, to today's Order Paper and in particular to page 1891, of the remaining Orders of the Day and Notice of Motions. No. 36, tabled in my name and the name of my hon. Friends the Members for Erewash (Mr. Rost) and for Derbyshire, West (Mr. McLoughlin), refers to the services of Derbyshire county council and states that, since 1988, it

"has wasted public money on political propaganda, including television advertising and publishing a tabloid newspaper."

I shall not read it all, but it highlights the fact that ratepayers of Derbyshire have had to suffer a 168 per cent. increase since 1982.

Mr. Deputy Speaker (Sir Paul Dean) Order. What is the point of order for me?

Mr. Knight: If you turn to page 1858 of the Order Paper, Mr. Deputy Speaker, you will notice that the terms of the Adjournment debate standing in the name of the hon. Member for Bolsover refer to Derbyshire county council services. I refer you to Erskine May, page 372 and the section headed:

"General restrictions on motions for the adjournment of the House."

It says in paragraph (a):

"Members are precluded, under the rule of *anticipation* . . . from discussing on an adjournment motion a notice of motion or an order of the day which already stands upon the notice paper or order book."

I have already on the order book for today a notice of motion dealing with the disgraceful waste of ratepayers' money by Derbyshire county council—*[Interruption.]*—and I submit to you, Mr. Deputy Speaker, that the hon. Member for Bolsover is precluded from raising this matter on the Adjournment under the rule of anticipation.

Mr. Deputy Speaker: Order. Under Standing Order No. 26 it has to be determined whether a discussion is out of order on the ground of anticipation. Regard must be had by the occupant of the Chair

"to the probability of the matter anticipated being brought before the House within a reasonable time."

I know of no plans for the motion standing in the name of the hon. Member for Derby, North (Mr. Knight) being brought forward for debate, and indeed that was confirmed by the Leader of the House at business questions today. I am not, therefore, prepared to apply the rule of anticipation in this case.

Mr. Knight: Further to my point of order, Mr. Deputy Speaker. I would not wish to challenge your ruling and I accept that there is no chance of my motion being called today. But I have re-tabled my motion for tomorrow morning and I wondered whether—indeed, it could be the case—it would be reached in tomorrow's business.

Mr. Deputy Speaker: Order. That is hypothetical. We shall have to see how we get on tomorrow. Mr. Skinner.

Mr. Skinner: I do not think that my hon. Friends and I—

Several Hon. Members *rose*—

Mr. Deputy Speaker: Order.

Mr. Patrick McLoughlin (Derbyshire, West): On a point of order, Mr. Deputy Speaker.

Hon. Members: Sit down.

Mr. Deputy Speaker: Order. I will listen to the point of order from the hon. Member for Derbyshire, West (Mr. McLoughlin). I must remind him and the House that we are now taking time out of the Adjournment debate.

Mr. McLoughlin: My point of order, Mr. Deputy Speaker, relates to the *Official Report* of 8 March 1988, column 296. I refer to an Adjournment debate which I had about Derbyshire county council. I draw to the attention of the House—and I have previously drawn it to the attention of the Clerks—the fact that the county council responded to my Adjournment debate in its usual hysterical way by accusing me, in having an Adjournment debate, of hiding behind parliamentary privilege. It is—

Mr. Deputy Speaker: Order. What is the point of order for the Chair?

Mr. McLoughlin: I raise an important point with you, Mr. Deputy Speaker, because I have heard tonight from various sources that the hon. Member for Bolsover (Mr. Skinner) and his hon. Friends—some of whom I permitted to speak in my debate—intend to speak for the entire time of the Adjournment debate and not allow time for a Minister to reply—[HON. MEMBERS: "Shame."]

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. We had better get on with the Adjournment debate. Mr. Skinner.

Mr. Skinner: I assure you, Mr. Deputy Speaker, that there was no plan to take up the whole time of the debate——

Mr. Ken Hargreaves (Hyndburn): On a point of order, Mr. Deputy Speaker——

Mr. Deputy Speaker: Order. I remind the House that the last half hour of every day is given up as very precious time for an hon. Member to raise a point and for a Minister to reply to it. I remind the House also that the Member whose Adjournment subject is tabled for Thursday night is chosen by Mr. Speaker. I hope that the House will respect that, and that right hon. and hon. Members will not interrupt the Adjournment debate with further points of order.

Mr. Ken Hargreaves: Further to that point of order, Mr. Deputy Speaker. I agree with your comments, but is it right for the House to rehearse tomorrow's tactics?

Mr. Deputy Speaker: Order. I call Mr. Skinner.

Mr. Richard Holt (Langbaurgh): Further to that point of order, Mr. Deputy Speaker. I listened carefully to your comments about the selection of Thursday night Adjournment debates. To paraphrase your remarks, you said that Mr. Speaker chooses which debate is to be selected on the basis of the right hon. or hon. Member in whose name it is. I refer you, Mr. Deputy Speaker, to "Erskine May", which states that the choice has nothing to do with the right hon. or hon. Member concerned, but is made on the basis of the subject matter. In the light of that, will you, Mr. Deputy Speaker, reflect on whether it is the hon. Member who has the Floor of the House or the subject matter? Is it conceivable that my hon. Friend the Member for Derbyshire, West (Mr. McLoughlin) has the ear of Mr. Speaker, rather than the hon. Member for Bolsover (Mr. Skinner), who, apart from the fact that he makes a lot of noise, carries no special weight in the House?

Mr. Deputy Speaker: Order. I hope that we may now proceed with the Adjournment debate.

Mr. Skinner: It is clear, Mr. Deputy Speaker— *[Interruption.]*

Mr. Deputy Speaker: Order. The Adjournment debate that concludes each day is a very special half-hour for the right hon. or hon. Member concerned, who may be from either side of the House. I hope that all right hon. and hon. Members will respect the Adjournment, knowing that they may on some future occasion have that opportunity themselves.

Mr. Skinner: Mr. Deputy Speaker——

Mr. Holt *rose——*

Mr. Deputy Speaker: Order. I shall take no further points of order.

Mr. Holt *rose——*

Mr. Deputy Speaker: Order. I made it clear that I shall take no further points of order. Mr. Skinner.

Mr. Skinner: One thing that is certain, Mr. Deputy Speaker, is that——

Mr. Ken Hargreaves: I beg to move, That strangers do withdraw.

Notice being taken that strangers were present, MR. DEPUTY SPEAKER, *pursuant to Standing Order No. 143 (Withdrawal of strangers from House), put forthwith the Question,* That strangers do withdraw:—

The House divided: Ayes 1, Noes 46.

Division No. 101] **[12.23 am**

AYES

Widdecombe, Ann

Mr. Nicholas Bennett and Mr. Alan Amos.

Tellers for the Ayes:

NOES

Arnold, Jacques *(Gravesham)*
Barnes, Harry *(Derbyshire NE)*
Benn, Rt Hon Tony
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Burns, Simon
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Chapman, Sydney
Davies, Q. *(Stamf'd & Spald'g)*
Durant, Tony
Fallon, Michael
Franks, Cecil
Gregory, Conal
Ground, Patrick
Gummer, Rt Hon John Selwyn
Haynes, Frank
Hayward, Robert
Heathcoat-Amory, David
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hunt, David *(Wirral W)*
Jack, Michael
Key, Robert
King, Roger *(B'ham N'thfield)*
Lightbown, David
McFall, John
Maclean, David
Maxwell-Hyslop, Robin
Michael, Alun
Mitchell, Andrew *(Gedling)*
Newton, Rt Hon Tony
Norris, Steve
Pike, Peter L.
Sackville, Hon Tom
Skinner, Dennis
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thorne, Neil
Thurnham, Peter
Twinn, Dr Ian
Waddington, Rt Hon David
Wells, Bowen
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Robert G. Hughes and
Mr. Edward Leigh.

Question accordingly negatived.

Mr. Deputy Speaker: Mr. Dennis Skinner.

Mr. Holt: On a point of order, Mr. Deputy Speaker. During the six years that I have been a Member of the House there have been frequent points of order from hon. Members on both sides of the House when they have sought to place matters before the House. I spent a number of hours this afternoon in the Library reading "Erskine May", but nowhere could I find anything about the occupant of the Chair refusing to take further points of order. If you say that points of order will no longer be taken during the debate, that is a new ruling.

Mr. Deputy Speaker: Order. What I am saying is that it is most unusual for points of order to be taken during an Adjournment debate, and I hope that the House will respect that. Mr. Skinner.

Mr. Skinner: Thank you, Mr. Deputy Speaker.

One thing is certain. There must be a good story to tell about the Labour-controlled Derbyshire county council because of the tremendous efforts that Conservative Members have made to stop the story being told.

We know only too well——

Mr. Teddy Taylor (Southend, East) *rose——*

Mr. Skinner: We know that in the course of the past 10 years the rate support grant nationally has been reduced from about 61 per cent. to 46 per cent. But in Derbyshire the picture is much more dramatic. The rate support grant has fallen from 61·9 per cent. to 37·4 per cent. That means that, in contrast with the position when Labour left office in 1979, the ratepayers of Derbyshire in all 10 constituencies have had to find £62·6 for every £100 that has been spent.

It is important that we get it on the record that rates increased generally, and in Derbyshire, because of the massive cut in the rate support grant. [HON. MEMBERS: "Tell us about Reg Race."] One reason why the rate support grant has been cut is in order to finance—[HON. MEMBERS: "What about the waste?"]—those people— *[Interruption.]*

Mr. Deputy Speaker: Order. I am finding it difficult to hear whether the hon. Gentleman is in order. Mr. Skinner.

Mr. Skinner: I was trying to explain that one of the main reasons why rates paid by the ratepayers in the Tory-held constituencies in Derbyshire have increased rapidly is the Goverment's massive cut in rate support grant.

Mr. David Shaw (Dover): On a point of order, Mr. Deputy Speaker. On my calculation, half the time allowed for the Adjournment debate has gone. Surely the Minister should be invited to reply.

Mr. Deputy Speaker: That is a matter for the hon. Member for Bolsover (Mr. Skinner).

Mr. John Prescott (Kingston upon Hull, East): Silly twit.

Mr. Skinner: One of the reasons why—*[Interruption.]*

Mr. David Shaw: On a point of order, Mr. Deputy Speaker. I have been called a silly twit by the hon. Member for Kingston upon Hull, East (Mr. Prescott). In all the time that I have been a Member of the House I have known the hon. Gentleman to speak up for the National Union of Seamen——

Mr. Deputy Speaker: Order. There are all sorts of remarks passed in this House. I have not heard anything that is out of order.

Mr. Skinner: I realise the problem that you have, Mr. Deputy Speaker—*[Interruption.]*

Mr. Deputy Speaker: Order. I have appealed to the House. It is unusual for Adjournment debates to be interrupted by points of order. Many hon. Members will hope to have Adjournment debates and to have an opportunity to put their case. I hope that the hon. Member for Bolsover will have the opportunity to put his case. Mr. Skinner.

Mr. Holt: On a point of order, Mr. Deputy Speaker.

Mr. Skinner: I think that one of the problems you have to face, Mr. Deputy Speaker, is that most of the Tory Members have come out of the bar. They have been drinking—*[Interruption.]*

Mr. Deputy Speaker: Order. One remark from one side of the House tends to provoke another. Let us get on with the Adjournment debate.

Mr. Skinner: I was just a little concerned about the fact that you, Mr. Deputy Speaker—[HON. MEMBERS: "Withdraw."] You are having some difficulty, Mr. Deputy Speaker—*[Interruption.]*

Mr. Deputy Speaker: Order. There is very little time left. I hope that the House will listen to the hon. Gentleman. I want to hear whether he is in order.

Mr. Skinner: I was saying, Mr. Deputy Speaker, that you are having great difficulty dealing with people this late at night. I was trying to make the point that Tory Members are trying to prevent the Derbyshire county council's Labour-controlled case from being put in the House of Commons. [HON. MEMBERS: "Rubbish."] I think it is a very good case.

Hon. Members will be pleased to know that since 1981 the Labour-controlled Derbyshire county council has managed to hold the price of meals on wheels for many thousands of old age pensioners at 35p per head. It has never increased the price in those eight years. It managed to hold the price of school meals down to 45p for the junior schoolchildren and to 55p for the seniors. It is the lowest price in any shire county in Great Britain. It is a story of success against the massive cuts that this Government have carried out against the Derbyshire county council.

Mr. Robert G. Hughes (Harrow, West): On a point of order, Mr. Deputy Speaker.

The motion having been made after Ten o'clock on Thursday evening, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at seventeen minutes to One o'clock.

House of Commons

Friday 17 February 1989

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITIONS

Sunday Trading

9.34 am

Mr. Ivor Stanbrook (Orpington): I beg to ask leave to present a petition from the residents of Orpington. My constituents are concerned that any future legislation on Sunday trading and commercial activity should uphold the character of Sunday as a shared and special day for the enjoyment of family life, rest and community worship. The petition is signed by 427 of my constituents and it reads:

"Wherefore your Petitioners pray that your Honourable House do safeguard the uniqueness of the whole of Sunday, both through the requirements of the law, and through the enforcement of the same.

To lie upon the Table.

36 Engineers Regiment

Miss Ann Widdecombe (Maidstone): I have the honour to present a petition signed by 1,200 of my constituents and also by some of the constituents of my hon. Friend the Member for Mid-Kent (Mr. Rowe).

The 36 Engineers Regiment has long been based in Maidstone and is currently under the threat of being moved to Thorney island. My constituents believe that that would be to the detriment of the regiment and the town. The petition reads:

Wherefore your Petitioners pray that your Honourable House encourage the Secretary of State for Defence to consider the wishes of both the Regiment and Town and to allow the 36 Engineers to retain their present base.

To lie upon the Table.

Sunday Trading

Miss Ann Widdicombe (Maidstone): I have the honour to present a petition signed by 1,800 of my constituents who are worried about the extension of Sunday trading and the effect that it will have on that day of rest, family life, the community and worship. The petition reads:

Wherefore the Petitioners pray that your Honourable House do safeguard the uniqueness of the whole of Sunday, both through the requirements of the law, and through the enforcement of the same.

And your petitioners as in duty bound will ever pray, etc.

To lie upon the Table.

Cambridge University Veterinary School

Mr. Robert Rhodes James (Cambridge): I beg to ask leave to present a petition, signed by more than 40,000 Cambridge constituents and others, vigorously opposing the proposed closure of the Cambridge university veterinary school. It concludes:

Wherefore, your Petitioners pray that your Honourable House will oppose the recommended closure of the school conveyed to the University Grants Committee by the sub-committee chaired by Sir Ralph Riley.

And your petitioners, as in duty bound, will ever pray, etc.

Although the petition refers to the Cambridge school, the one in Glasgow is also under threat of closure. We also deplore that proposal. I am pleased to say that my petition has also been signed by the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) in whose constituency the Glasgow school resides.

To lie upon the Table.

Football Supporters (Identification Cards)

Mr. Denis Howell (Birmingham, Small Heath): I beg to ask leave to present a petition signed by 12,844 supporters of Aston Villa football club and the Football Supporters Association protesting against the proposed plan to introduce identity cards for football supporters. Mr. Speaker, this is the first of 92 such petitions that will be presented to you—one for every Football League club in the land. The petition reads:

we condemn the proposed legislation to force football supporters to carry identification cards, and we believe that a system of identity cards will have little impact on the problem of football-related violence, will hinder football's attempt to attract a new generation of supporters and will lead to the eventual demise of the game as a spectator sport. And your Petitioners pray that your honourable House will urge the Government to bring forward proposals which have the support of genuine football supporters. And your Petitioners, as in duty bound, will ever pray etc.

To lie upon the Table.

Adjournment Debates

9.39 am

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Mr. Speaker. I do not wish to delay the proceedings of the House, but I do not know whether you have had a chance to hear the tapes of last night's Adjournment debate and note the deliberate, organised disruption of that debate. Will you make a statement on Adjournment debates, so that they can be handled in the traditional way, and, if so, when?

Mr. Speaker: I have no present intention of making a statement. I deprecate disruption of any kind, but it is particularly regrettable during the prized Adjournment debate, which is an opportunity for Back-Bench Members to raise matters of constituency interest.

Sunday Sports Bill

Order for Second Reading read.

9.40 am

Mr. Andrew MacKay (Berkshire, East): I beg to move, That the Bill be now read a Second time.

I would not wish the progess of my Bill to be delayed, but, as a shareholder in Aston Villa football club, I can think of no better petition to be presented by the right hon. Member for Birmingham, Small Heath (Mr. Howell). He and I have been associated with that football club for a long time, and I wish him well.

I pay tribute to my hon. Friend the Member for Crawley (Mr. Soames), who ably moved the Sunday Sports (No. 2) Bill in the last Session of Parliament, and also to Lord Wyatt of Weeford, who moved a similar Bill in another place. Hon. Members will find that I have amended their legislation in two significant respects. In due course, I shall explain the reasons for that.

I shall tell the House about the guiding principle which caused me to enter political life. I have always believed that the people of this country are best able to decide how to run their own lives, and that, by and large, interfering politicians, civil servants, Governments and other do-gooders who put themselves forward as the guardians of public morals and try to tell people what to do are repugnant. I have every faith in the British public. Normally, they have pretty good judgment and can decide for themselves how to run their own lives. Provided that someone does not hurt anybody else, it is up to him to decide what to do on a Sunday or any other day.

I am not in favour of sport or gambling on Sunday. I am simply in favour of people being able to decide whether they want to go to sporting events on Sunday, whether they want to organise sporting events on Sunday, and whether to gamble on Sunday. That is not a matter for me or, with respect, for you, Mr. Speaker. It is a matter for individuals to decide. In a free society, it is repugnant to have a nanny state that continually tells us what we should and should not do. Our legislation should be kept to a bare minimum. It should only protect people and not control the great majority and tell them what they should do.

Even my most severe critics would concede that the current legislation is arcane and outdated. The Sunday Observance Act 1780 expressly forbids sporting events for which the public are charged admission to be organised on a Sunday. Those who organise the men's finals day at Wimbledon, the final rounds of most of our major professional and amateur golf championships, the British grand prix, athletic meetings, professional football matches and professional cricket matches on Sunday are breaching the law.

One may well ask, "So what? There has not been a prosecution since 1956. Is it necessary to change the law? Is this not an irrelevant measure?" Every hon. Member should believe in the rule of law. In a free society—a democracy—we must obey the law. We have two choices. We must either prosecute those who break the law, which is clearly absurd and would be immensely unpopular, or we must amend or scrap arcane and outdated laws. That is what I am seeking to do. It is manifestly absurd that otherwise law-abiding people, such as the organisers of sporting events to which I referred, should find themselves breaking the law. I am anxious to change that and to bring them within the law.

Mr. Peter Thurnham (Bolton, North-East): Is my hon. Friend aware that 46 per cent. of churchgoers are anxious that the law should be changed because of the anomalous situation?

Mr. MacKay: I shall refer to that point later. I hope that my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) will forgive me if I do not respond straight away.

It is quite wrong that the organisers of sporting events are breaking the law. From discussions that I have had in the House and elsewhere with supporters and opponents of the measure, I sense that there is general agreement that sporting events should be brought within the law.

Miss Ann Widdecombe (Maidstone): I have much sympathy with my hon. Friend, but does he accept that, by deregulating Sunday piecemeal, he will increase rather than decrease anomalies? Whereas, under his proposals, betting shops will be able to function, grocery shops will not. He is not tidying up the law; he is creating further anomalies.

Mr. MacKay: I shall refer to betting shops in some detail later. I do not see a direct relationship between Sunday trading, which we are not discussing today, and Sunday sport and leisure, which we are discussing. Many of our colleagues who voted against the Sunday trading legislation in the previous Parliament will support me in the Lobby because they believe that it is right that there should be leisure on Sunday and that it is wrong that we should trade on Sunday. They are two distinct issues.

Mr. Ivor Stanbrook (Orpington): My hon. Friend is dealing with matters of principle, anomalies and so on with regard to Sunday. I have one specific question. Does he believe that Sunday should be kept special?

Mr. MacKay: As I have said, individuals should decide what they do on a Sunday.

There is general consensus that we should amend or abolish the law on sporting events. A more controversial matter is what we should do about Sunday racing, which is inextricably linked to gambling. There is no suggestion that we can have horse racing without gambling. As somebody who is not closely associated with horse racing, my first reaction was to say that sports should take place on a Sunday if people want to organise them and others wish to attend, but that there should be on-course betting only. That would avoid the problem to which my hon. Friend the Member for Maidstone (Miss Widdecombe) referred—the anomaly of having bookmakers open for business in our high streets on a Sunday.

I went to see my right hon. Friend the Home Secretary. He said, "If you have on-course betting only, you will return to the 1950s. You will return to illegal gambling and racketeering. I, as Home Secretary, could not possibly countenance that. The Government would withdraw their support for your Bill and would do everything possible to oppose it and ensure that it did not proceed." When I am advised by the Home Secretary that that would lead to illegal gambling, I must take note, and the House, too, will want to take note of that. Clearly, Sunday racing can proceed only with on and off-course betting, which means bookmakers being open on a Sunday.

It is worth clarifying the fact that bookmakers would be open on a Sunday between noon and 6.30 pm. They would not be open all day, as some critics have suggested. I

acknowledge that many, including the Keep Sunday Special campaign and other moderate critics who are not Sabbatarians, are worried about bookmaker shops in our high streets and shopping malls being open on a Sunday. The additional clause that I have added, which differentiates this Bill from that of my hon. Friend the Member for Crawley, will restrict gambling to 12 Sundays a year, which will also restrict horse racing to 12 Sundays a year. As the House will readily concede, we are not likely to have horse racing without gambling.

For 40 Sundays a year bookmakers could not be open, and on 12 Sundays between noon and 6.30 pm they could. "Ah," say my critics, "This is the foot in the door. You start with 12 and it will increase." I have noted that point. Whereas initially I was minded to say that Parliament could increase or decrease the 12 Sunday limit by Order in Council, the Bill does not provide for that. If the Bill becomes law and anybody wishes to change the limit, they will have to introduce completely fresh legislation. There is no possibility of quietly and quickly rushing through an order to increase that limit.

There are 59 race courses in this country. The Jockey Club advises me that it is unlikely that there would be more than three meetings per Sunday. Three times 12 makes 36. Therefore, a number of race courses will never be open on a Sunday. If some race courses have two or three meetings a year on a Sunday, a majority of race courses will possibly never have racing on a Sunday.

Moderate opponents of the Bill make a further criticism. They ask whether people who live near sporting grounds and race courses will be affected. Apart from horse racing, other sporting events are already taking place on a Sunday. The law is being breached and ignored, and there have been no prosecutions. If more football clubs want to change their fixtures from Saturday to Sunday they will do so whether or not the Bill is passed. The only change that the Bill makes in practice is that there would be horse racing on 12 Sundays a year, at no race course more than once or twice and at a majority not at all. Therefore, the argument that my measure would lead to greater nuisance for people who live near sporting stadiums is invalid.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): When the hon. Gentleman discussed with the Jockey Club the implications of Sunday racing and the number of fixtures did he ask how many fixtures might take place on a bank holiday Sunday?

Mr. MacKay: I did not. That is entirely a matter for the Jockey Club. It is the governing body and can decide. The hon. Gentleman, who takes a great interest in horse racing, knows that a limited number of horses, jockeys and trainers are available, so logistically it would be impossible to have every race course open on a Sunday. I am advised by the Jockey Club that for practical reasons it is unlikely that there can normally be more than three race meetings on a Sunday.

Mr. Duffy: Is the hon. Gentleman aware that there are already a dozen or more fixtures on more than one bank holiday Monday? Those fixtures are already running into double figures. Is it not conceivable that some, if not most, will spill over to Sunday, given the attractions that the Jockey Club now attaches to Sunday racing?

Mr. MacKay: That is for the Jockey Club to decide. Logistically there cannot be a large number of horse race meetings on two consecutive days because the horses are not available. The hon. Gentleman will confirm that.

That brings me to another interesting point. There are not likely to be additional meetings or sporting events in any sport, just a change of dates. There are enough people going to football grounds, as the right hon. Member for Small Heath will recall—even at Birmingham City—to disturb those who live near the grounds. That disturbance will be moved from a Saturday to a Sunday. It is having a disruption at any time that offends them, not having it on a particular day of the week. So the House will need to address that matter at another time.

Every horse racing country, with the exception of Great Britain and New Zealand, has Sunday racing. It appears to be most popular in France, Italy and, most recently, the Republic of Ireland. The House will agree that those countries are deeply religious. There is absolutely no doubt that there is greater religious observance there than there ever is in Great Britain. That confirms the point made by my hon. Friend the Member for Bolton, North-East. There is nothing unchristian about enjoying a Sunday. There is nothing anomalous in worshiping in the morning and seeing Aston Villa play in the afternoon. There is nothing unreasonable about gambling in the afternoon and going on to Evensong, particularly if one puts most of one's winnings in the collection.

Mr. Nicholas Soames (Crawley): In developing his argument about racing on Sunday, is my hon. Friend aware that churchgoing per head in France is far higher than here? Perhaps the most attractive part of racing on Sunday in France is the large presence of families and children. It is part of the French way of life to worship in the morning, have an agreeable family lunch and go racing —excellent provisions are made for children—in the afternoon.

I have no doubt that racecourses in Great Britain would seek to provide exactly the same facilities, which is more than can be said for any other sports.

Mr. MacKay: I entirely agree. My hon. Friend makes the point very well about the large number of people who go to church in France—in fact, it is a family occasion. The more that sporting events can be a family occasion the better. I can think of no better way of spending a Sunday than going to a sporting event.

Of course, the killjoys will disagree. When Dr. Donald Coggan was Archbishop of Canterbury, he said:

"a Christian is not a killjoy. If he is, he ought to question whether he's a Christian."

I would ask the House to consider what Dr. Coggan said. I can see no connection between being a practising Christian and a Sabbatarian and opposing leisure facilities on a Sunday. It makes no sense.

Moderate critics have raised another worry, which I have covered in a second additional clause to the Bill of my hon. Friend the Member for Crawley. It is what I would deem an employment protection clause. There are those who believe that it would be possible for existing employees, who decline to work on a Sunday, to be dismissed. Frankly, I am doubtful about that. We can look at the Scottish experience of Sunday trading. The complaint of most employers is that far more of their employees want to work on a Sunday than there are jobs available. The discrimination is that employees say to their

[Mr. MacKay]

employers, "You have chosen your favourites to work on a Sunday and get double time and a day off in the week. Why have you not chosen me?" I acknowledge, however, that there are those who fear dismissal. My employment protection clause, therefore, clearly states that no existing employee can be dismissed for declining to work on a Sunday.

Horse racing will be the only addition to the sports that take place on a Sunday, and many people in that sport already work on a Sunday. With Sunday racing on the Continent, many or most jockeys race, and almost all trainers and stable lads already work on a Sunday. Few of those would have their lives radically changed.

Mr. Robert Banks (Harrogate): My hon. Friend has concentrated entirely on horse racing. Will he say whether his Bill would permit dog racing on Sundays?

Mr. MacKay: My Bill covers all Sunday sports. However, I have received no indication from those involved in dog racing that they have any desire to race dogs on a Sunday. I have deliberately had endless contacts with every interested party on this controversial issue, but I have not heard from those involved in dog racing.

I hope that you will not rule me out of order, Mr. Deputy Speaker, because what I am about to say is not directly relevant to the Bill. There is a real worry about the stable lads. I have received very powerful representations from the Stable Lads Association and I have also met representatives of the Transport and General Workers Union. The case put forward by the Stable Lads Association is a strong one. As somebody who is not involved in the racing industry, I find it amazing, and anomalous, that there is a terrific amount of money in the industry—substantial amounts of prize money and substantial amounts of money changing hands when good horses are sold—but that stable lads are just about the worst-paid people anywhere in the country. I am appalled by their conditions of service, the hours that they work, and their pay.

Mr. Richard Holt (Langbaurgh): I am grateful to my hon. Friend for drawing attention to the position of stable lads. Does my hon. Friend feel that during the past nine years the Horserace Betting Levy Board has been negligent in its duty in the way in which it hands out the money that is collected from bookmakers to put back into the industry? It has complete control over that money, but it fails miserably to look after the lot of the stable lads, who, incidentally, have to work on a Sunday with or without my hon. Friend's Bill, because they must feed and clean out the horses?

Mr. MacKay: I agree with my hon. Friend that, of course, on a rota system stable lads must exercise and feed the horses. I do not believe that this is an appropriate time to say how the matter will be resolved, but I feel that it is important that the House returns at a later date to tackle this subject properly. People with expert knowledge, such as my hon. Friend the Member for Langbaurgh (Mr. Holt), would then be able to speak on the matter, and action would be taken.

I want to leave the House with my clear impressions as an outsider. Perhaps it is more significant when someone not involved in the racing industry mentions the working conditions of stable lads than it is when someone who has a vested or constituency interests mentions those matters. I have no stable lads in my suburban constituency. A terrific amount of money is washing around within horse racing, but, at the same time, a group of dedicated people are being appallingly treated. I suggest to the business managers—I can see the Government Whip on the Front Bench—that there should be an opportunity for hon. Members on both sides of the House—I believe there is terrific agreement—to discuss the matter further.

Mr. Eric Martlew (Carlisle): I sympathise with much that the hon. Gentleman has said. He would perhaps have been better introducing a Bill that would improve the lot of the stable lads. How can we really be justified in making special provisions for those who work in the racing industry and in the betting shops, but not protect the other workers who must work on a Sunday? That appears anomalous.

Mr. MacKay: I believe that the hon. Gentleman has missed the point. My employment protection clause covers anybody connected with Sunday sports. It could just as easily affect someone who was working for a football or a tennis club. It does not concern only horse racing.

Mr. Martlew *rose*——

Mr. MacKay: No, I shall not give way. I am sure that the hon. Gentleman will catch Mr. Deputy Speaker's eye and make his own contribution.

I know many hon. Members on both sides of the House wish to speak and I shall finish, as I started, by saying that I believe in freedom of choice. People know best how to run their own lives, and the House would do well to pass this measure of deregulation and trust the people.

10.8 am

Mr. A. E. P. Duffy (Sheffield, Attercliffe): I do not believe that this is the right time to introduce a Bill of this kind. I thought so, too, when Lord Wyatt introduced a similar measure in the other place—and I told him so. The hon. Member for Crawley (Mr. Soames) will recall that before he introduced his Bill to the House I invited him to withdraw it, because I again believed that it was not an appropriate time, and its assured defeat would only set back the cause of Sunday racing unnecessarily. I maintain the same views about the Bill introduced by the hon. Member for Berkshire, East (Mr. MacKay).

Those within the racing industry also share my belief that timing is important. I am vice-chairman of the all-party racing and bloodstock industries group and I serve under the distinguished chairmanship of the hon. Member for Devizes (Sir C. Morrison) for whom I have affection as well as respect. We work together harmoniously but we disagree about this matter.

The hon. Member for Berkshire, East is not the right person to introduce such a Bill. Such a sensitive issue calls for careful handling and there are only a few hon. Members—*[Interruption.]* Well, the hon. Gentleman could not have invited more unnecessary controversy in recent weeks if he had tried. He has generated controversy in that quarter of the population from whom he could not have relied upon for support and, after a moment's, consideration he should have realised that such a group could retaliate once this Bill was introduced. That

unnecessary controversy in no way detracts from his integrity or his effective parliamentary skills. Nevertheless in recent weeks his judgment has slipped a little.

There are not many hon. Members who are qualified to introduce such a Bill. It must be someone who understands racing, commands the confidence of both sides of the House and the confidence of the Labour movement. It is not enough for the hon. Member for Berkshire, East to say that the wages of stable lads are appalling, he should be closer to that part of the industry. Having been drawn number four in the ballot for private Members' Bills, he should not simply have taken up this issue as a suitable vehicle, he should have been identified with the cause in advance.

Mr. Andrew MacKay: The hon. Gentleman has said that I was not associated with the cause in advance, but my hon. Friend the Member for Crawley (Mr. Soames) will confirm that, last year, I was one of the sponsors of his Bill. An alternative argument to that advanced by the hon. Gentleman has been put to me by people in the racing industry who claim that it would not be helpful if such a Bill was introduced by someone whom outsiders saw as having a vested interest and that it would be more helpful if that person was neutral. Although the hon. Gentleman and I have devoted much of our speeches to horse racing, which is the most controversial part of the Bill, he should bear in mind that that is only one element of the Bill, which covers all sports.

Mr. Duffy: It is also important to have a feel for the subject matter. The hon. Gentleman has claimed that his credentials rest on being a sponsor of the Bill introduced by the hon. Member for Crawley. Eleven other hon. Members are sponsors of the Bill that has been proposed today, but only three of them are present. Prior to drawing number four in the private Members' ballot, the hon. Member for Berkshire, East never came near the all-party racing group nor those Labour Members who are closely involved with some of the problems with which the hon. Gentleman has expressed commendable sympathy.

My belief that the hon. Member for Berkshire, East is the wrong person to introduce such a Bill also rests on an article that appeared in *The Racing Post* three weeks ago when he described racing as "boring". It all adds up to a lack of conviction, credibility and acceptability to both sides of the House which, to my mind, cannot but seriously prejudice his chances of success today.

Mr. Denis Howell (Birmingham, Small Heath): I am listening with some incredulity to these objections. I am a sponsor of the Bill and if the hon. Member for Berkshire, East (Mr. MacKay) gets a Second Reading for his Bill today I wonder whether he would kindly hand the Bill over to me so that I can take it through the House? I wonder whether that would meet the objections raised by my hon. Friend and we could proceed without further difficulties?

Mr. Duffy: No. My right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell) stimulates me into revealing to the House that he was a close adviser to Lord Wyatt and we know what happened to his Bill. As far as I am aware, my right hon. Friend had no supporters on the Labour Benches for that Bill.

Mr. Denis Howell *rose*——

Mr. Duffy: No, we shall leave it at that because of time. I do not want to be penalised by the Chair.

Mr. Denis Howell: On a point of order, Mr. Deputy Speaker. Is guilt by association lawful in this House?

Mr. Duffy: It was more than association, it was advice. No one was more surprised than my right hon. Friend when he realised how many of his hon. Friends were opposed to him.

Sir Charles Morrison (Devizes): The hon. Gentleman said that we all know what happened to the Bill introduced by Lord Wyatt—what happened what that it achieved a Third Reading in the House in which it started.

Mr. Duffy: I will say no more about Lord Wyatt except, in common with the hon. Member for Berkshire, East, he was the wrong person at the wrong time and I told him so. Lord Wyatt's Bill would not be accepted if it reached the House.

The hon. Member for Berkshire, East has provided the House with the wrong brief and his presentation is indistinguishable from a Jockey Club brief—in recent years its judgment on this matter has been deplorable and I have told it so.

The hon. Gentleman displays a woeful ignorance of the structure of racing, its organisation and the present opinion within the industry on Sunday racing. In the absence of Sunday racing, he believes that the industry is placed at a "severe disadvantage" compared with other sports, but the reverse is true. No spectator sport enjoys greater exposure than racing, which takes place on every weekday—most days it takes place at more than one venue. There are evening meetings during the summer and on bank holidays, as I have already reminded the hon. Gentleman, the number of racing fixtures runs into double figures. According to the last annual report from the Jockey Club's senior steward, Lord Fairhaven, racing

"has rarely looked so challenging and exciting".

He says that with attendances, betting turnover and prize money all on the increase

"racing is in an exceptionally healthy state".

Therefore the racing industry is not desperate for the Bill.

Mr. Andrew MacKay: I do not want to keep interrupting the hon. Gentleman's speech and I hope that this will be the last time that I do so. The hon. Gentleman has said that I do not appear to be in touch or to understand people involved with horse racing and they do not share my views. I have corresponded, spoken to or met every possible organisation within horse racing. They are all strongly in favour of my Bill with two exceptions. One is the Transport and General Workers Union—my hon. Friend the Member for Macclesfield (Mr. Winterton) will confirm its opposition as he was at the meeting. The other exception is the Stable Lads Association which has serious reservations about the Bill, some of which I have acknowledged today. Everyone else is in favour and, with the greatest respect to the hon. Gentleman, it is possible that I am more in touch with the industry than he is.

Mr. Duffy: I shall be surprised if the hon. Gentleman is able to sustain that argument after he hears the rest of my speech.

The hon. Gentleman has sought to draw an unfavourable comparison between Britain and other countries where racing takes place. In terms of fixtures, however, the British racegoer is much better provided for

[Mr. Duffy]

than those in other countries—I only wish that our racegoers were as well provided with facilities. No doubt the hon. Gentleman has noticed that, during the past six months, *The Times* has published a weekly guide to racecourses. I am sure that he has read some of the biting criticisms in those surveys to which I shall return later.

The pattern of racing at home is different from that found in the countries mentioned by the hon. Gentleman. The hon. Gentleman has recognised that the success of Sunday racing rests on the willing co-operation of the 100,000 people engaged in the racing and betting industries. Apart from consulting the Jockey Club I wonder how thoroughly the hon. Gentleman has sought to discover the opinion of the racing industry? Did the hon. Gentleman consult the Horserace Betting Levy Board?

Mr. Andrew MacKay: Yes.

Mr. Duffy: Did he consult the Racegoers Club?

Mr. MacKay: Yes.

Mr. Duffy: Did he consult the Betting Office Licensees Association?

Mr. MacKay: Yes.

Mr. Duffy: Did he consult the National Association of Bookmakers?

Mr. MacKay: Yes.

Mr. Duffy: Did he consult the Stable Lads Association?

Mr. MacKay: Yes.

Mr. Duffy: Did he consult the Transport and General Workers Union?

Mr. MacKay: Yes.

Mr. Duffy: Did he consult the Racehorse Owners Association?

Mr. MacKay: Yes. It is in my constituency.

Mr. Duffy: The hon. Gentleman should be careful not to guffaw too soon. Did he consult the National Trainers Federation?

Mr. MacKay: Yes.

Mr. Duffy: Did the hon. Gentleman consult the Jockeys Association?

Mr. MacKay: Yes.

Mr. Duffy: Did he consult the Jockeys' Valets Association?

Mr. MacKay: I am not sure.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Douglas Hogg): That is one out of 20.

Mr. Duffy: Did the hon. Gentleman consult the Racecourse Staff Association—the men who man the gates? Well, did he? Silence. The hon. Gentleman claimed that of the bodies he consulted he found only two who were opposed to the Bill. However, my chairman, the hon. Member for Devizes, and I attended the last conference of the industry held on this subject less than 18 months ago at Sandown park. The hon. Member for Devizes will confirm—because he is familiar with the record which I have here—that more than two of the organisations on the list of the hon. Member for Berkshire, East came out against Sunday racing before this most representative gathering of the industry. More than two qualified their position, as I shall show.

The Horserace Betting Levy Board asked if racing was united and—as I have done— if this was the right time to introduce Sunday racing. The Betting Office Licensees Associaton said that there should be no compensatory blank day, but the National Trainers Federation thought that there would have to be one. To some of us, that seemed to torpedo the case for Sunday racing.

Mr. Soames: Why?

Mr. Duffy: Why is there such anxiety for Sunday racing if there has to be another blank day in lieu of Sunday?

Did the hon. Member for Berkshire, East consult the staff of the Betting Office Licensees Association, as distinct from the TGWU? It is true that the TGWU organises both sets of staff but it tends to be identified with the stable lads. Did the hon. Gentleman consult the staff of the betting offices? They firmly oppose the Bill.

Mr. Thurnham: The hon. Gentleman seems to suggest that the whole of Sunday racing should be run by a sort of cartel of people who would get together to decide whether there should be racing on certain days. The Bill does not suggest for a moment that anyone should be made to race on Sunday. If people do not want to, they need not.

Mr. Duffy: The stable lads, under the leadership of Bill Adams—as opposed to the TGWU—told the conference that 95 per cent. of its members voted against Sunday racing. They oppose the present pay structure, the unacceptable pay deal for evening racing which gives them little, or sometimes no, overtime, and the small payment——

Mr. Holt: The hon. Gentleman is speaking entirely about racing. The Bill before us is about Sunday sport. Let us take the hon. Gentleman's argument to its logical conclusion—did the professional Football Association consult anyone before starting to play football on Sundays? Did anyone go round asking the men who man the turnstiles whether they wanted Sunday football? As the hon. Gentleman is against racing on Sunday, would he also seek to enforce the law and ban all other sports that take place on Sundays?

Mr. Duffy: The answer to the hon. Gentleman's inquiry can be found in a booklet published by Raymond P. Lang on behalf of the Keep Sunday Special campaign.

Mr. Andrew Mackay: Before he leaves this subject, will the hon. Gentleman answer this question: does he think that it is purely my advocacy that has caused people to write to me with a completely different view from the one that he says that they put forward at the meeting at Sandown park 18 months ago; or does he think that they are all lying to me in their letters?

Mr. Duffy: The hon. Gentleman must make up his own mind on that matter. I have already shown the House a considerable and growing discrepancy between his earlier claims and my findings, from which his hon. Friend the Member for Devizes cannot and, I know will not, dissent.

The National Trainers Federation entertains reservations, not only about the possible blank day but about costs and staff redeployment. The Jockeys Association thought there should be a blank day, possibly, Monday, on which there could be evening racing. It was concerned about the possibility of traffic jams on bank holiday Mondays.

The Jockeys' Valets Association was against the Bill because it thought that seven days work would erode family life. Interestingly, the Racegoers Club said that 78 per cent. of its members were in favour but warned that attendances would not rise dramatically because they would drop between Monday and Friday. It did not believe the Bill would increase opportunities to generate increased spending throughout the industry over the week.

The hon. Member for Berkshire, East will accept that the industry is not united on this matter. Important components of it are either against the idea or have strong reservations about it. The hon. Gentleman also said that it was vitally important that no one working in racing should feel exploited or be denied the opportunity of consultation. However, in a recent survey by *The Times*, the facilities for stable staff at Wolverhampton racecourse were described as a disgrace. A recent survey, not by the Jockey Club but by a trade union, discovered that mattresses in the lads' hostel were dirty and showed signs of bedwetting.

Mr. Holt: What does that have to do with it?

Mr. Duffy: It has this to do with it—when, only recently, the Jockey Club set up a working party on Sunday racing, it could not be bothered to invite the stable lads' representatives—either Bill Adams or the TGWU—to join it. That is how important my example is.

The hon. Member for Berkshire, East said that no one in racing should feel exploited or be denied the opportunity of consultation, but to that I would add that no one should feel neglected. The hon. Gentleman and his hon. Friend the Member for Crawley—who described the idyllic conditions at Longchamp—believe that racecourses can provide family entertainment. In the view of the Horserace Betting Levy Board we shall not see those conditions here until hooliganism has been dealt with. [HON. MEMBERS: "Come on—try harder."] I shall come on. I do not have to try any harder because there is enough evidence of the growing incidence not only of hooliganism but of loutish behaviour and violence. Last year there was a fatal stabbing of a racegoer at Newmarket.

Mr. Douglas Hogg: Is the hon. Gentleman suggesting a membership scheme?

Mr. Duffy: Bookmakers have been assaulted at Redcar, Haydock and York. Even at such fashionable courses as Ascot, Lingfield and Goodwood there has been drunkenness and hooliganism, despite the best efforts of the Jockey Club to stamp out such problems.

Mr. Soames: The hon. Gentleman is raising an important point that is of great concern to the industry and to the people who run racecourses. Does he accept—even in the middle of his bilious little speech—that the Jockey Club and the racing authorities throughout the country acknowledge the problem? They have taken important, prompt and effective steps to ensure that, where possible, such problems do not arise, and they will take any necessary further steps. As the hon. Gentleman well knows, the thrust of his argument is entirely negative. It is not a reason in any sense for not proceeding with the Bill.

Mr. Duffy: I said that despite the best efforts of the Jockey Club to stamp out such behaviour the number of incidents has been growing.

Mr. Holt: Will the hon. Gentleman give way?

Mr. Duffy: No, because I wish to proceed with my speech. I shall give those hon. Members who have not spoken a chance to intervene, but I hope that those hon. Members who have already intervened will allow me to proceed.

The hon. Member for Berkshire, East claimed that racing is now ripe for family entertainment. The Horserace Betting Levy Board takes the view that that is not so, and in view of the evidence that I have given to the House it is quite demonstrably not ripe for family entertainment. The hon. Gentleman said that he had been influenced by racegoers interviewed on a racecourse, but he has not taken the trouble to consult those who live near racecourses and who will be most affected. I have done that and I can tell the House that such people object very strongly to the traditional peace of their Sunday afternoons being disturbed in this way. They ask, "Can we not have one day free?" I now come to what seems to be the strongest argument made by the hon. Gentleman, the matter of choice.

Mr. Holt: Has the hon. Gentleman discovered from his researches which racecourse has the most days' racing per year? As a consequence of the Bill that course would have one more day's racing per year. How can the people in the neighbourhood of that course be materially affected if at the moment the maximum number of days out of 365 on which they can be disturbed is probably 18?

Mr. Duffy: I have no doubt that when research in the neighbourhood of racecourses similar to that undertaken in the area of football grounds is available to us we shall find the same results. The hon. Member for Berkshire, East settled for an interview of racegoers carried out at Haydock park. My consultations with people who live near racecourses, which did not depend on second hand research, show that those people will be as much opposed to Sunday racing as people who live near football grounds are opposed to Sunday football.

I shall now return to what seemed to be the strongest point made by the hon. Member for Berkshire, East—the one about choice. A balance needs to be maintained. Freedom to pursue leisure interests for some involves others in the obligation of work. A meeting called by the Transport and General Workers Union at Newmarket a year ago attracted the attendance of Bill Adams and prompted a report. The report says:

> "One lad caught the mood of the meeting when he said: 'I think we are going to be told "there is Sunday racing and you must work", rather than us having any choice in the matter. I want to be at home with my family, not working. A day off during the week is no good, because wives are working and kids are at school.'"

In many important respects that simple contribution from the stable lad says more than any of us will say in the debate for that side of the argument.

When racing is on an ordinary day it will become an ordinary working day for many people, in addition to those employed in racing. Can we not have one day free

[Mr. Duffy]

from normal pressures to provide opportunities for rest, recreation, reflection and worship? Must all seven days of the week now become the same? Of course, recreation, leisure pursuits and social habits have changed. They may now involve some of us in travel and organised recreation, but there is a balance to be kept. There is more to social life than trading, commerce and betting and in opening betting shops in the high street especially for the purpose, irrespective of the wishes of the staff in those betting shops. I challenge the hon. Member for Crawley to repeat what he said sotto voce to his hon. Friend the Member for Berkshire, East a moment ago. I thought I heard him say, "Quite right."

Mr. Soames: What I said was, "Hear, hear." The hon. Gentleman is getting so carried away with his bile that he is losing track of what other Members have said. I agree that proper arrangements have to be made for people who work on Sunday. Does he admit that part of his bitch against Sunday racing is that the Ladbroke organisation will not allow TGWU membership in its branches? I remember a senior official of the TGWU telling me plainly that if we were able to square this away we could have the Bill without any opposition from the TGWU. How does the hon. Gentleman answer that?

Mr. Duffy: I know what the hon. Gentleman is saying. Ladbroke and especially its chairman, are only part of the problem. Unfortunately there is a bigger problem here and it is coming across. I say with the greatest respect that some Conservative Members are giving the impression that there will be Sunday racing irrespective of the wishes of the people who are most directly involved, and especially the wishes of stable lads and others, such as the staff of betting shops who are organised by the Transport and General Workers' Union.

There must be a balance, not only within the industry but between the industry and the rest of society. Genuine humanism requires such a perspective. That is confirmed by the Christian vision of Sunday. For all its shortcomings the regulated Sunday is a sign that points society beyond itself and affords people the opportunity to stand back and renew themselves. That is the meaning of recreation. It is not horse racing, motor racing, cricket, football or cinemas. That is the view of 1,800 people across the city of Sheffield who have signed these petitions and have asked me to convey their views to the House.

Those people believe that there is another view of Sunday that is precious, has served this country well and needs to be retained. For racing on Sunday to become a practical possibility there must be, first, greater unity in the industry, such as that which the Horserace Betting Levy Board has called for. Secondly, there must be such improvement in the working conditions as is acceptable to the labour movement. Thirdly, there must be a more sensitive approach by the promoters of the Bill to the social consequences. Fourthly and finally, there must be reassurances for the churches and for those hon. Members who wish to preserve our traditional Sunday. We must not simply dismiss those people, as the hon. Member for Berkshire, East has done, as sabbatarian zealots. The hon. Gentleman does not meet those requirements and neither does his Bill. I shall vote against it.

10.37 am

Sir Charles Morrison (Devizes): The hon. Member for Sheffield, Attercliffe (Mr. Duffy) has the best interests of racing at heart. I well know that because, as he has told the House, he is vice chairman of the racing committee of which I have the honour to be chairman. I also know that the hon. Gentleman has done a great deal on behalf of racing, especially in the north of England. Therefore, it is with considerable regret that I have to take him to task and strongly disagree with him on the Bill. He is misjudging the situation to a considerable extent.

The hon. Member for Attercliffe said that this is not the right time to introduce the Bill, but by the end of his speech I was no clearer about when the right time would be. He said that my hon. Friend the Member for Berkshire, East (Mr. MacKay) was not the right person to introduce the Bill. I entirely disagree. In my judgment my hon. Friend spoke as a very good constituency Member of Parliament. After all, in his constituency he has one of the three or four major racecourses at which there are a considerable number of race meetings during the year. He has taken the trouble to obtain the reactions of his constituents who live in the vicinity of the racecourse and he has concluded—I am not sure whether it was unanimous—that a large number and certainly a fair majority——

Mr. Andrew MacKay: It was a huge majority and virtually unanimous.

Sir Charles Morrison: Certainly a majority favour Sunday racing. I would go further than that. Far from being unsuitable to support his Bill, my hon. Friend the Member for Berkshire, East is a much more suitable hon. Member to introduce the Bill than someone who might be described as a racing Member.

My hon. Friend the Member for Berkshire, East has not been influenced by any subjective, partisan or pro-racing thoughts. He is reported as saying that racing bores him. Therefore he clearly has the interests of his constituents and other members of the public at heart, in spite of his being bored with the sport.

My hon. Friend has reached an objective judgment about the right of his constituents to do what they want on a Sunday. On the other hand, it is quite clear that he will have taken account of any opposition among his constituents before he concluded that he wanted to sponsor the Bill.

Taking all those considerations into account, the foremost evidence of the support for the Bill is the fact that my hon. Friend has decided to introduce it once again. I do not detract from the splendid job performed by my hon. Friend the Member for Crawley (Mr. Soames) last year. He was a kind of John the Baptist in this respect. The Bill has a better chance of reaching fruition as people interested in Sunday sport, and particularly in racing, have had more time to consider the Bill's pros and cons.

It seemed rather excessive for the hon. Member for Attercliffe to assume that there should be unanimous support for the Bill from everyone who has anything to do with racing or from every member of the public. If this House worked on that basis, no legislation would be passed.

Mr. Holt: What a good thing.

Sir Charles Morrison: Well, that is almost a good thing, but not quite.

With one exception, the Bill regularises what is happening already in the light of changing social conditions. Sunday sports have become a tradition. It may be a tradition which did not exist 20 years ago, but in recent years prople have traditionally enjoyed some form of Sunday sport for which they have paid, either legally or illegally—and very often the latter.

If the Bill's opponents feel so strongly, why have they not tried to initiate prosecutions under the Sunday Observance Act 1780? Why has the Lord's Day Observance Society not done that? Does it want to stop the final of the Open golf, or Wimbledon or Henley Royal regatta? Does it want to stop Sunday cricket or Sunday football? Does it not have the courage of its own convictions? Or does it realise that it would have very little public support, and if it acted it would create a major wave of public indignation and hostility?

In truth, I suspect that the Lord's Day Observance Society knows as well as the rest of us that it is no more than an anachronistic facade dedicated solely to opposing the entainment and freedom of other people. My hon. Friend the Member for Berkshire, East referred to the more moderate Keep Sunday Special campaign. It is worth mentioning in passing that a publication produced last year entitled "The Sunday Sport Question" by Mr. Simon Jones contained a foreword by the Right Rev. David Sheppard, the Bishop of Liverpool. The foreword's first sentence reads:

"As Christians we have no right to impose our values on the whole of society."

I think that he is absolutely right. Of course he went on to qualify that statement. However, I agree with his opening statement. That was a reasonable way of approaching the question whether sport on Sunday should be legalised.

Miss Widdecombe: My hon. Friend has just referred to the fact that Christians should not seek to impose their standards on the rest of society, and a similar comment was made by my hon. Friend the Member for Berkshire, East (Mr. MacKay). Does my hon. Friend accept that the opposition to deregulation measures for Sundays comes from much wider quarters than just Christians? It also comes from workers who are concerned about their days of rest and from people who want a traditional Sunday. The opposition is somewhat broader than he has given it credit for.

Sir Charles Morrison: Of course I agree with my hon. Friend. There is some opposition to this measure, not just from active Christians, but from a range of people. However, the same is true of every measure that passes through the House. There is no compulsion in the Bill. It simply provides a certain number of people with an opportunity to do what they want on Sunday in the same way as the people described by my hon. Friend the Member for Maidstone (Miss Widdecombe) have the opportunity to do what they want on Sunday.

I want now to consider the exception in the Bill relating to the legalisation of existing Sunday sports—explicitly betting and implicitly horse racing. Is horse racing wanted on Sunday? The evidence is that it is. Last year, before the Bill reached the light of day, there was considerable discussion. The Jockey Club had undertaken a comprehensive inquiry and concluded that there was strong support for Sunday racing.

A recent survey on Sunday horse racing showed that 51 per cent. of those questioned said that Sunday racing should be allowed and another 20 per cent. said that they did not mind whether it happened, or they had no opinion. In other words, 71 per cent. of those questioned were in favour of, or not opposed to it. Obviously those figures show that 29 per cent. said that Sunday racing should not be allowed.

Mr. Martlew: With regard to opinion polls, is the hon. Gentleman aware that 75 per cent. of the population of this country are against the privatisation of water? I suspect that that will not stop it getting through the House.

Sir Charles Morrison: I do not believe that opinion polls are the be-all or end-all, but they provide a guide. Whereas 75 per cent. may be against the privatisation of water now—no doubt many will change their minds in the fullness of time—in relation to this Bill we start with the knowledge that 71 per cent. of the public are in favour of, or not opposed to, Sunday racing. The only conclusion that I can draw from that is that the arguments in favour of the Sunday Sports Bill are infinitely greater than those in favour of the privatisation of water.

Mr. Stuart Randall (Kingston upon Hull): Does the hon. Gentleman accept that there is a strong linkage between Sunday racing and the need for off-course betting shops to be open?

Sir Charles Morrison: I accept that there is a strong linkage. The Government have said that if there is to be Sunday racing, there must be off-course betting—and, therefore, betting shops must be open.

A questionnaire enclosed in a race card for a meeting at Warwick on Easter Monday last year asked,

"If racing is introduced on Sundays, will you visit Warwick more often?"

In response to that question, 124 people answered yes, 28 answered no, and there was one "Don't know." My hon. Friend the Member for Berkshire, East spoke about public support for racing in other countries. In France, it is much greater than on the average weekday. In Ireland, where Sunday racing was only recently introduced, the same is true.

Mr. Robert Banks: The French do a lot of things that we do not do, and one of them is shooting game on Sunday. Is my hon. Friend suggesting that, if we follow the French, we should also alter our laws so that game may be shot on Sunday?

Sir Charles Morrison: No, I am not saying that we should automatically follow the French, in doing something that they do. I am saying only that in countries where there is Sunday racing there is more support for it than there is for racing on an ordinary weekday.

Mr. Duffy: That is because, in those other countries, there is not racing every weekday.

Sir Charles Morrison: They may not race every weekday, but they do on some weekdays.

There cannot be horse racing without betting, and that is the crunch for many people who oppose gambling on Sunday. However, there is already Sunday gambling, so I find that argument difficult to accept. On Sundays, casinos and bingo halls are allowed to open, and credit betting is available to those who are well enough off to enjoy it. The only people who cannot make a bet on a horse race on Sunday are those who do not have the facility of credit

[Sir Charles Morrison]

betting. That is nonsensical in 1989, when most people can legally go to a bingo hall, or can pour money into a fruit machine.

Another aspect that must be considered is the arrival of satellite television, because, as that becomes more prominent in everyday life, more racing will be transmitted from countries that stage Sunday race meetings and will be seen in British homes. The consequence will be that those who enjoy credit betting facilities will indulge in their desire to bet. What will people do who if they do not have that facility? It is an odds-on certainty that unless people are given a legal opportunity to make their bets in betting shops, there will be a renewed growth of illegal betting. That is a point to which the Government must pay considerable attention in forming their attitude to the Bill.

As for employment and those who work in racing and allied industries, my hon. Friend the Member for Berkshire, East has already referred to the protection that the Bill provides. Paragraph 1 of the scheule to the Bill states that

"Subject to paragraph 3 below, the dismissal of an employee who is employed in a licensed betting office or in connection with sport and was so employed on the day before the commencement date shall be regarded as unfair for the purposes of Part V of Employment Protection (Consolidation) Act 1978."

It is not only the person employed in a betting office or in a stable, not only the stable lad or the racing staff, but, presumably, also the man who drives the horse box to the meeting who will be protected. the schedule provides considerable protection.

Mr. A. J. Beith (Berwick-upon-Tweed): The hon. Gentleman skipped very quickly over the words

"and was so employed on the day before the commencement date".

That is a closing door form of protection that applies to people already employed in the industry, but not to anyone who subsequently enters it.

Sir Charles Morrison: Anyone who enters a new form of employment should know beforehand what are his working conditions. Having entered that employment, the employee then knows what to expect, in the same way that a waiter in a restaurant knows that he has to work on Saturdays, but is protected if the law is changed and he does not wish to observe a new requirement to work on Sundays. Anyone entering a new form of employment knows what are the conditions, and enters it with eyes open.

Mr. Holt: When I was director of personnel for the William Hill organisation 25 years ago, all new employees were told that they were liable to work on Sundays. That was because, in those days, we had a large business in fixed odds football pools that had to be checked on Sundays.

Sir Charles Morrison: My hon. Friend emphasises the validity of my argument, and demonstrates that, for a long time, people have been required to work on Sundays in relation to one aspect of the betting industry.

The success of Sunday racing will depend on the good will of all those employed in racing and in related industries. That good will shall be forthcoming only if their pay and conditions of work are adequate. I was glad that my hon. Friend the Member for Berkshire, East laid such stress on that point. I believe that a larger return from the levy would be the main and best means of bringing more money into racing. That money would gradually feed through to the benefit of everybody employed in the industry. I equally believe that if Sunday racing were to be supported in this country to the extent that it is in every other racing country where it occurs—which is every country except New Zealand—it will follow that Sunday racing itself will bring in a little more money to the benefit of all those employed in the industry.

It is important to put the Bill in its proper perspective. It is an important Bill for racing, and it will remove the fear of prosecution and the dislike of acting in breach of the law felt by the organisers of sports that are already enjoyed on Sundays. In national terms, the effect of the Bill will be virtually unnoticed. There will be 12 Sundays, on each of which there will be three race meetings, making a total of 36 meetings spread over 59 racecourses. Twenty-three courses, therefore, will never have a Sunday meeting. That number may be even larger, because certain courses may hold two or more meetings. In the holiday season, one or two seaside race courses may hold two Sunday meetings, but that will be a matter for the judgment of the Jockey Club and for the owners of the various racecourses.

Overall, I believe that Sunday racing will have a minimal impact on non-racing people. I am convinced that there will be Sunday racing sooner or later, and there is no better time for it to start than now.

11 am

Mr. John McFall (Dumbarton): I congratulate the hon. Member for Berkshire, East (Mr. MacKay) on the way in which he introduced the Bill and his skilled advocacy of it. I am profoundly against his Bill, but he made an excellent speech. He stuck to the arguments, and I shall endeavour to do so myself. This is a short Bill and——

Mr. Ray Powell (Ogmore): On a point of order, Mr. Deputy Speaker. I know that you normally take points of order on Fridays at 11 o'clock, especially on issues that hon. Members think are of grave importance. You will recall, having been here in the early hours of the morning, at 10 past 12, the disruption caused by Conservative Members during the Adjournment debate. Have you taken up this matter with Mr. Speaker? If so, has he made any decision about what future attitude will be taken by the Chair about points of order when an hon. Member is speaking on the Adjournment particularly on a Thursday night, which is when Mr. Speaker makes the selection, and has been interrupted for the best part of the half an hour allowed for the Adjournment debate? Could you inform the House, for future reference, whether a decision has been reached?

Mr. Deputy Speaker (Sir Paul Dean): This matter was raised with Mr. Speaker on a point of order, at the beginning of the proceedings this morning, and I am sure that the hon. Gentleman will be able to read Mr. Speaker's comments in *Hansard* tomorrow.

Mr. McFall: This is a short Bill of four simple clauses, but it has immense implications and complex ramifications. It would appear innocuous in itself, in that it requests that

"The entertainments and amusements to which the Sunday Observance Act 1780 applies shall not include any race, athletic sports or other sporting event."

It could be seen as a stalking horse, whether wittingly or unwittingly, for Sunday trading. That is the implication, and that is the next step along from the Bill.

Some say that the Bill would introduce a creeping growth in unfettered Sunday commercial sport and its links to Sunday trading. Against the Bill is a coalition made up of churches, trade unions, retail groups, trade organisations and communities, so that the opposition goes across the spectrum. They are opposed to the Bill because they feel that, if it is passed, the traditional character of Sunday will be fundamentally and irreversibly changed.

Mr. Holt: Has the traditional Sunday in Scotland been changed as a result of not having trading regulations on a Sunday?

Mr. McFall: Yes it has. The issue in Scotland is not relevant to the debate because Scotland was not included in the Shops Bill because the drafters overlooked it, assuming that Scotland, being a Presbyterian country, would not need the restrictions which they thought appropriate for England. That situation held until 10 years ago, when certain major firms—mostly English-based retailers—decided that it was worth while to take advantage of the loophole in the law of Scotland. Therefore, the position of Scotland is different, and we cannot compare it with that in England.

The Bill will allow shops to be open on Sunday, and if some shops are open the floodgates of complete deregulation will be open, with all its attendant problems. Those who want the Bill advocate deregulation. Hon. Members have referred to questionnaires and have said that a certain percentage of people are in favour of the Bill, but I should like any questionnaire about Sunday trading to be linked to a complementary one about working on Sunday.

When the Auld committee considered the implications of the Shops Bill, it realised that there were many difficulties in the protection of shopworkers. In 1986, the late Earl of Stockton, speaking in the Committee on the Shops Bill, said:

"The Bill is meant to make it possible for people to trade freely on Sundays . . . It is not meant to make life more difficult for shop assistants. It is not meant to make the conditions of their labour worse. I am not talking now about the kind of shops that probably will not open on a Sunday anyway . . . But there are many small shops that will take advantage of this legislation. They will just be the kind of people who will try to exploit the weak and often transient population who are the kind of people likely to become shop assistants."—[*Official Report, House of Lords*, 23 January 1986; Vol. 470, c. 159.]

Also, Baroness Ewart-Biggs said in a debate in the other place:

"We must always remember that the two very vulnerable groups who would be most affected are the shopworkers". —[*Official Report, House of Lords*, 8 February 1989; Vol. 503, c. 1568.]

Mr. Andrew MacKay: I am listening carefully to what the hon. Gentleman is saying, and I respect his deeply held views. He seems to believe that, if my Bill is passed, shops will be open on Sundays on a fairly large scale. On 12 Sundays of the year, between noon and 6.30, bookmakers would be open, but not any other shops. Sunday opening could not be extended by my Bill. That would require the introduction of fresh legislation.

Mr. McFall: I accept that that is what is in the Bill. However, if the Bill were passed, a head of steam would build up. There is already a lobby in favour of changing the Shops Act and of deregulation. The Bill would give it added impetus.

The racing fraternity wants to have its cake and eat it. Why not simply allow on-course betting? The hon. Member for Berkshire, East spoke about his discussions with the Home Secretary. The Republic of Ireland has introduced racing on Sundays, but its betting shops do not open on Sundays. They take bets on Saturdays, and I see no inconsistency in that. Why should we not apply that system here?

Many of those who support the Bill say that they are in favour of preserving the traditional Sunday, but that is fraudulent, because the two are mutually exclusive.

The Union of Shop, Distributive and Allied Workers is against the Bill because it fears that there will be no protection for shopworkers against exploitation. I realise that the Bill includes a schedule protecting the rights of existing employees, but employment legislation would need to be revised if the Bill were passed. There cannot be any meaningful protection for workers, and in support of that argument I cite the latest changes to the industrial tribunals for workers which make it harder for them to appeal. Unfortunately, what the hon. Gentleman, in good faith, has put in his Bill will not be sufficient protection for shopworkers.

Mr. Ray Powell: My hon. Friend mentioned USDAW. He will know that that union sponsors me. It is concerned not only about the effects of the Bill but about the fact that it could be the thin edge of the wedge for the introduction of Sunday shop opening. Will my hon. Friend comment on the USDAW stand on this matter since 1986?

Mr. McFall: USDAW has genuine fears. I have been into shops in my constituency over the past few weeks, knowing that the Bill was to be debated. In many supermarkets, 15, 16 and 17-year-olds take the money, and when I ask them what their conditions of work are they say that they work for a limited time, that there is no protection for them and that they can be dismissed just like that.

In my constituency there are two cases involving young people of 16 and 17. I have written to the supermarkets in question, as I have in other instances in the past year, and in reply to my letters to the supermarket chairmen I receive answers saying that they are sorry and that it will not happen again. That does nothing for the advancement and consolidation of shopworkers' rights. Therefore, USDAW is concerned about the Bill.

Mr. Soames: What does this have to do with the Bill.

Mr. McFall: We are talking about management problems. It has already been suggested that there will be one free day, so that people will be left having to work a six-day week. Marks and Spencer carried out a study of shopping on Sundays. It looked at shopping patterns in America and concluded that the same amount of money is taken in six days as is taken in seven.

Mr. Holt: On a point of order, Mr. Deputy Speaker. That is totally irrelevant. We are not talking about shops.

Mr. Deputy Speaker: Order. I hope that the House will leave the question of what is and what is not in order to me.

Mr. McFall: Thank you, Mr. Deputy Speaker. If the hon. Gentleman had followed the logic of what I was saying, he would not have raised that point of order.

Sunday racing is but one step away from Sunday trading and it should be viewed in that light. Shopworkers and local residents ought to be consulted because they will be affected by the Bill. No hon. Member has referred to consulting individuals who will be affected by the Bill. Local issues are involved. There will have to be safeguards against unwarranted problems caused by hooligans. Local authorities as well as local groups have a role to play.

Local authorities should be given the power to license Sunday sport, after consultations with local groups. If the sponsor of the Bill had included such a provision, genuine consultation with all involved would have been assured. That would have been the best way to go about it. The Bill can be compared with the authoritarian way that the Government intend to go about issuing identity cards to football supporters.

There is a precedent for my suggestion that local people ought to be consulted over sporting fixtures—the Betting, Gaming and Lotteries Act 1963. A sports stadium is required to obtain a licence from the local authority before betting is allowed there. If such a provision were included in the Bill, it would be a much better Bill.

There is a special quality about Sundays. Soon after the French Revolution of 1789 Sunday was abolished. Latin words were used to describe the days of the week, but Sunday was quickly re-established. Despite what the sponsors of the Bill want to do, I believe that Sunday is here to stay.

11.12 am

Mr. Nicholas Soames (Crawley): I congratulate my hon. Friend the Member for Berkshire, East (Mr. MacKay) on having introduced the Bill. It improves and expands the Bill that I introduced. It is right and proper that important and contentious matters of this kind should be debated by the House on a number of occasions. In that way they are refined and honed before they go into Committee; meat can be put on the bare bones. My hon. Friend has done a remarkably good job in carrying out such full and extensive consultation. He has produced a little beauty of a Bill which deserves the full and wholehearted support of the House. At the least, it should be given a Second Reading and considered in Committee.

I regret that the hon. Member for Sheffield, Attercliffe (Mr. Duffy) is not here to take his medicine, but I am going to give it to him in his absence. He made a disagreeable, sanctimonious and arrogant beast of a speech. It was destructive and mean. I think that the all-party racing and bloodstock committee should consider appointing a new vice-chairman. His portrayal of the racing industry was a travesty. No doubt we shall hear a similar speech from the hon. Member for Mansfield (Mr. Meale). His assertion that my hon. Friend the Member for Berkshire, East was not the right and proper person to introduce the Bill was downright offensive. With his sponsors, such as the right hon. Member for Birmingham, Small Heath (Mr. Howell), my hon. Friend has done a thorough job. They have examined carefully the opportunities that were open to them to produce a better and more effective measure.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): Did the hon. Gentleman do my hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy) the courtesy of telling him that he intended to refer to him in such a way? If he did not, he has not served the House well.

Mr. Soames: That was the most extraordinary remark to make. The hon. Member for Attercliffe made a very long, offensive and controversial speech and then left the Chamber. If he did not have the manners to stay, that is a matter for him. Had I intended to raise the matter on another occasion, of course I should have informed him, but since he has not had the manners to stay he will have to read what I have said about him. I should be happy to repeat what I have said to him outside the Chamber.

Last Sunday, West Ham football club and the club of my hon. Friend the Member for Welwyn Hatfield (Mr. Evans), played an important match in front of a crowd of 22,000 people. A further 6 million watched the match on television. I am proud to say—because I know that Opposition Members do not follow football as keenly as Conservative Members—that my hon. Friend's team cantered to an easy victory and that they are coasting towards the final of the Littlewoods cup. We look forward to receiving the same hospitality as we did on the last occasion. Such sporting events take place every Sunday.

Mr. McFall: Opposition Members watch football from the terraces. It ill behoves the hon. Gentleman—the best-dressed John the Baptist that we have ever seen—to criticise Opposition Members.

Mr. Soames: After listening to the hon. Gentleman's speech, I can only say that I hope that he does not do it on Sundays.

Every Sunday, sporting events take place against the background of the Sunday Observance Act 1780, in a spirit that openly and flagrantly breaches the law of the land. By charging for admission—whether for cash or tickets sold in advance, or for car parking or other reasons—Those events are taking place illegally. They include the Wimbledon finals, the British Open golf championships, the Littlewoods cup final, at which we hope to be the guest of my hon. Friend the Member for Welwyn Hatfield, the British grand prix, the Sunday cricket league and the International polo championships, so frequented by Opposition Members. The list goes on.

In theory as well as in fact, all these events take place quite improperly. Their organisers are breaking the law when they charge for admission. The law is self-evidently being brought into disrepute. The House of Commons should not allow that to continue for a moment longer. It is a most unhappy and unsatisfactory state of affairs which cannot and must not be allowed to continue.

It should not be for this House to prevent the extension of facilities for the further enjoyment of leisure by millions of our constituents. Sundays have changed. In my view they have changed for the better. Sunday is becoming an even more special day. More and more opportunities are opening up for families to spend the day together at a wide variety of events—and rightly so. The leisure industry, which is one of our biggest and most important of employers, is expanding all the time as demand grows.

Mr. Beith: Can the hon. Gentleman really define betting shops, which are the crux of the Bill, as appropriate places for families to spend their Sundays?

Mr. Soames: I do not regard betting shops as being the crux of the Bill, but they are an important part of it. I understand the hang-up that the hon. Gentleman has about gambling, but I think that he is talking nonsense. It is perfectly possible and legal for all of us to go into a pub, or a bingo hall, or any other public place and fill slot machines with 50p coins on a Sunday. We can go to a casino—I am sure that the hon. Member for Berwick-upon-Tweed (Mr. Beith) is never out of them on Sundays. If, like Opposition Members, we are better off, we probably have credit accounts at Ladbrokes, but the ordinary fellow who is not deemed creditworthy by that august organisation is not permitted to have a bet. It is a leftover from the nanny state which could be swept aside without any harm to the British populace. It is the worst sort of class distinction—the sort that the Opposition have practised for many years.

Mr. Beith *rose*——

Mr. Soames: I must get on.

More than 110,000 public houses, restaurants and other licensed premises are open on Sundays. They have reached harmonious, honourable and satisfactory arrangements with their employees. There is no reason why racing should not do the same. There are many thousands more cafes, pizza parlours, hamburger houses and other eating places that do not sell drinks and are open on Sundays.

Mr. Martlew: Will the hon. Gentleman give way?

Mr. Soames: No.

I hear no great clamour in the House for those facilities to be closed. I hear no great claims from the Lord's Day Observance Society that those are unsatisfactory and improper places. Does the House really believe that the opening of National Trust properties, gardens and museums as well as casinos and bingo halls has wrecked the spirit of the family Sunday? Of course it has not, and no more would racing on Sundays.

By and large, those who oppose the Bill are entirely out of touch with the feelings, demands and aspirations of family life in Britain today. They tend to use the word "family" as an entirely emotive red herring. The Bill prevents no one from going to church. Nor, I am glad to say, does it make it compulsory for people to go to church, and it does not stop people staying at home if they want to. But it does enable people to go legally, with or without their family, to the sporting event of their choice, and—whisper it not in Sodom—to have a bet. It is hardly Sodom and Gomorrah made flesh at Kempton Park on a Sunday afternoon. We welcome back the hon. Member for Attercliffe. I am so sorry that he was away when I was having a word about his disagreeable little speech.

Mr. Duffy: One of the most strictly observed conventions of the House is that an hon. Member does not refer to another hon. Member without giving him notice of his intention to do so or, during the course of the debate, waiting until that hon. Member has resumed his seat. The hon. Gentleman knew perfectly well that after I sat down I would be required in the *Hansard* room, as he shall be soon.

Mr. Soames: The hon. Gentleman speaks with much more experience than I do, but normally when one receives a note from *Hansard* it says, "Your speech will be ready for inspection within one hour." Because the hon. Gentleman's speech was extremely simplistic, I am sure that it will be ready in about 10 minutes. I was not to know that the hon. Member would spend so long correcting his speech, although it was a rotten little speech. I was not to know that the hon. Gentleman would come back, and I shall be very happy to repeat to the hon. Gentleman outside the Chamber exactly what I said inside the Chamber. Although the hon. Gentleman is a senior Member, he would do well to remember that if he plans to make a constroversial speech, he should wait to hear what other folk have to say about it.

At present, sporting events are taking place entirely in contravention and breach of the Sunday Observance Act 1780, which describes such gatherings as "disorderly houses" or, "disorderly places"—rather like the parliamentary Labour party. *[Interruption.]* I am so sorry; that was a terrible thing to say. I hope that hon. Gentlemen will not be offended.

The present state of the law has surprised and shocked some of the eminent and important people who attend the Wimbledon finals and other great sporting occasions which take place on Sundays. The organisers of such events are liable to fines and, indeed, imprisonment. The law is still liable to pounce on Sunday sport, but it is largely unenforceable and unenforced, and for that reason it is brought into disrepute. That is an unattractive and unwelcome state of affairs for any Government of whatever persuasion. I believe that it should be put right.

Cricket, football and rugger matches at which admission is charged are held on Sundays as a matter of course. Some organisers, particularly of Sunday gold tournaments, try to get round the law by making spectators one-day club members. Sports venues such as Wembley have one free gate which they hope and pray no one will find. If it is found, there is room only for 200 people. Such transparent devices would rightly founder if tested in court. Some sporting organisations that do not have the muscle of the big sporting bodies are frightened to stage events on Sundays, although their members would very much like them to do so. That is further evidence of the higly discriminatory nature of the way in which the law has evolved.

The sporting organisations, which I know have been fully canvassed by my hon. Friend, contrary to the suggestion of the hon. Member for Dumbarton (Mr. McFall), strongly wish these matters to be cleared up so that they no longer have to resort to subterfuge and continued malpractice. Surely, when a law is so widely and frequently broken in the presence of so many millions of people, it must be right for the House to adjust it to remove the threat of penalties. That is what happened when the Sunday Entertainments Act 1932 at last allowed admission to be charged for singing, musical and similar entertainments. Forty years later the Sunday Theatre Act 1972 made a similar provision and Sunday cinema shows have gradually been made legal and become popular. I hear no great cry from the Opposition, or from Conservative Members who disagree with the Bill, that such facilities should be withdrawn. But sport remains a major and serious victim. Parliament should not be seen to be too lax or easy going about such matters, but every Sunday the law of the land is brought into grave disrepute.

Although I greatly respect the views of the hon. Member for Dumbarton, the Bill has nothing to do with the Shops Act. I hope that he will accept that when I introduced my Bill, and when my hon. Friend the Member

[Mr. Soames]

for Berkshire, East (Mr. MacKay) introduced his, it had nothing to do with the Shops Act. It is not a stalking horse for Sunday trading. I share the views of the Opposition about some aspects of Sunday trading.

Mr. Lofthouse: We accept that that is the case and we accept the sincerity with which the hon. Gentleman has spoken. However, does he agree that the Bill will make it legal for betting shops to be opened on Sundays? Why does he feel that that is essential and why are they to open on 12 Sundays? Why should they be open at all?

Mr. Soames: The guidance that my hon. Friend was given by the Home Secretary is that it would be acceptable for those betting shops to be open on only 12 Sundays a year. The hon. Gentleman may laugh, but the Bill provides for betting shops to open on only 12 Sundays a year.

Mr. Martlew: Why?

Mr. Andrew MacKay: The hon. Member for Pontefract and Castleford (Mr. Lofthouse) was not in his place when I made the point, so I shall clarify it for him. I would have been quite happy with on-course betting only when the organisers wanted to stage horse racing meetings on Sundays. My right hon. Friend the Home Secretary made it clear that he and his advisers believed that having only on-course betting would lead to a return to the bad old days of the 1950s with illegal gambling and racketeering. I have to accept that from an eminent Home Secretary who has good professional advice. In order to take into account the views of hon. Members, such as the hon. Member for Pontefract and Castleford (Mr. Lofthouse), who are concerned about bookmakers opening on a Sunday, they have been restricted to opening on only 12 Sundays a year between noon and 6.30 pm.

Mr. Soames: I know and understand the reservations of the hon. Member for Pontefract and Castleford (Mr. Lofthouse), but he must accept in good faith that the Bill is not a stalking horse for the Shops Act. It would not allow a single extra retail shop to open or to spoil in any way the special nature of Sunday.

Most fixtures take place on grounds away from major centres of population. Horse racing is gravely discriminated against by Sunday laws and yet it is the favourite sport of millions of our fellow citizens from all backgrounds and all parts of the United Kingdom. The racing industry is rightly proud that it already provides marvellous entertainment for all the family. No other sporting gathering should find such favour with the Labour party. There is no sporting gathering at which the atmosphere is more friendly and welcoming than a gathering at a racecourse. A day at the races is a proper, old-fashioned day out in the open air with the added attraction of a superb spectator sport.

By their very nature, most of the 59 racecourses in Britain are away from built-up areas. To open racecourses on a Sunday would do no more to destroy the special nature of Sundays than does the opening of historic houses, garden centres, safari parks and museums. We are the only major racing country, apart from New Zealand, which does not have Sunday racing. In France, more than three times as many people go racing on a Sunday as the daily average for the rest of the week, including Saturday.

Mr. Martlew: Many times today France has been offered as an example that we should follow. Is it not a fact that in France one can lose one's money on a horse on Sunday and then eat the horse for dinner on Monday evening? They eat horses in France. Is the hon. Gentleman suggesting that we should follow the French example?

Mr. Soames: I regret having given way to the hon. Gentleman. That is the most absurd point I have heard from an Opposition Member this year.

I should tell the hon. Member for Carlisle (Mr. Martlew) that my hon. Friend the Member for Calder Valley (Mr. Thompson), the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, was a practising butcher before coming to the House. He went to see the film "Watership Down" and, as a good selling point, he bought 150 rabbits which he strung up outside his shop. He put a sign underneath saying "You've read the book, you've seen the film, now eat the cast." I know that that will be deeply shocking to Opposition Members, who are all vegetarian.

The House should know that many more people go to church in France than in Britain.

The point made by the hon. Member for Attercliffe with which I have the most sympathy—if it is possible to have such sympathy—is the only serious point in his speech. It concerns the difficulties of work and the problems attached to that. The hon. Gentleman and I duelled across the Floor when we debated this matter last year. I and my hon. Friend the Member for Berkshire, East consulted various bodies, including jockeys' valets, and my hon. Friend the Member for Devizes (Sir C. Morrison) consulted many more organisations. I think that we have covered everybody. None of us was in any doubt that Sunday racing could not take place, and nor would the racing industry wish it to take place, without honourable and decent arrangements being made for all those who would take part, including stable lads, jockeys, jockeys' valets, racecourse staff and everyone else. An agreement would have to be arrived at which would enable Sunday racing to take place. That must go without saying.

Clause 3 incorporates a schedule into the Bill, which is certainly not perfect—my hon. Friend the Member for Berkshire, East does not claim that it is perfect—but it is a decent starting point for the Bill to go into Committee and for discussions to take place which will help us to arrive at an honourable arrangement.

Mr. Thurnham: My hon. Friend said that more people in France go to church on a Sunday—and may then go to a race if they wish—than go to church in this country. Does he not think that the Lord's Day Observance Society should address itself more to that problem? In my constituency there are more Moslems in their mosques on a Friday and Jews in their synagogues on a Saturday than Christians in church on a Sunday.

Mr. Soames: I would not wish to be drawn into such an argument because I may have to debate those matters with the bishop of Durham. I agree with my hon. Friend that that is one of the fallacies of the argument put by Opposition Members. Those who oppose the Bill do so for such rag, tag and bobtail reasons that it is difficult to find out where their objections lie.

This is an excellent and important Bill. It will bring great pleasure to millions of ordinary folk in Britain and will harm no one. It will return to the law the respect to

which it is entitled. I urge the House to consider carefully allowing the Bill to go into Committee for further and deeper consideration.

11.35 am

Mr. Denis Howell (Birmingham, Small Heath): I am glad to be the first Opposition Member to endorse the Bill and to congratulate the hon. Members for Berkshire, East (Mr. MacKay) and for Crawley (Mr. Soames), who introduced a similar Bill on a previous occasion, on the impeccable logic of their speeches today as well as their support for the measure. I should also like to congratulate Lord Wyatt in another place who introduced a similar Bill and, with great skill, persuaded their Lordships that it should be passed into law.

I have a record on this matter. On 14 March 1958, shortly after coming to the House, I won first place in a ballot for private Members' motions. I introduced a motion calling for a Select Committee to be set up to deal with Sunday observance. It is now 30 years on and one would have liked to think that we would have made more progress on people's cultural activities, which is how sport should be described.

When we changed the rules for the arts, music and the theatre we had none of the unacceptable and illogical opposition that arises when we deal with sport. As a sporting man, I take grave exception to the distinction that has been made by some—and I am sorry to say that some of the opposition comes from my hon. Friends—between one man's sporting and leisure activities and those of another. I hope that we can put that right.

The Sunday observance laws still obtain in this country and go back to the 17th century. I mention that because we have to explain how we approach these matters. I respect the views of those who have spoken today but with which I thoroughly disagree. Few people in the House or outside would think it right to defend legislation of a social character which looked back over 300 years. The Sunday Observance Act 1625 says that there should be no sport or pastimes on a Sunday and a fine is still in operation. It is three shillings and fourpence. In those days I suppose that it was a lot of money. There was further legislation on Sunday observance in 1677 and 1780. Those who oppose the Bill for football supporters' identity cards will find a certain piquancy about the Sunday Observance Act 1780 which in retrospect, should be known as the "Moynihan Act". It makes it illegal to row or ride in a boat which is mechanically propelled. Hon. Members know that the Minister with responsibility for sport does no sport better than rowing a boat. The legislation, which was 300 years ahead of its time, was designed to curtail his activities. I only hope that the authors of the legislation come to our assistance when we debate the diabolical plan to introduce football identity cards.

Although they are still on the statute book, those laws have fallen into disrepute, and we must face up to that fact. Many years ago, it was illegal for a working man to place a bet with a bookmaker. I used to do that on behalf of my father when he was ill. It gave him a lot of pleasure to have a flutter. It occupied his mind to read the *Daily Herald*, as it was in those days, and ask, "Would you please put a bet on for me?" That was his great interest in life. Some hon. Members like to think that they represent the working classes. I accept that the definition of working people is much broader than it was in the old days, but we must not despise the simple pleasures of ordinary people who want to have a bet on a Sunday or on any other day.

Sport and worship on a Sunday are not incompatible. I regularly watch Warwickshire cricket club play on Sundays and then go to evensong, which happens to be my favourite service, and I greatly enjoy it. Next Sunday, when I am in Torquay having a weekend's break, I shall go to the United Reformed central club. If it were possible to watch Torquay United, I would do so, but they will not be playing. I shall indulge in some other pleasures which certainly rely upon the employment of people in the hotel, leisure, recreation or boating industries. If I decide, as I often do when I am on holiday, to do a little sea angling and hire a boat and a boatman to take me out to sea, it never occurs to me that there is anything incompatible between worship and that enjoyment.

It has always been my approach to life that, in essence, the purpose of recreation is spiritual. We should emphasise the word "recreation". That is what we do on Sundays, and that is one reason I do not want to see the nature of Sunday greatly transformed and why I have always voted against Sunday trading regulations, and I shall continue to do so. Sport, recreation, theatre and the arts are part of recreation.

On a theological subject, if the House will not mind my indulging myself for a moment. I shall refer to something that I said in the House on 14 March 1958. I said that William Temple, one of the greatest archbishops of this country—I am certain that that is accepted by Opposition Members—speaking on this very subject, said:

> "The most precious gift of God to man is that of individual free will."

On the importance of individual free will, which he said was greater than almost any other concept in a democratic society, he said:

> "It is worthwhile to notice how absolute was Christ's respect for the freedom of personal choice. He would neither bribe nor coerce men to become followers. Judas must be allowed to betray Him if he is so determined. Not even to save a man from that will the Lord override his freedom. For on freedom all spiritual life utterly depends. It is astonishing and terrifying that the Church has so often failed to understand this."

That is extremely moving writing by the former Archbishop of Canterbury, and we should take it into account. I rest my case on the essence of free will representing the centre of the Christian faith.

I have another interest to confess. More than anybody else, I am responsible for the start of Sunday football in this country. It started during the war when we were working six and a half days a week in Birmingham. The only time we had for relaxation was on Sunday afternoons. Therefore, I decided to form a Sunday football league. It was the first Sunday league ever affliated with the Football Association. Such was the humbug operating in those days that, to get it affliated, we had to call it the Birmingham Monday League—Sunday Section. That is how Sunday football originated in this country.

At the end of the war, when people were a little more relaxed and we were clearly winning and there was the development of Sunday cricket, the great Cavaliers organisation was started by the late Basil Harvey, and it included people such as Denis Compton and others who, although they were in the forces, turned out on Sundays. One of the greatest cricket performances I have ever seen was performed by the late Sir Learie Constantine, who

[Mr. Denis Howell]

later became Lord Constantine—he was Learie to us. He gave a magnificent demonstration of all aspects of cricket —batting, bowling and fielding—on a Sunday at the Edgbaston cricket ground. I had spiritual uplifting from that performance. Some people might find that hard to understand, but I treasure that experience.

As we have been told many times today, Sunday sport is an essential part of the fabric of life of this country. No right hon. or hon. Member would dare say that we want to invoke the Sunday Observance Act and stop all Sunday sport. I am glad to say that nodoby is proposing any such thing. One of the great virtues of the Bill, against which people have a legitimate point to raise in opposition, is its sense of balance. Hon. Members must ask themselves whether, because they object to betting shops being open on 12 Sundays, they should oppose legitimising all sport. The royal family and the Prime Minister attend events such as Wimbledon. I like to think that the right hon. Lady's occasional association with sport is for the benefit of the nation. I wish that she would go more often. We might then get better political decisions from her.

We have Sunday football. I acknowledge the great achievements of Luton Town. I wish the team well in its forthcoming encounters. In the presence of the distinguished chairman of that club, the hon. Member for Welwyn Hatfield (Mr. Evans), I am glad to say that if his team goes to Wembley, none of his supporters will need identification cards. Many more thousands will be there to cheer them on than he could manage to get into his ground at Luton, where he is keeping them out. But that matter is for another day. I genuinely wish Luton every success.

What are we to say to the 500,000 people who turn up to watch motor racing events such as the grand prix? Are we to discount those people and say that they are engaged in some evil activity? Certainly not. What about people who watch motorcycle scrambles, rugby league matches and golf—the Ryder cup and the British Open? We have to take account of their wishes. If there are good reasons, who is to override them? We are not entitled to do so. That is our purpose here. But there are no good reasons to override the recreational activities of millions of British people.

I wonder what people who object to Sunday sport do on Sundays in their homes. If they were logical, they would never turn on the radio or watch the television. Millions of people get pleasure from watching football matches, cricket or golf on television on Sundays. Sometimes they even watch racing, but that must be projected from abroad. I have never met people—I suspect that there are only few—who say that they will not allow any activity on Sunday in their household, and who do not listen to the radio or watch television. To provide us with those pleasures entails the employment on Sunday of large numbers of people, most of whom do not wish to work on Sundays.

I am a lifelong trade unionist. This is almost my 50th year of membership of my union, for 12 years of which I have been president. I understand the difficulties about trade union rights and protecting working people. The Bill will give more statutory protection to workers in Sunday employment than has ever been put on the statute book by any Act in my 30-odd years in this House. I welcome that and want to take advantage of it.

If Ladbrokes will not allow people to join the union, to which I understand one of my colleagues who is sponsored by the Transport and General Workers Union will draw attention, that is disgraceful. Everybody has a right to join a trade union and to be organised. If I am fortunate enough to serve on the Committee, I shall be happy to do what I can to extend trade union rights, protections and recognition as far as possible. Certainly protection for those who do not want to work on Sundays and proper rates of pay for Sunday work can be included in the Bill. That will be a great advance for the trade union movement and something which we have not had previously.

Mr. Soames: I know that the right hon. Gentleman was extremely helpful to me last year when we were discussing these matters and that he helped Lord Wyatt to draft the schedule. Does he agree that it is not possible to have racing on Sunday, leaving aside the question of TGWU representation in betting offices, unless an honourable agreement is reached by all concerned on day one? It would not work without it.

Mr. Howell: I absolutely agree with the hon. Gentleman. At the end of the day we must have good will to enact anything. However, I have sympathy with the points raised. My hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy) read, I think from a survey in *The Times*, about the conditions of race courses. Some of us would like to apply our mind to that. The Jockey Club and other institutions must be as zealous about safeguarding conditions and paying proper wages to stable boys and others as about prize money and other aspects of racing. I should like them to go down that road. It is to the great credit of Lord Wyatt that in the other place he raised several outrageous matters and managed to get the Jockey Club and others for the first time to think about the welfare of their employees.

I am all for protecting stable boys and people in betting shops, but we all take full advantage of others who work on Sundays, for example, in hotels, restaurants and seaside resorts. When my hon. Friends tell me that we must not allow anything which causes a disturbance on Sunday, I wonder what they think happens in Blackpool, Torquay or Cornwall during the summer season. People work for our pleasure and convenience and we should be glad that they do. As a trade unionist and Socialist, I want those people to have every possible protection, the right to join a union and proper rates of overtime. That is perfectly legitimate and arguable. We can no longer say to people in the leisure business, any more than we can say to doctors, nurses, and workers in the gas, electricity, water and transport industries, "We do not want you to work on Sundays." We know that they do not want to work on Sundays, but they work for the convenience of the nation. We should ensure that their rights and conditions are protected.

Mr. Thurnham: Is the right hon. Gentleman aware that more than 5·5 million people work on Sundays? The proposals to deregulate Sundays would increase that figure by only about 10 per cent. or less. Does he agree that a great deal of humbug and hypocrisy is spoken about this?

Mr. Howell: I would not go that far, but I know from my 35 years' experience in this House that a lot of humbug and hypocrisy is spoken on every conceivable subject that we are likely to debate. We must consider these matters as reasonable men and women.

Mr. Randall: I have listened with great interest to my right hon. Friend's logic and his point about how we all enjoy services provided by all sorts of people on Sundays. It seems that he supports the notion of Sunday opening and the deregulation of trading.

Mr. Howell: Not at all. I am afraid that my hon. Friend has not been following my argument with his customary diligence. I was saying that Sunday is a day of recreation and re-creation. It almost has a spiritual aroma. When people are re-created through leisure, that is special. That is the case for sports and the arts on Sunday. It must not be confused with the case for wholesale commercialism and Sunday opening. I am against that. I do not regard Sunday sport for recreation, spiritual uplift and cultural enjoyment as an extension of commercialism. I hope that my hon. Friend will not draw me on to that track.

Mr. W. Benyon (Milton Keynes): Does not the right hon. Gentleman find it curious that racing is one of the richest sports, yet stable lads are some of the worst paid people? The reason is that many people want to become stable lads. Does he genuinely think that people will be employed as stable lads if they say that they are not prepared to work on Sundays?

Mr. Howell: If the hon. Gentleman was listening to what I was saying, he would know that I had just dealt with that. If he has just come in, I am sorry that I gave way to him [HON. MEMBERS: "He has been here all the time."] In that case, I apologise to him. I shall have to repeat what I said before. People should not be exploited on Sundays. People are entitled to protection and trade union rights on Sundays. I fully support that. It is astonishing that the Jockey Club has not given sufficient attention to that aspect of the industry. I am glad that Lord Wyatt is moving in the right direction. I hope that the Bill will make progress in the other place.

Should we oppose all that I have been talking about because the Bill proposes to allow betting shops to open on 12 Sundays a year? I do not believe that it is logical to do so. It is necessary for the betting shops to be open so that the punters can have their flutter—of which I approve.

What has emerged on both sides of this House—especially from my hon. Friend the Member for Dumbarton (Mr. McFall) and from the hon. Member for Berkshire, East (Mr. MacKay)—is that we now have for the first time Sunday racing in Ireland. I support my hon. Friend's view that, if we are to avoid illegal betting, we cannot have Sunday racing without betting shops being open. The advent of Sunday racing in Ireland should be monitored carefully. For Sunday racing in Ireland there is on-track betting only. I ask the Minister to find out whether that has led to an extension of illegal betting, which he and I both fear. I agree with my hon. Friend the Member for Dumbarton that we should study this new situation and not be afraid to rethink matters if that fear is justified. Of course, if it is, it would enforce the Home Office's view, and I would be the first to acknowledge that.

Mr. Holt: Does the right hon. Gentleman agree that there is a certain inconsistency of thinking in the Home Office, because for evening racing, which is now more frequent—it is certainly far more frequent than the number of Sundays on which it is proposed to have racing—the punters cannot by law go to the betting shop in the evening and have a bet. Yet the same Home Office says that we cannot have Sunday racing without the betting shops being open, because otherwise illegal betting will be encouraged. If it does not encourage illegal betting in the evenings, the industry can be run perfectly well without betting shops being open in the evenings, why would it do so on Sundays?

Mr. Howell: I am tempted to say "game, set and match" to that comment, because I believe that it is completely logical. I hope that the Minister will take note of what the hon. Gentleman has said.

I understand the concern, but my overriding concern is to allow people to exercise their free right to enjoy themselves and to provide proper safeguards for the staff who must work on Sundays in order that we achieve our aims. If the Irish experience is successful, we should take note of it. Whatever view we take of this, if our objection is to the opening of betting shops, that may be the catalyst around which we can find common ground.

I say to my friends in the Jockey Club that they need to be careful about the comments in support of this measure. I shall cite one example. The Jockey Club said that the Grand National could be run on a Sunday if the Bill was passed. It could not. The hon. Member for Berkshire, East is quite right in restricting the hours of opening of betting shops on Sundays to 12 noon to 6.30 pm. The Grand National attracts more betting than almost any other race. There is an avalanche of flutters among housewives. Their interests could not possibly be maintained by opening the betting shops at 12 o'clock.

Mr. Holt: Will the right hon. Gentleman accept that bookmakers, almost without exception, have to act illegally on Grand National day to pay out winning punters after the official closing time of 6 o'clock?

Mr. Howell: They must have been backing better horses than the ones which I backed. I may add, however, that the Grand National is one of my lucky races.

I hope that the House will give this Bill a Second Reading. I hope that it will go to Committee. There are good grounds for trade unionists to get their teeth into the Bill in Committee.

Mr. Duffy: Trade unions are not in agreement.

Mr. Howell: Some trade unions are.

Mr. Duffy: Which trade unions are in favour?

Mr. Howell: Mine. It is just as important as my hon. Friend's.

Mr. Duffy: That is a typical Tory claim, is it not? That is just what the hon. Member for Crawley (Mr. Soames) would have said.

Mr. Deputy Speaker: Order.

Mr. Duffy: I am speaking for the industry.

Mr. Howell: My hon. Friend must control himself. The trouble with my hon. Friend is that he assumes that his own personal view is automatically the view of everyone else.

Mr. Duffy: What about the stable lads?

Mr. Howell: I am saying that I want people to have free choice. I will defend to the death my hon. Friend's right to oppose this Bill.

Mr. Duffy: My right hon. Friend is on his own.

Mr. Howell: A lot of people would defend my hon. Friend's right. We would hope, however, that he would do it in a more intelligent way than he managed earlier.

Mr. Duffy: My right hon. Friend is with the Tories.

Mr. Howell: I am not with the Tories. If we fought a general election on this matter, more Labour voters would support my view than would support his. I do not want to turn this into a party political discussion. For Heaven's sake, let us understand where we are.

I support the Bill. I want it to go to Committee so that we can consider the question of protection of staff, betting and all the other matters involved. I support it because I believe that it is a move towards the encouragement of a civilised life on Sundays. People can enrich their lives by enjoying themselves in a non-commercial way in sport. It will not change the character of Sundays. As a committed Christian, I believe that it enshrines the Christian concept of individual free will, which I regard as paramount.

12.2 pm

Miss Ann Widdecombe (Maidstone): I am grateful for the opportunity to take part in the debate. I begin by saying to the hon. Member for Sheffield, Attercliffe (Mr. Duffy) that I was rather surprised by the tone of some of his remarks about my hon. Friend the Member for Berkshire, East (Mr. MacKay). He appeared to be suggesting in an ill-natured way—although he is normally an extremely courteous opponent—that because my hon. Friend has taken a high profile on another issue it was somehow unwise or improper of him also to take a high profile on this one. It would be a rather extraordinary state of affairs if we could exercise our consciences in only one area at a time. It is a rather alarming proposition and one which I would not have expected even from the Opposition.

I should have thought that my hon. Friend the Member for Berkshire, East had proved by the extensive nature of his consultations that he was eminently qualified and, indeed, sufficiently devoted to the cause to be introducing the Bill. Although I certainly would not go so far as to compare his qualities with the one who came after John the Baptist—which I thought my hon. Friend the Member for Devizes (Sir C. Morrison) was in severe danger of doing at one point—nevertheless the way in which he has presented the Bill, about which I am about to disagree profoundly, should have won the respect of the House as well as of those on whose behalf he is moving it.

In absolutely opposing the Bill, I hope that I cannot be accused of being a Sabbatarian zealot. In fact, I favour deregulation. The churches in my constituency and constituents of mine who do not share my view are fully aware of that. I believe that the anomalies in the existing law need tidying up and I have never seen—although I remain open to conviction—a sensible compromise which makes it possible to enter partial deregulation. That is the basis of my disagreement with the Bill.

In essence my hon. Friend is suggesting piecemeal legislation. It does not matter very much to me whether the Bill is a stalking horse for total deregulation. In its own right, as a measure of piecemeal deregulation, it is fundamentally flawed and it will create far more anomalies than it will solve, particularly in the high streets with the opening of betting shops. Nothing that I have heard convinces me that those flaws are superficial and that they can be ironed out if the Bill is sent into Committee. The plea, "Let the Bill go to Committee upstairs" is common and I cannot deny that I have made that plea on occasions. I fully expected to hear such a plea from the proponents of the Bill.

When considering whether a Bill should go upstairs one must decide, looking at the essential nature of the Bill as opposed to its clauses, whether it is possible for it to emerge from Committee in a form to satisfy the misgivings of those who did not want it to be sent there in the first place. So far I have heard nothing that convinces me that the essential nature of the Bill is viable. It is a piecemeal measure.

My hon. Friend started to go down the road of complicated legislation by promising us that if there were any alterations to the 12 Sundays that he proposed for off-course betting, they would need to be decided separately and that, therefore, we need not worry. The fact that my hon. Friend has already started to limit his Bill and has started to introduce complications about how often the things that he seeks to legalise can be legalised suggests that we are still floundering around with anomaly after anomaly and are trying to solve an already overregulated situation with even more complicated regulations.

Mr. Andrew MacKay: Given that there may be genuine fears, does my hon. Friend not agree that a step-by-step approach is a good idea? If betting shops are open on 12 Sundays a year we can judge, over a number of years, how that goes. If initial fears are ill-founded, another hon. Member can introduce legislation to make changes. Surely such a compromise is a better way of proceeding than making a definite decision when some people are uncertain of the final results.

Miss Widdecombe: I respect what my hon. Friend has said. He is seeking to go gently rather than rushing in, and that is an appealing argument. Nevertheless, as a result of his Bill, we will have another set of shops open on another regulated number of days while other shops will stay shut and others, which are supposed to stay shut, will open. The Bill does not clear up anomalies, it adds to them.

I am not convinced by the way in which my hon. Friend and others have approached the question of noise and disturbance. Forgetting the theological arguments for a moment and considering the social ones, Sunday is, for better or for worse, a special day of relative peace and quiet for much of the population.

I once had the gross misfortune to live fairly close to Fulham football ground, which was also used on alternate Sundays for rugby league. First, I was disturbed by the noise of the cheering and shouting that penetrated my back garden. Secondly, there was the hassle of the traffic that filled up all the normally peaceful residential roads and made it impossible for residents to move their cars on a Sunday or to park within a mile or one and a half miles of their own homes——

Mr. Holt: Is my hon. Friend advocating that all football matches should be banned on Sundays? Is that the logic of her argument?

Miss Widdecombe: The logic of my argument is that I do not want present policy to be extended. I shall address later the points raised by my hon. Friend.

The residential roads in Fulham were cluttered. The spectators were orderly and there was no misbehaviour, but they filled the streets and there was continual noise and traffic. I can understand that my hon. Friend the Member for Berkshire, East might say that, just as I have a right to cut my honeysuckle in a peaceful garden in Fulham, so someone else has the right to raise a lot of cheering and noise not too far from me. Freedom, however, is essentially a question of balance and I am not convinced that that balance is reached when something that could be done on another day of the week disturbs the peace and the orderly routine of the citizens and their families on a Sunday.

I detected a flaw in my hon. Friend's argument when he attempted to address that question. My hon. Friend said that we should not pick out a particular day of the week. He said that those who live near a racecourse or a sports ground encounter noise and disturbance on other days of the week, and that, therefore, there was no particular objection to Sunday. I respectfully suggest that there is a particular objection to Sunday because it is the day when it is most likely that all the family will be at home and the day when people want peace and quiet. On an ordinary working day, when adult members of the family are likely to be at work and their children at school, what is going on in the immediate neighbourhood is of less importance than what goes on on a Sunday.

My hon. Friend was clever to concentrate all his efforts on racing. I believe that the Sunday Sports Bill—it is not a Sunday racing Bill—will inevitably lead to intensification and the extension of other sports on a Sunday.

Mr. Andrew MacKay: Confusion is arising about the extension of other sports on a Sunday. The right hon. Member for Birmingham, Small Health (Mr. Howell) and I have already clearly demonstrated that there are many sporting events on a Sunday that break the law. Few of those sports will extend the number of matches played beyond the present number once my Bill is in operation. Craven Cottage will not host any extra football matches on a Sunday because of my Bill. There will not be an increase in the current number of football matches, rugby matches and golf matches that take place on a Sunday; the only increase will be in horse racing.

Miss Widdecombe: There is already an increasing number of such matches and an increasing degree of commercialisation, with all that that implies. I believe that my hon. Friend's Bill will give an impetus to that increase.

Sir Charles Morrison *rose*——

Miss Widdecombe: I shall finish this point and then give way.

I have no sympathy with the view that if the law is broken extensively the only way in which to meet that is to legitimise the law breakers. Those who share my views were challenged by my hon. Friend the Member for Devizes (Sir C. Morrison) who asked why the Lord's Day Observance Society did not prosecute more often and why we did not seek to close down enterprises that were already open? Why the law is not enforced more rigidly is a valid question, but there is a difference——

Mr. Andrew MacKay: Answer the question.

Miss Widdecombe: I am attempting to. There is a difference between saying that we should enforce the law, recognising that there are some breaches, and saying that we will go for wholesale deregulation which will not only regularise the breaches, but increase their numbers.

Much has been said today about employment protection.

Mr. Thurnham: My hon. Friend has not tried to answer the question yet. If the law is being breached, should we turn a blind eye or should we enforce it?

Miss Widdecombe: The machinery for enforcing the law exists and can be used.

Mr. John Carlisle (Luton, North): My hon. Friend cannot have it both ways. She does not like piecemeal legislation. She says that she is reasonably happy with the present situation, and refuses to give the House her opinion on whether existing sporting events on Sundays should not take place and whether the Lord's Day Observance Society should prosecute those who take part in them. Does she want Sunday with or without sport?

Miss Widdecombe: I understand that what happens now is not so much that people flagrantly breach the law, but that they get around it—I offer the example of gate money.

Mr. David Evans (Welwyn Hatfield): Will my hon. Friend give way?

Miss Widdecombe: Usually, I should be pleased to give way to the chairman of Luton football club, but on this occasion I want to move on. I am sure my hon. Friend the Member for Berkshire, East wants me to make progress.

My hon. Friend has not convinced me of the efficacy of his provisions for employment protection. He says that he has built into the Bill protection for existing employees, but that is a naive idea, since employees can be penalised in more ways than one. I do not believe that my hon. Friend's measures will protect people who do not want to work on Sundays from other forms of penalty that can be inflicted on them—overty and covertly—by their employers. My hon. Friend has not satisfied the House on that point.

The Bill creates another anomaly, too. My hon. Friend is fond of saying that he wants to iron out anomalies, but he creates them. One group of workers would be protected against dismissal for refusal to work on Sundays, and another would not. He was rather coy about whether he had consulted the staff of betting offices. He talked a great deal about choice and the freedom to choose.

Mr. Andrew MacKay: I know that my hon. Friend does not agree with that.

Miss Widdecombe: The people who will be disturbed by noise from sporting and racing events have no choice, and neither do staff. What choice is my hon. Friend giving stable lads and betting shop staff?

There are 10,000 betting shops—*[Interruption.]* I have extended the courtesy of giving way several times to my hon. Friend the Member for Berkshire, East, and I think that he should either stand up or stop making sedentary interventions. As I was saying, these 10,000 shops employ up to 40,000 people, who, if the Bill were passed, would stand to lose Sunday as a day of rest. So another 40,000 families would be affected by the measure.

Mr. Andrew MacKay: My hon. Friend encouraged me to intervene, properly, and I agree that I should. Does she

[Mr. Andrew MacKay]

think that people who run restaurants, hotels, hospitals, television stations and petrol stations on Sundays have freedom of choice, or does she think they should not open for business? Perhaps we should stop petrol being sold and close down Heathrow on Sundays? That seems the logical conclusion.

Miss Widdecombe: The logical conclusion of my hon. Friend's argument is further to limit choice in an area in which it is already limited.

Next, my hon. Friend addressed the problem of illegal betting, completely ignoring the Irish experience and the fact that by naming runners on a Friday and placing bets on a Saturday there should be no need for illegal betting on Sunday.

There are too many flaws, fresh anomalies and piecemeal ideas in this Bill, however much my hon. Friend and I might agree about the basic principle of deregulation. His legislation would lead to more anomalies in our high streets and further limitations of choice being imposed on working people. The Bill is too flawed to be capable of rescue in Committee. I urge hon. Members to reject it.

12.27 pm

Mr. Alan Meale (Mansfield): I congratulate the hon. Member for Berkshire, East (Mr. MacKay) on introducing the Bill, not because I support it but because he has given us a chance to debate a sporting issue in the Chamber, and that is to his credit. I also pay tribute to my right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell) whose judgment on sporting matters I value. However, I disagree with them both and I shall oppose the Bill.

It was rather unfortunate that the hon. Member for Crawley (Mr. Soames) should have made the comments that he did about my hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy). It is also unfortunate that the chairman of the all-party racing group was present to hear them and did not object to them at the time, given the harmonious relationship between hon. Members from all sides in that committee.

I do not oppose the Bill because I am against Sunday racing. Like my right hon. Friend the Member for Small Heath, I believe that it would benefit the racing industry and provide a pleasure that could be enjoyed by many. However, this is not the Bill for the job. It is primarily a betting Bill to enable off-course betting to proceed. Should anyone doubt that he should have a look at the Bill. It is true that the Sunday Observance Act 1780 needs changing, but the exemption of sporting fixtures for which admission is charged creates an additional complication in this Bill and is not acceptable to the Government unless provision is made for such events to be carried-out legally.

The hon. Member for Berkshire, East reminded us of his interest in Sunday sport in November 1987. He asked the Home Secretary:

"what is his policy on the introduction of horse racing on Sundays."

A junior Minister replied:

"Provided suitable arrangements are made for betting to take place lawfully, we see no reason to stand in the way of horse racing on Sundays. That is the view we have expressed on the Bill introduced in another place by Lord Wyatt of Weeford and we are following the debate about that Bill and the public debate which has arisen with interest. We have no plans at present to introduce legislation on this subject."—[*Official Report*, 5 November 1987; Vol. 121, c. 822.]

Clause 2 of the Bill seeks to remove section 5(4) of the Betting, Gaming and Lotteries Act 1963, and restrictions covering on and off-course betting on Sundays. I should like to quote from "Recreation and the law" written by Valerie Collins in 1984. It says:

"**Sunday observance**

Many spectator events are now organized on a Sunday, and this creates a potential difficulty under the Sunday observance laws.

The *Sunday Observance Act 1780* provides that it is an offence where 'any house, room or other place . . . shall be opened or used for public entertainment, or for publicly debating on any subject whatsoever, upon any part of the Lord's Day, called Sunday, and to which persons shall be admitted by the payment of money, or by tickets sold for money. . . .'

This offence is not confined to entertainments in buildings, a point discussed in *Culley* v. *Harrison* (1956). [20]In this case, a motor-cycle scramble had been held in a fenced-off area within a large park, to which members of the public who purchased a ticket were admitted. The organizers were charged with an offence under the *Sunday Observance Act 1780* for using, on a Sunday, a place for public entertainment to which people were admitted on payment of money. They contended that 'other place' should be construed in relation to the preceding words 'any house, room,' and that a park was not a 'place' within the meaning of the section. The court decided that 'other place' in the Act was not restricted by the words 'house' and 'room' preceding it, and that the part of the park used for the motor-cycle scramble came within the Act, and an offence had been committed."

I disagree with the hon. Member for Crawley who said that betting was not the crux of the Bill. Some hon. Members have talked about France. Hon. Members should realise that betting shops in Britain are different from those in other countries. It cannot be said that the off-course betting industry in France operates in the same way. The Pari-Mutuel system in Paris is a tote-like operation and works through cafes and some registered establishments throughout France. I have checked with the organisation in charge of that and it confirmed that it has 650 Pari-Mutuel outlets throughout France. Those offices operate on some Sundays, but only for a limited period on Sunday mornings. However, I am informed by the organisation that it has just been granted the right to operate 77 such units in the afternoon. That is a vital and significant point.

The Bill would allow people to enter betting shops and place bets during the times of races. That is not the case in France, although some hon. Members have wrongly said that the French system operates in that way. Apart from placing bets in the 77 outlets in France that I have mentioned, people are confined to betting in a registered cafe or similar establishment on a race to take place some time later in the day. What is the reason behind the Bill's purpose to open betting shops? It is that it is a betting Bill and will cater for the betting industry's needs and wishes. That, rather than a wish to allow people to place bets, is the purpose of the Bill.

Mr. Soames: I know that the hon. Gentleman is speaking from an entirely partial point of view and is representing a specific interest, but will he accept that this is not a betting Bill? It is about allowing racing to take place on Sundays and to legalise other sports which at the moment are being carried on entirely illegally on Sundays.

Coincidentally, because of the dangers of the abuse of gambling, which the Government take very seriously, they

rightly do not believe that it is possible to have racing without off-course betting shops being open on 12 Sundays in the year. That is purely coincidental. The main aim is to allow millions of our constituents and fellow citizens to go racing if they would like to do so. Betting is a sideshow.

Mr. Meale: I disagree. the hon. Member for Crawley has referred to the French system. Even if we replicate that with the proposals in the Bill, people would still be allowed to place bets in betting shops on Sundays. That worries the majority of Opposition Members. I accept that there is no difference between hon. Members on both sides of the House about the issue of people participating in other sports on Sundays.

The hon. Member for Crawley should bear in mind the technological advances. A report in *Horse and Hound* on 9 February—I am sure that the hon. Member for Crawley reads that magazine regularly, although I do not—stated that the Pari-Mutuel is investing heavily in a Minitel system to allow people to place bets from home without going to betting establishments.

This is a betting Bill. It is intended to open betting shops. The hon. Member for Crawley is aware that over the past 18 months many discussions have taken place between the Jockey Club, the racing and bloodstock group and others about the possibility of racing on Sundays. The stumbling block has always been the opening of off-course betting shops in the high streets on Sundays.

Opposition Members are concerned about the Bill and we are worried about what is happening in the bookmaking industry. We must consider the new technological advances and satellite information services. We should also be concerned about the purchases being made by bookmaking organisations in this country and abroad.

The Sporting Life recently referred to the big four betting chains in Britain making inroads into the Irish market and purchasing betting shops in Southern Ireland. It referred to purchasers in Dublin and stated that 250 shops have been purchased in the capital by Corals, Mecca, William Hill and Ladbrokes.

The *Financial Times* recently stated that Ladbrokes has been heavily engaged in purchasing betting facilities in the United States and now has the contract for betting shops in California and Ohio. Major betting chains can now operate——

Mrs. Edwina Currie (Derbyshire, South): The hon. Gentleman is wittering on about betting shops and the control of the betting industry. I am not sure what he is recommending. Does he think that it should be nationalised? What would he say to his ordinary, local, working-class constituents who are generally denied the credit accounts available to many of my constituents who can bet 24 hours a day, seven days a week? What would he say to them? Does he believe that they should not be allowed to visit betting shops?

Mr. Meale: I will surprise some hon. Members on your side of the Chamber——

Mr. Deputy Speaker (Mr. Harold Walker): Order. Not on my side of the Chamber. It is not mine.

Mr. Meale: I apologise, Mr. Deputy Speaker.

The argument for a nationalised betting system was lost a considerable time ago. However, the industry and the Government should encourage great participation in the tote enterprise. I say to the the hon. Member for Derbyshire, South (Mrs. Currie), that I do not seek to deny to any of my constituents the facility to place bets. I am drawing international comparisons because one must take into consideration new technologies such as SIS and domestic satellite television reception.

Mr. Soames: The hon. Gentleman's remarks are self-evident nonsense. If betting shops—against which, obviously, he has a great vendetta—and betting organisations were to permit his union to recruit members, would he withdraw his opposition to the Bill? Yes or no?

Mr. Meale: The hon. Gentleman makes a very interesting proposal, but I am unaware that he has the power to offer such a deal. However, the hon. Gentleman refers to the Transport and General Workers Union as though it is the union I represent, whereas I have been asked to speak on this matter by the Transport and General Workers Union only because of my general interest in racing. If the hon. Gentleman has time today or next week to examine the Members' register of interests in the Library, he will find that I am sponsored not by the TGWU but by a different union. My concern is a general one, for all who work in the industry, and it is not confined to the interests of the TGWU.

Mr. Soames: If I confused the hon. Gentleman, I apologise. Nevertheless, he is speaking to a Transport and General Workers Union brief. If betting shops were prepared to allow TGWU membership, would that union withdraw its opposition to the Bill? Yes or no?

Mr. Meale: As an independent observer, I can only say that any trade union would have to consider seriously a proposal such as that which the hon. Gentleman makes, mainly because of the wages and conditions that obtain in the betting industry. I have always found trade unions to be extremely amiable. Of course, they always try to make the best arguments for the people they represent, but they are always open to negotiation and discussion, for that is their function. I suspect that unions would be interested in the hon. Gentleman's proposition, but it is not enough to offer such a deal. A trade union would have to say to the industry—mainly Ladbrokes, "It is all right giving us the option to recruit members, but what about the pay and conditions of your employees?" Such a deal would need to have a dual purpose.

With new technology, the betting industry can beam into its betting shops live coverage of racing from different countries of the world, and some of those services are in the charge of major betting organisations. If the Bill is passed, bookmakers will have an opportunity to approach the Government at some time in the future and say, "We need to extend or amend the law slightly, so that the public can go to betting shops more often, or on a greater number of Sundays".

Mr. Duffy: And in the evening as well, to cover evening race meetings.

Mr. Meale: I thank my hon. Friend the Member for Attercliffe for reminding me that in the last few days, the betting industry has told the Home Secretary that opening on six days of the week is not enough, and that it also wants Sunday opening. It does not want just Sunday opening—it is also seeking to extend the licensed hours for

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the opening of betting shops into the evening. I am sorry if the hon. Member for Crawley disagrees, but this has been published in the national press.

One has to recall the proposals from the European Community about summer time. It looks as though, because of our failure in the negotiations on summer time, we shall have longer hours of light in the evening from 1993. That will give more opportunity for evening racing. When that happens, betting shops will be open not only seven days a week but seven nights a week.

Mr. Soames: I am not sure how the hon. Gentleman arrives at seven days and seven nights. Would he define his objections to evening racing? Does he envisage there being racing in the dark?

Mr. Meale: No, I do not envisage racing in the dark. I am reminding the House that, because of the failure in negotiations with the European Parliament on summer time—something about which those who support the Tories are worried—there will be the opportunity for a major extension of evening racing. I am not against evening racing. It would be beneficial to the industry if racing were extended into the evening rather than into Sunday, because of the dangers inherent in the later proposal.

We also oppose the Bill because of the state of the industry. We have already heard that everybody in racing, from the bookmakers to the starting stall attendants, from the owners to the trainers, is well aware that the racing industry is in a mess.

Mr. Holt: That is not true.

Mr. Meale: Perhaps the hon. Gentleman does not read the daily papers. In recent months, there have been turmoil and arguments in the industry over the levy contribution, between all sections of the bookmaking community, the Jockey Club, the levy board and many others.

Mr. Holt: The hon. Gentleman is talking out of the back of his head, and he does not know the first thing about the levy board negotiations, to which I have been a party. There is a dispute between the two sides, but there always is a dispute. This is the 28th set of negotiations on this matter, and it will be resolved in the way that it always has been before. There is no turmoil in the industry and it is arrant nonsense to suggest that there is.

Mr. Meale: I am pleased to hear it because that is what I understood from the short discussions that I have had with the hon. Gentleman in recent weeks. He has made it plain that there is anger in the bookmaking community about the size of the increase in the levy that has been demanded. There is no doubt about that. I understand the hon. Gentleman's concerns. He is a consultant for one of the bookmaking organisations. The on-course bookmakers have been rightly concerned about the increase in percentage terms of the amount of levy demanded.

There is also concern about the facilities on racecourses from representative bodies such as the TGWU. Through a private Member's Bill, I have spoken about the problems on British racecourses, and in that debate I repeated a statement made by senior people in the industry that it is a miracle that there have not been any major accidents on our racecourses, as there have been in other sporting venues. Other parts of the industry are continually arguing and bickering among themselves. Those who are involved in breeding are very worried about the inability of management to get across the message that they are losing business to other EEC countries. That is not a new problem. A few years ago, the Royal Commission on gambling, chaired by Lord Rothschild, reported on the need for a restructuring of the industry. The levy board has called for a financial inquiry into the state of the industry. That was reported in *Update* on 15 February 1989. The Horseracing Advisory Council has said exactly the same. It would be nonsense to pretend that concern is not felt throughout the industry.

The industry must be reshaped before a measure such as this reaches the statute book. If hon. Members doubt that assertion, they should read the debates on racing. They would then realise that the majority of people in the industry have called for its reshaping. My British Racing Commission Bill seeks to reshape the industry. I did not just sit down and draft the Bill because I thought that that was the new shape that the industry ought to adopt. It was drafted after many consultations with every organisation in the racing industry. Their views have been taken into account. I hope that my Bill will reach the statute book.

A Bill such as this ought not to proceed while the management structure remains as it is. The industry as it is now managed, particularly by the Jockey Club, is incapable of accepting change. The Royal Commission on gambling, which reported in 1975, referred to the urgent need to restructure the industry, and particularly the Jockey Club. It referred to the need for a senior management board to cover all aspects of the industry, including betting, racegoers, punters and the media who provide daily reports about racing. The Commission said:

> "It is a curious but perhaps appropriate feature of the Jockey Club that its secretariat should be bred rather than recruited."

That says it all about the industry. It is in a heck of a mess. It would be absolute madness to allow Sunday racing.

Many eminent people in the industry believe that a major restructuring is needed before there is any extension of racing. Major parts of the industry are finding it difficult to cope.

Mr. Holt: Name one person. If large numbers of people in the industry claim that it is turmoil and needs restructuring, I am suggesting that the hon. Gentleman names one of them.

Mr. Meale: I could list person after person who has thought about the need for restructuring the industry. I could give many examples.

Mr. Holt: Name one.

Mr. Meale: I could quote many individuals. The hon. Gentleman who continues to shout, "Name one" is typical of the attitude problem of people who manage the racing industry at present. Part of the rot is that many people in the industry fear the people who run it. Stable staff, jockeys, apprentice jockeys and people who work in betting shops—even people holding senior posts in the racing and betting industry—continually complain about various aspects of that industry.

I remind the hon. Gentleman about our conversations in the Corridors of the House and elsewhere. I remind him about my conversations with the organisations for whom he is a consultant.

Mr. Holt: I am grateful to the hon. Gentleman for reminding me about our conversations in the Corridors. I recall his telling me that he became interested in and knowledgeable about the betting industry as a result of one local bookmaker in his constituency. Perhaps if he had spent a lifetime in the industry, as I have, he would know a bit more about it.

Mr. Meale: I am pleased that the hon. Gentleman recalls that, but I recall that particular conversation quite vividly and that was only one aspect of it. I shall remind the hon. Gentleman about the reason why I became involved in the industry. When I came to Parliament, I was asked by people in the east midlands to take up the cause of people employed in the racing industry. Occasionally people had raised some matters, but no one had been involved on a regular basis. Like other people, I thought that I would do something, but not become fully involved. However, after examining the feudal circumstances within the industry, and seeing how people were treated in that feudal environment, I agreed to take up their cause. I ask the hon. Gentleman to recall conversations in the House with senior persons in the industry about the anger within the industry. If the hon. Gentleman wishes I shall repeat those conversations across the Chamber. But I would rather not go into that and shall allow them to remain confidential.

It is symptomatic of what is wrong with the industry that every section is afraid of the section above. It is no good hon. Gentlemen shaking their heads and saying that it is not true. Racing journalists have come to me and said, "We cannot raise that matter because if we do we shall not get any information elsewhere." I have met people involved in training who say, "If you say publicly that I gave you this information, I shall probably lose my licence". Whether or not that is true, they are worried about losing their licences and that is why the industry needs reshaping.

The hon. Member for Crawley and my hon. Friend the Member for Attercliffe spoke about misbehaviour in the industry. Hon. Members will be surprised that I commend the Jockey Club on its approach to that problem. On 21 November 1988 it sent me details of the action it was taking to control crowd behaviour. That shows that it is taking seriously the problems that might occur on British racecourses if there were an extension of operations. Such problems have occurred for a considerable time at evening meetings and some weekend meetings. I pay tribute to the work it has done and to the proposals it has produced, which go a long way towards solving the problem.

However, I must ask whether the House should accept that the Jockey Club is capable of carrying out the recommendations. It has done nothing fundamental yet and the problem still recurs occasionally. I have talked to the Jockey Club about various aspects of its work and I pay tribute to its work on security and fraud, which it has developed in recent years after the recruitment of a senior steward from Australia. It has tried to implement security systems to solve the problem of crowd control. However, I do not think that it has yet reached the stage at which we should allow racing to be extended. New management techniques and structures should be introduced.

The Horseracing Advisory Council was set up as a sop to the industry. It was decided that the industry should be restructured, but the Government did not agree to set up the type of body required for an industry that accumulates billions of pounds every year and which involves thousands of people. The key word in the title of that organisation is "advisory". The Government formed the council, but gave it no teeth. However, it is representative of all organisations within the industry and I value its judgment. It supports Sunday racing and I am not surprised about that because many senior people within the industry support Sunday racing and are campaigning for it.

Section 5 of the report published by the Horseracing Advisory Council says:

> "HAC supports the view that the campaign for Sunday racing should be divorced from any Sunday trading legislation with concentration on parliamentary lobbying, rather than on a public campaign, and on betting legislation reform."

It goes on:

> "We are, however, concerned that what is potentially the most effective way of covering the additional cost created by Sunday racing, namely the addition of licensed betting offices being open off-course, could prove the one serious stumbling block to the overall objective of Sunday racing in this country."

It also says:

> "We therefore feel that, if the opening of betting shops in the High Street should prove the major impediment to the realisation of Sunday racing, any alternative paths towards Sunday racing with the provision of legal betting facilities must be kept in mind and then explored as to their feasibility."

The council is saying that it would prefer to have betting shops—that is what the Government are insisting on—but it is irrelevant to the racing industry. The industry simply wants Sunday racing and that is the point that the hon. Member for Crawley was trying to make. It is about people who want to watch racing.

The Transport and General Workers Union and the SLA are in that organisation but they represent a minority of the feelings within the industry. The industry is saying that it is not really concerned about whether betting shops are open as long as there is Sunday racing.

The report also says:

> "Those Member Associations involved have emphasised the disproportionately high costs compared to the extra physical hours worked, the need to employ supplementary staff who are skilled in the handling of thoroughbred horses and the socially disruptive consequences to the lives of the staff concerned. In the light of these effects HAC believes consideration should be given to the introduction of a 'dark' day in lieu of Sunday, especially if the experimental fixtures lead to a more widespread demand for Sunday meetings."

The key word is "experimental". We are talking only about 12 days, but it will probably mean three meetings on each of those days. That could mean between three and 36 communities being disrupted by racing throughout the year. An amendment could easily further extend the number of days. In its report on Sunday racing, the Horseracing Advisory Council said that it was an experiment. Paragraph 4 of the report states:

> "We recognise that, if the experiment was a success, Sunday racing would become a feature for most of the year. Also the fact that betting shops would be open 52 Sundays a year from the outset would put pressure on the racing industry to produce Sunday fixtures to meet off-course betting market demand."

The advisory council says that the industry is not ready because it cannot meet the criteria in the Bill.

The chairman of the all-party group referred to polling. Before I was a Member of Parliament, I worked in this place as an assistant. Before that, I worked in an organisation in which I occasionally had to deal with polling. I attended a meeting at which senior people in the

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Labour party expressed concern about the fact that we were nine points behind in the polling between elections. For some idiotic reason, the senior Labour party officials at the meeting decided to invest in polling. Eight weeks after we invested in polling, we were three points ahead.

As he read out one set of polling documents, the chairman of the all-party group recalled that the polling questionnaires were in racecourse cards at race courses. There was a captive audience, but there was only a 75 per cent. response.

Mr. Martlew: Does my hon. Friend believe that if questionnaires had been put in church hymn books and people were asked whether they wanted Sunday racing, opposite results would have been obtained?

Mr. Meale: That is a good point, and I hope to expand on it.

I have one of the advertisements that were placed in the national racing press. People leaving racecourses were asked if they wanted another day out at the races. The same applies to Sunday trading. The MORI polling organisation hired people in Northampton and sent them to my constituency to stand outside DIY centres on a Sunday morning and ask people whether they believed in Sunday opening. Of course they did. They were in the DIY shops, buying stuff on a Sunday. They would not say that they did not believe in it. It is important to consider how polls are conducted. My hon. Friend the Member for Carlisle (Mr. Martlew) is right. If we put the same questionnaire in every hymn book in every church in the United Kingdom, we would have a different view. I am interested in the polling of betting office staff who work in the most deplorable conditions in the industry.

Mr. Holt: That is rubbish.

Mr. Meale: If he thinks that, the hon. Gentleman is talking out of the back of his head. The hon. Gentleman would not work in any betting shop for those wages and in those conditions.

Mr. Holt: I did.

Mr. Meale: If the hon. Gentleman did, he soon got out and became a Member of Parliament on £20,000 odd a year.

Mr. Holt: I do not have to work so hard here.

Mr. Meale He probably does not. That is all the more reason for those people to get more pay and better conditions.

My interest in polling is that it shows that 95 per cent. of betting office staff do not want the Bill. A majority of TGWU members on the stable side do not want Sunday racing. Those who do—they are in the minority, although it is a large minority—tend to be young people. They still believe that they will become top-class jockeys and come to the fore of their industry. Statistics show that to be nonsense because one new entrant in 4,000 reaches the professional rank of jockey. The SLA and TGWU, which represent both stable staff and betting office staff, are against the Bill.

Let us take an independent polling organisation. On 4 February *The Racing Post* reported on a survey carried out by an independent organisation, the London-based Survey Research Associates. Interviews were carried out at 52 sampling points throughout Britain on 13 and 14 January. The survey shows that 51 per cent. are in favour of Sunday racing and that 45 per cent. said that betting shops should not be open. Obviously, the people who paid for the survey wanted Sunday racing. They did not expect that 45 per cent. would not want betting shops to open.

The TGWU, which is the major trade union in the industry, whether or not Tory Members like it, has made a good statement. It is good because it does not fit the image put out by the national media, the press and people in senior positions in racing, that racing is stuck in the 1800s. It states:

"The TGWU is a very broadly based Trade Union having membership in virtually every industry in the country. Because of which it already has many members who are obliged to work on Sunday. For example; it is the overwhelmingly predominant Union in the Bus industry, and in many areas of manufacturing there are continuous processes which require a measure of Sunday working. In consequence there is no policy of total opposition to Sunday working within the TGWU in general, although in all sectors of the Union, the importance of Sunday as a leisure day with the requirement to minimise Sunday working is clearly recognised.

In so far as the Racing Industry is concerned, Stable staff already have Sunday working as part of their contract of employment because it is necessary to provide care for the horses. Within the national agreement, there is provision for the payment of overtime, in recognition of this fact.

Sunday working is kept to a minimum in order that maximum numbers of Stable staff can have a day with their families. If Sunday Racing was introduced this would change the Sunday from a minimum day of working to a full day of working and racing would be on a seven day week basis. There is a great concern for the well being and leisure time of the stable staff in this situation.

As far as betting shops are concerned they are currently covered by Law which restrict their opening time to Monday to Saturday and the only real leisure day which the staff are able to spend with their family is the Sunday. Because of the very full Saturday and Bank holiday Racing programme Rest days can only be taken between Monday and Thursday, when their families are possibly at work or school etc. If the shops were allowed to open on a Sunday then in all probability they would be offered an alternative rest day also in the earliest part of the week which would seriously weaken their domestic situation still further.

For this reason the TGWU has adopted a policy that it must oppose the introduction of Sunday Racing unless and until satisfactory terms and conditions to protect our members' interest are agreed with the various bodies. Because of the provisions of the national agreement for stable staff we are in a fairly strong negotiating position and are moving towards the framework of an agreement. However, in the past, efforts to secure negotiating rights with Mecca, Ladbrokes and William Hill have not been successful, therefore, the policy of the TGWU has been that we would reluctantly accept Sunday racing with on course betting but would oppose the opening of betting shops.

Although some progress has now been made with Coral Racing . . . on the Sunday racing provisions we have not as yet reached a satisfactory conclusion. Unless or until we do reach an understanding it would be difficult to move our policy".

That is very important. That is a shift from the image that some Conservative Members present of the union's approach towards the racing industry. I stand four square with my right hon. Friend the Member for Small Heath, who says that we should move towards the position where we can expand and, perhaps, give people the opportunity to enjoy racing on a Sunday. It is nonsense, however, to inflict it at present when we have the inadequate position in the racing industry, where the betting industry itself

cannot and will not agree on proper terms, conditions and times of working for the people whom this measure would most affect.

Mrs. Audrey Wise (Preston): Workers in other trade unions may be affected, although more indirectly. I draw my hon. Friend's attention to a statement of a member of the planning inspectorate who said in relation to a planning appeal:

"It is now generally accepted that betting offices are an integral part of shopping activities."

That means, of course, that other shopworkers are deeply concerned about the issue. It might mean that, if betting shops opened, it would be said, "Oh how dreadful it is, you can place a bet, but you cannot buy butter in the high streets." Many workers are therefore at risk.

Mr. Meale: I thank my hon. Friend for those remarks. She is quite right. If one wishes to examine the attitude of senior betting organisations towards people employed in the industry and represented by the unions, all one needs to do is to read a letter sent to Brian Cox, the national official of the Transport and General Workers Union, by a Mr. Burroughs, who is group director of personnel at Ladbroke Group plc. It says:

"Dear Mr. Cox,

We refer to your two letters dated 9th and 14th November 1987 addressed to Sir Cyril Stein, and would point out that, as yet, he has not had a knighthood conferred upon him."—

He wrote the letter to Sir Cyril Stein. It continues:

"You have stated nothing which is materially different to that mentioned in earlier correspondence, and our reason for rejecting your proposal for a meeting in the past remains the same as of now."

That was a great opportunity lost to the betting industry to meet the representatives of those working in the industry to establish some common sense in the conditions of the people employed in that industry.

The hon. Member for Crawley said that he did not believe that such a Bill could proceed if proper arrangements were not made for the stabling industry. I appreciate his concern to try to extract guarantees for the people who work in the industry. It would be nonsense if the House approved the Bill to allow Sunday racing before the terms and conditions of the workers had been agreed. I have been informed in the past few hours that negotiations on those terms and conditions have failed to reach any agreement.

I share the concern of the hon. Member for Crawley and I draw his attention to a letter sent to me on 16 November 1987 by the Jockey Club. In paragraph 3 on page 2 it states:

"However, at our Sunday Racing Industry Conference at Sandown Park"—

my hon. Friend the Member for Attercliffe referred to this earlier—

"General Blacker, Chairman of the Jockey Club Sunday Racing Campaign made clear that before Sunday racing can be successfully introduced financial and working arrangements must be negotiated for all who work within the industry."

Agreement has not been reached and little leeway has been shown about such proposals.

Mr. Holt *indicated dissent.*

Mr. Meale: Again, I note that the hon. Member for Langbaurgh (Mr. Holt) is shaking his head, but I have in my hand the statement on Sunday racing sent to the National Trainers Federation, the Horseracing Advisory Council and the Jockey Club. The unions are not asking for enormous amounts of money, but £20 a day for travelling fees and such things. Such demands do not even meet the criteria of people who work in shops and factories and who get double time for working on Sundays. Those proposals, however, have been rejected.

If one accepts that the Jockey Club is the senior management body in racing—obviously the hon. Member for Langbaurgh does—it is clear from its statements that the Bill should not proceed, because no agreement has been reached with the industry's unions.

Reference has been made to the state of some of the courses used by the racing industry. We all know about some of the harrowing details that have emerged and that appear to be the norm in the industry. My right hon. Friend the Member for Small Heath was correct in saying that nothing should be done about Sunday racing until people are aware of, and made to respond to, the needs of the workers.

Some time ago during a discussion on my British Racing Commission Bill I spoke about the harrowing state of some of our racecourses. After that debate some people suggested that I had received information from organisations about some of the bad courses. The hon. Member for Berkshire, East, however, knows that I was complimentary about the work that is being done at Ascot, which, I believe, is in his constituency. Some people might argue that I visited two good courses followed by five bad courses and, as the bad ones backed up my argument, I presented my report in that light. That is nonsense. I got up in the early hours of the morning and, with my wife, visited courses around Britain to look at the facilities. I did not merely stand at the winning post to watch horses win or lose. I turned up at courses at 8 o'clock in the morning and saw horses being unloaded at some courses, and kept in disgraceful and disgusting conditions. I have seen horsebox drivers and stable staff—many of whom are young or very old—queueing for buckets of water to wash down animals after they have raced. They work under the most deplorable and disgraceful conditions. The hon. Member for Cleveland raised that valid point——

Mr. Holt: I wish that the hon. Gentleman would get my constituency right. I do not represent the whole of Cleveland—just one of its six constituencies, Langbaurgh.

Mr. Meale: I apologise to the hon. Gentleman. I remember him from the days when he was further away and a Member of the European Parliament—I do not know whether he still is.

Mr. Holt: The hon. Gentleman's evidence on my background is about as factual as most of his one hour five minute diatribe. I have never been a Member of the European Parliament.

Mr. Meale: I apologise to the hon. Gentleman for giving him that tribute.

The hon. Member for Langbaurgh raised a valid point about the failure of the Horserace Betting Levy Board and other organisations to respond to the needs of those who work at racecourses. That is a central part of my argument and is the major reason why the Bill should not proceed. A new senior management and approach are needed within the industry.

Before Sunday racing is introduced we should provide the vital extra training and education which will be

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necessary for those employed in the industry. There are already many inexperienced people in the industry and more will join because experienced racing and betting staff are leaving in droves. There is very little training in the industry and certainly not enough to meet its requirements. It would be absolute madness to introduce Sunday racing without first establishing sufficient training facilities. There is already extreme difficulty in recruiting to both sections of the industry. If Sunday trading is introduced, more people will be employed and it would be crazy not to provide extra training for them. Therefore, I urge hon. Members not to support the Bill.

I have much more to say, but I keep being passed notes and given nods by my hon. Friends asking me to give way to other hon. Members who may wish to speak on a Bill which will, if enacted, affect so many people.

It is doubtful whether trainers will be able to cope if Sunday racing is introduced. The hon. Member for Crawley will recall that at the Sandown Park conference trainers were split on Sunday racing for two reasons. First, some trainers did not believe that owners could meet the increased costs that would be levied. Secondly, they did not know whether their staff could cope with more work.

I have not read out the relevant figures, but if Conservative Members wish me to do so, I certainly shall. Magazines such as *Horse and Hound*, *The Sporting Life* and *The Racing Post*—all top horseracing journals—contain harrowing articles. They are about people who work in stables having to deal individually with up to 10 horses during the working day. Already the agreement says that those people have to work seven days and it also says that they should go in only to feed the horses on Sundays. That is not true. They do not exercise horses on Sundays but in many of the poorer areas they work seven days a week. If hon. Members would like me to do so I shall give examples of that. If the Bill would allow trainers to force stable staff to work more hours than they now work during a six-day week that would be a disgrace.

We also need to discuss the breeding industry before we enact legislation such as this. Hon. Members spoke about the EEC. The breeding industry is in a terrible state because the Government have not acted on EEC directives on VAT.

Mrs. Currie *indicated dissent.*

Mr. Meale: The hon. Member of Derbyshire, South (Mrs. Currie) seems to disagree. Our breeders are paying 15 per cent. on thoroughbred stock whereas in Ireland there is a zero rate and the rate is 5·5 per cent. in France and 7·5 per cent. in Germany. Already our breeding industry is moving to Ireland because of zero rating.

Mr. Soames: On a point of order, Mr. Deputy Speaker. I am sorry to interrupt the hon. Gentleman's flow, but I wonder whether you could help me. I understood that the debate was about Sunday sport. I am unclear about why we should have to listen to a diatribe about breeding.

Mr. Deputy Speaker: I take the hon. Gentleman's point. Although conventionally a Second Reading debate is allowed to go wide, it is my view that the hon. Member for Mansfield (Mr. Meale) is going a lot wider than is proper. I hope that he will return more closely to the subject of the Bill.

Mr. Meale: I raised the matter of breeding because it is connected to Sunday racing. People are having great difficulty in getting and selling horses. If any hon. Member has any doubts about whether breeding has anything to do with Sunday racing he should look to see what happens in France where various grades of horse racing takes place on Sundays. That is completely against a European convention and that view will be strengthened after 1992. The French are organising races for French-bred horses. If we introduce Sunday racing we will present an opportunity for French and Irish-bred horses to come here. Those countries have restrictions that prevent our horses from running there and that is in no way fair to our horse breeding industry.

I should like to discuss many other aspects of this matter, and one is the important Single European Act. Many areas need to be tackled, one of which is protection for our work force. We need to talk about Mr. Papandreou's view of workers in industry participating in sport. An hon. Member spoke about the effect that the Bill would have on the greyhound industry. That is important because that industry has seen a gigantic increase in betting and that increase has been promoted by the bookmakers. If the Bill becomes law people will not go into a betting shop on Sunday morning and wait until the first race at 2.30. People will bet on other things while they wait for the first race to begin and they will even bet on things in between those races.

Hon. Members must be aware that there are many registered and unregistered courses in the United Kingdom and Northern Ireland at which races take place and people can bet on them. Bag services could operate at courses if betting shops are not open.

Betting shops are also concerned with greyhound racing. All betting shops deduct 10 per cent. of people's money; 8 per cent. goes on tax and only 0·88 per cent. goes to the levy and the industry. Before we pass this Bill, we must consider its effects on horse racing and greyhound racing. We must consider why the bookmakers are allowed to pocket 2 per cent. of punters' money. Will we clear those matters up in the Bill?

We should reject the Bill. It is a bad Bill and a betting Bill. Let us rid ourselves of it and get down to some constructive things on behalf of sport in general.

1.36 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Douglas Hogg): The hon. Member for Mansfield (Mr. Meale) spoke for an hour and a quarter. I hope that he will forgive me if I say that he could have compressed his arguments into 15 minutes. They would have been better for that. As a consequence of his speech, hon. Members on both sides of the House who know a lot about this issue will be excluded from the debate, and I regret that.

I want to consider the Government's attitude about Sunday sports. I begin by congratulating my hon. Friend the Member for Berkshire, East (Mr. MacKay) on bringing forward this Bill. As the debate has clearly shown, a range of questions must be answered about Sunday sport in general and Sunday racing in particular. The Bill plainly gives the House an opportunity to express a view, and it perhaps offers some answers to those questions.

It may be helpful if I start by stating the Government's view. In broad terms, the Government support the Bill. That will not surprise hon. Members because we have supported two previous Bills on this matter. We will be happy to see the Bill make progress for a variety of reasons which I propose to outline concisely.

As my hon. Friend the Member for Crawley (Mr. Soames) said in a most impressive speech, a variety of sporting events already take place on Sundays. My hon. Friend itemised them and they include tennis, cricket, golf, soccer, motor racing, athletics, badminton, hockey and no doubt many other activities. For the life of me, I can see no reason in principle why we should not make it easier for Sunday racing to do likewise.

My hon. Friend the Member for Crawley explained that a number of sporting organisations which hold events on Sundays resort to a variety of strategems to avoid the Sunday Observance Act 1780. I do not like strategems to be used for that purpose. I should be much happier to bring clarity to the law, which is the effect of clause 1.

I question whether the right hon. and hon. Members who passed the 1780 Act had in mind the holding of sporting events in general or of racing in particular. The House may be interested to learn the preamble to that Act, which explains what was in the minds of those legislators 200 years ago. The preamble, which I have edited slightly to avoid repetition, states:

"Whereas certain houses, rooms or places within the cities of London or Westminster . . . have of late frequently been opened for public entertainment or amusement upon the evening of the Lord's day, commonly called Sunday . . . under pretence of inquiring into religious doctrines, and explaining texts of Holy Scripture, debates have frequently been held on the evening of the Lord's day concerning divers texts of Holy Scripture, by persons unlearned and incompetent to explain the same, to the corruption of good morals, and to the great encouragement of irreligion and profaneness; be it enacted."

In other words, that statute had nothing to do with kicking a ball or riding a horse; it had everything to do with the publication of false doctrine. That is to say, it had to do with practices of the kind in which some right hon. and hon. Members, but particularly Opposition Members, engage on most week days.

Mr. Beith: The hon. Gentleman, as a Home Office Minister, can surely confirm that there is no law against kicking a ball or riding a horse on Sunday. If the Bill was only about that, we would not be arguing against it.

Mr. Hogg: The hon. Member for Berwick-upon-Tweed, (Mr. Beith) is right, though one might derive the impression from speeches made by some right hon. and hon. Members on both sides of the House that that is what the Bill is about.

I turn to the way in which the Bill fits into our concept of betting. I begin with a personal observation. I know that I shall cause offence to my hon. Friend the Member for Langbaurgh (Mr. Holt), but personally I have no great sympathy with betting. I am not an enthusiast of betting; I have always regarded it as a waste of time and money. But this is not a betting Bill, and right hon. and hon. Members should not allow their prejudices about betting to colour their judgment.

Mr. Dennis Turner (Wolverhampton, South-East): Why is it, then, that the Minister, in his earlier deliberations, insisted that provision be made in the Bill for betting shops to open?

Mr. Hogg: For precisely the reason I shall explain. I start from the premise that I am not an enthusiast of betting, and personally, regard it as a waste of time and money. However, it would be wrong for us as individuals to allow our personal prejudices, to the extent that they exist, to interfere with a reasoned judgment as to need.

I believe that there is an intrinsic need to provide a mechanism for lawful betting on days that racing takes place, and that is what the Bill does. If we were to allow racing on Sunday without making proper provision for off-course betting, there would be a growth in unlawful betting. If that happened, I believe that it would spill over to other days of the week. I start from the considered view that one cannot allow racing on Sunday without providing also for off-course betting. I understand why the hon. Member for Berwick-upon-Tweed does not like betting. He does not like gambling. I do not like gambling either, but I think it wrong to start from the premise that because betting shops will have to be open for 12 extra days a year we should place a prohibition on all sporting activities on Sunday, and racing in particular. That is the wrong way round.

Mr. Randall: On this interesting point of illegal betting, how does the Minister square what he has just said with the comments made by the hon. Member for Langbaurgh (Mr. Holt) about evening racing? The hon. Gentleman is an expert on these things and he seems to think that evening racing has not given rise to increased illegal betting.

Mr. Hogg: The hon. Gentleman has forstalled me because I was about to reply precisely to that point and to the point raised by the right hon. Member for Birmingham, Small Heath (Mr. Howell) about Ireland.

Mr. Martlew: Will the hon. Gentleman give way?

Mr. Hogg: No; I must proceed, because time is running on.

I recognise the expertise of my hon. Friend the Member for Langbaurgh and I am not trying to denigrate him. However, three points need to be made about evening racing. First, high grade racing does not take place in the evening, according to the advice that I have been given, whereas the racing industry intends to put on high quality racing on Sundays. Secondly, as a rule, evening racing is not televised, whereas it might be the intention of the television companies to televise Sunday racing. Thirdly, it is one thing to say to a customer at a betting shop who is there at 6 o'clock, "You can bet on the 7·30 at" wherever it may be. It is another thing to say to a punter on Saturday, "Is not the time right for you to put a bet on the Sunday race at" wherever it may be? On the whole, people like to put their bets on fairly close in time to the event, because runners are scratched, conditions may change or the race may not be held.

Mr. Holt: Punters want to put bets on at the latest possible moment to get the best possible price. It has noting to do with anything other than pure old-fashioned greed. I find my hon. Friend's arguments slightly illogical in that he is talking about the grading of racing. I assure him that the vast majority of the hundreds of people who go to the betting shops of which I have knowledge are not interested in whether the owner will win £10,000 or £5,000 —they are interested in whether they can make a winning bet. The quality of racing is irrelevant.

Mr. Hogg: It may be irrelevant to individuals, but it is almost certainly relevant to the volume of betting that is likely to occur.

Mr. Holt: No.

Mr. Hogg: The cumulative effect of the three considerations that I put to the House makes the comparison unsound.

The same is true about Ireland. I urge two considerations on the right hon. Member for Small Heath. First, in Ireland the majority of race courses are close to the main centres of population. Therefore, those who wish to place bets have easy recourse to the on-course betting facilities. Secondly—I have no personal knowledge of this, but I have been advised and I accept that advice—the majority of off-course betting in Ireland is done on English racing, so once again the comparison is not useful.

Mr. Holt: Will my hon. Friend give way?

Mr. Hogg: No. I wish to press on because I am trying to keep my speech to a quarter of an hour or 20 minutes to allow other hon. Members to speak.

A number of hon. Members have been worried about the effect of the Bill on Sunday trading in general. The Bill is not a stalking horse for Sunday trading legislation. It stands wholly separate and wholly apart. Hon. Members can express their prejudices in a debate of this kind, but there is nothing in the Bill that has a direct impact on Sunday trading. It does not have even an indirect impact on Sunday trading. It deals with a particular problem—the prohibition of a variety of sporting events for which a charge is made on Sunday.

To turn to the employment protection clause, a number of hon. Members including my hon. Friend the Member for Crawley, have expressed anxiety about those with existing contracts of employment. I believe that my hon. Friend the Member for Berkshire, East has tackled the problem in an extremely responsible way. He has provided that those with existing contracts of employment should not be prejudiced as a result of the legislation. That is right. However, he has also said by implication that we cannot build similar safeguards into prospective contracts of employment. That is quite right, too.

There is a variety of occupations in which people have to work on Sundays—the fire service, the police, hospitals, power stations, garages, the transport industry. Even hon. Members—whom some people may suppose are not essential—have to work on Sundays. We cannot say that they are obliged to do that, whereas jockeys and stable lads are not. It is for them to decide whether they want to go into an occupation that may have that consequence.

Mr. Lofthouse: We cannot compare essential services with betting shops, which are certainly not essential on Sundays. The Government have recently extended drinking hours in public houses to 3 o'clock on Sunday afternoons. Are we not steadily eroding Sunday as we have known it? Ought not the Sabbath to be kept special? This is the thin end of the wedge. Before we know where we are, it will not be 12 Sundays but even more Sundays. Does the Minister share my view that the Bill would be more acceptable if no betting shops could be opened on Sundays?

Mr. Hogg: The Bill might then be more acceptable to some of its opponents, but I have already made the point that in the opinion of the Home Office it is necessary to allow off and on-course betting on Sundays, for the reasons that I have already given. As for essential services, the right hon. Member for Birmingham, Small Heath (Mr. Howell) blew the hon. Gentleman out of the water. The right hon. Gentleman aptly remarked that if one goes to Blackpool or Cornwall on a summer Sunday one sees that the sea fronts are stacked full of operations being worked by people—roundabouts and whirligigs, ice cream parlours and this and that. They are not essential services, but they are providing a service. Now that we have identified that kind of service, nobody could call them essential services. However, they are services that many people happen to perform as part of their contract of employment. We cannot make a distinction in principle between jockeys and people who look after dodgem cars. They are not different in kind.

Each hon. Member will view the Bill in the context of his beliefs about Sunday as a whole. I respect and understand the views of those who, as a matter of conscientious conviction, wish to retain the present pattern of Sundays.

Speaking on behalf of the Government, and expressing my view, the balance of the Bill is right. I very much dislike the concept of prohibiting what is now covered by clause 1. I welcome the liberalisation of the law, and I think that it is desirable to introduce limited betting to safeguard the proper observance of the law. The position of existing employees is properly protected in the Bill, and I should like it to be considered in Committee.

1.55 pm

Mr. Stuart Randall (Kingston upon Hull, West): The debate has been very stimulating. Although I am opposed to the Bill, I believe that the hon. Member for Berkshire, East (Mr. MacKay) has done the House, racing, entertainment and British people a service. I very much hope that the points that have been rasied in the debate can be built on so that we can reach an agreement that will be good for those who enjoy the sport, those outside the sport, religious groups and those with moral views on the matter. That is a good thing. We are all for racing. There is no question about that. It is just a question of how we link it to betting.

I was disappointed by some of the bad humour earlier in the debate. My hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy) is very knowledgable on these matters and expressed concern about the sensitivity surrounding the issue. I was sorry that the hon. Member for Crawley (Mr. Soames) responded as he did. I do not think that it added to the debate. Nevertheless it demonstrated that sensitivity and concern exist and are being expressed in the correspondence that we receive on the subject.

Unquestionably, the issue is sensitive and the solution in the Bill is not satisfactory. The Bill is based on straight deregulation. No Bill based upon straight deregulation will get through the House. It is necessary to win over a great many people in the country and achieve a consensus. We have to reach a balance, and the notion of using a free-market approach to deregulation, forgetting everyone's feelings, will not win. The Opposition will never support the Bill, although we support racing, until we have an assurance that the 100,000 or so people who operate the industry will have

a decent standard of living, reasonable terms and conditions of employment, and so on. Those matters have to be taken into account. I was pleased that the hon. Member for Berkshire, East mentioned the appalling conditions in which stable lads work.

We also have to take account of the sensitivities of members of the Church and those who believe that Sunday should be kept special. Some Conservative Members tend to dismiss such things because they consider that only the market matters, but we feel that even those who are not believers should take those matters into account in reaching a balanced solution. We advocate a balanced solution.

Mr. Donald Anderson (Swansea, East): Does my hon. Friend not find it rather puzzling that the Conservative party considers itself to be the party of tradition, yet is subject to the very gross forces of commercialism and latterly has totally yielded to commercial pressures? That distinguished grocer from Grantham who apparently inspired the Prime Minister would be turning in his grave at what is now being done in the name of the Conservative party.

Mr. Randall: That is a good point. One of my hon. Friends referred to Conservative Members as, "modern Tories". They are not such nice people as the old Tories. This deregulation approach is associated with the modern Tories, and the old Tories with their traditional ways would despise it.

Mr. Dennis Skinner (Bolsover): Outside the House I heard the new-fangled Tory party described as the political wing of the SAS.

Mr. Randall: That is an interesting point but one has to look at the matter more sensitively.

I do not think that anybody would disagree with the fact that British law is currently being brought into disrepute. It is irrational that some sports and gambling activities can take place on a Sunday but others cannot. We have to find a solution. I do not believe that the Bill as it stands is the right solution. One cannot punch through the problem with a Bill such as this. We have to ensure that we take account of the views of all the interested groups.

Mrs. Wise: In the list of those whose views and interests that have to be considered, would my hon. Friend care to include children? The Bill would affect the children of the employees who would have to work on Sundays in betting shops and shops in general. It would also affect the children whose parents would be spending their time in betting shops instead of at home.

Mr. Randall: My hon. Friend has made a good point. As the party of the family, the Labour party takes such things into account. The Conservative party believes that everything depends on the market. Deregulation is based only on the market and does not take family values into account.

My hon. Friend the Member for Preston (Mrs. Wise) mentioned the children of those who work in the industry and those who would go to betting shops on a Sunday if they were open. Those children have to be taken into account. The progress we make must be based on consensus, and that, in turn, must be based on respecting the views of all the interested groups.

Mr. James Couchman (Gillingham): I apologise for not having been here earlier but I was taking part in a phone-in on my local radio station. I was there with a member of the Keep Sunday Special campaign. He told me that the campaign is interested in deregulation on the basis of recreation, emergencies, social gatherings and travel. Does the hon. Gentleman find it strange that the Keep Sunday Special campaign should oppose the Bill, as there can be nothing more recreational or a bigger social gathering than the Wimbledon finals, the grand prix or many of the Sunday games that take place?

Mr. Randall: I was about to come to the Keep Sunday Special campaign, which has made suggestions. The campaigners recognise that everybody should, if they so desire, go out and enjoy their racing. It is simply attempting to find a balanced solution to the betting problem. We know that the two things are inseparable and, therefore, to look at racing without taking betting into account would be absurd.

Mr. Soames: The hon. Gentleman started by saying that he is much in favour of racing. He went on to say that the Bill is not the right way to proceed, that there must be consensus and that we must all rally round. I do not want him to disappoint the House, but would he be good enough to say exactly how we could arrive at that conclusion?

Mr. Randall: I shall comment on the hon. Gentleman's intervention and then continue with my speech. There are two possibilities. First, the Irish have racing on Sundays. Irish racing operates in a similar way to the proposals that were put forward by the Keep Sunday Special people. They propose that we should have racing, but allow betting to take place on Saturday. The horses would be named on Friday, the betting would take place on Saturday and the racing would take place on Sunday. I understand that the group put that proposal to the hon. Member for Berkshire, East but it was rejected.

Mr. Anderson: Will my hon. Friend give way?

Mr. Randall: I will not give way. I have been allowing too many interventions and I am losing the thread of my speech.

Mr. Douglas Hogg: Will the hon. Gentleman give way?

Mr. Randall: I am not giving way for the moment.

Mr. Hogg: There is on-course betting.

Mr. Randall: I accept that there is on-course betting, and the Keep Sunday Special Campaign—mainly Christian people—accept on-course betting on a Sunday. Off-course betting is the stumbling block.

Will the Home Office keep an eye on what is happening in Ireland to see what lessons can be learned and find out about illegal betting?

Secondly, in the next five or so years, there will be a technological solution, and we need to keep an eye on it. Again, I hope that the Home Office will look at this matter. A problem arises because workers will be required to take bets and man betting shop tills. But one can make instantaneous banking transactions—electronic cash transactions—through one's home telephone. Developments are taking place rapidly and it will be possible for people to carry out such transactions in their own homes. At the moment, we have a system of credit

[Mr. Randall]

card payments. It is limited to people with sufficiently high credit ratings, but it proves that there is a demand for home gambling transactions. With the development of home terminals—we can buy them now—and the new phones that will come on to the market in the near future, it will be possible to carry out cash transactions, possibly even using phonecard-type technology.

In answer to the hon. Member for Crawley, those two matters are the possible bases on which we should build. I hope that the Minister will examine the matter and write to me about his views on those possibilities.

Mr. Douglas Hogg: I will send the hon. Gentleman a postcard.

Mr. Randall: The Minister contemptuously said that he will send a postcard.

Mr. Hogg: Rubbish.

Mr. Randall: The Minister says, "Rubbish." His reason for saying that is his obsession with illegal gambling. He is worried about it because it might grow and, therefore, revenue to the Exchequer will drop. That is his only concern. I am deeply worried that the Home Office is showing such contempt for the racing industry that it is not prepared to build on the legislation.

Mr. Andrew MacKay: The House is anxious to know where the Opposition stand. We have moved a little nearer since the intervention of my hon. Friend the Member for Crawley (Mr. Soames). The hon. Gentleman seems to be in favour of Sunday sport, Sunday racing and gambling on Sunday provided that it is on-course, and happy with off-course betting provided that it is high-tech. In other words all we are waiting for is high-tech and then he will be in favour of the Bill. I am not sure that all of his hon. Friends agree. The hon. Member for Bradford, South (Mr. Cryer) definitely disagreed with him, so he needs to clarify the position for his hon. Friend's benefit.

Mr. Randall: I can sum up what we are saying. The hon. Gentleman has not summed it up well. Several points that he made were incorrect.

Mr. Andrew MacKay: Answer the question.

Mr. Randall: I have just said that I will tell the hon. Gentleman. I do not need him to decide what I am saying. We must carry out a study of what is happening in Ireland because the system is in operation there and we must learn from it. That seems reasonable. For the longer term we must consider other technological methods. For several years I was in the banking industry and I picked up information on this which is coming rapidly to fruition. I hope that the racing industry will take that into account.

Mr. Holt: Will the hon. Gentleman give way?

Mr. Randall: No, I shall proceed because I have had too many interruptions.

Hon. Members referred to the Bill's impact on family life. We must have consensus or the Bill will not proceed. We must have the agreement of Church groups and those in the industry. The conditions of some of those who work in the racing industry are a disgrace to the nation. Stable lads are treated appallingly. We should be ashamed of their working conditions, pay, security and the way in which they are often intimidated by trainers. In reviewing and building a case for racing, which could include Sunday racing, we must take those matters into account.

There are 100,000 people working in the industry and they are strongly opposed to the Bill. Who is in favour of racing on Sunday? I suppose it is the gambling industry. It is a multi-billion pound industry and its turnover and profits will increase. We have no objections to that—*[Laughter.]* Hon. Gentlemen scoff. That is absurd. If the industry is not viable, racing will not be viable. If anyone disputed that, it would be remarkable.

Mr. Holt: Will the hon. Gentleman give way?

Mr. Randall: No, I am not giving way again because I have run out of time and others wish to speak.

The hon. Member for Berkshire, East said on the Jimmy Young show that people should run their own lives and politicians should not interfere. He said that he despised the nanny state. That is the wrong attitude to adopt in promoting the Bill. If he is to get consensus, one must take many people along with him. His rather narrow attitude is not the way to proceed.

In response to a question from the hon. Member for Orpington (Mr. Stanbrook), the hon. Gentleman implied that he does not believe that Sunday should be kept special in this respect and that people should decide for themselves. Once people decide for themselves without considering others, one does not have a society,. Again, that is not the way to proceed.

We all welcome the hon. Gentleman's comments about the stable lads, and I am glad that they are on the record. It was interesting to see how appalled the hon. Gentleman was at the conditions of work, the pay and the hours of the stable lads. I believe that the hon. Gentleman saw the stable lads and they shocked him. If nothing else comes out of today, I believe that we all welcome the fact that the hon. Member for Berkshire, East recognised that the conditions of the stable lads are appalling.

I hope that when it comes to working out the levy and the investment in the industry—in which the hon. Member for Langbaurgh (Mr. Holt) is involved—the stable lads will be a serious consideration.

My hon. Friend the Member of Attercliffe made some interesting points. Essentially, he said that he felt that there was a need for a greater balance in the case for racing. We are talking primarily about racing, although I accept that the Bill covers other sports, too. My hon. Friend said that a finer case is needed, which I believe was a good way of making his point. He is an expert on these matters. He referred especially to greater unity within the industry, which I believe is a good point. We must take into account the social consequences on those who work in the industry. My hon. Friend also mentioned the churches. He added that the racing industry is in a healthy state. I gathered from some of the points that the hon. Member for Langbaurgh was making that the racing industry is not down on its heels. It has high revenue. It is unacceptable that an industry that is so relatively opulent has employees who are treated in such an appalling way. If nothing else comes out of today, we have made some progress for stable lads.

The hon. Member for Devizes (Sir C. Morrison) said that he felt that the Bill regularised the situation. I agree. We know that there are no practical constraints on racing. Betting, however, would be a new item. Betting and racing

are inseparable. The hon. Member for Devizes is a member of an all-party racing and bloodstock committee, and he knows that Sunday racing would not be viable unless there was betting, too. The two are inseparable.

Mr. Holt: The hon. Gentleman probably does not know that the National Association of Bookmakers, and the overwhelming majority of small bookmakers in this country, do not want the betting shops to open on a Sunday. They have asked for them not to be open. The Home Office cannot understand that, and is pressing that matter. The betting industry does not want it.

Mr. Randall: I listened with great care to what the hon. Gentleman said. Clearly, if one considers the extra revenues to those companies—the small number of substantial companies—their interest must be to increase their revenues. That is a key motivating force behind the Bill.

The hon. Member for Devizes talked about the anomalies. His point about illegal betting left a lot of questions unanswered. His statistics on illegal betting did not stand up. He added the interesting point that Christians should not impose their views on society.

Sir Charles Morrison: I did not.

Mr. Randall: The hon. Gentleman did, because I wrote it down.

Sir Charles Morrison *rose*——

Mr. Randall: Because I referred to the hon. Gentleman, I shall give way. The hon. Gentleman claims that he did not say that. If he did, however, I believe that it was a just example. Although I am a churchgoer, I do not believe that any group should impose its will on the rest, just as I believe that the Jockey Club should not attempt to impose its will on the racing industry.

Sir Charles Morrison: I did not say that Christians should not impose their views on society. I was quoting what the Bishop of Liverpool had written in the foreword to the Sunday sport booklet.

Mr. Randall: Well, if that is so, it seems that the hon. Gentleman believes that no group should impose its will on the rest of society, and therefore I find it suprising that he intends to support the Bill.

My hon. Friend the Member for Dumbarton (Mr. McFall) made an interesting speech and he——

Mr. Andrew MacKay *rose in his place and claimed to move,* That the Question be now put.

Mr. Deputy Speaker: Perhaps we should allow the Opposition spokesman to conclude his remarks before putting the Question.

Mr. Randall: I am grateful, Mr. Deputy Speaker, and I shall speedily bring my remarks to a close in the next five minutes.

Mr. Beith: On a point of order, Mr. Deputy Speaker. The exchanges that took place just now were a little muffled and I was not able to hear what was said.

Mr. Deputy Speaker: I suggested that perhaps the House should hear the views of the spokesman for the Opposition, but expressed the view that we would have the opportunity to enable the Question to be put before 2.30 pm.

Mr. Beith: Further to that point of order, Mr. Deputy Speaker. What I had understood you to say was that the hon. Member for Kingston upon Hull, West (Mr. Randall) must complete his remarks at a certain point. That seems to be a rather dangerous precedent.

Mr. Deputy Speaker: I was expressing the hope, and I do not think that I went beyond that. Let us get on with it. Mr. Randall.

Mr. Randall: I shall conclude as rapidly as possible.

My hon. Friend the Member for Dumbarton said that he believed that there was a link between the Bill and Sunday trading. When we discussed the deregulation of the Sunday trading laws——

Rev. Ian Paisley (Antrim, North): Will the hon. Gentleman give way?

Mr. Randall: No, I shall not.

The spirit behind the deregulation of the Sunday trading laws coincides with the deregulatory attitude adopted by the hon. Member for Berkshire, East.

My hon. Friend the Member for Dumbarton said that in Ireland there is racing on Sundays and that the betting shops are closed. He felt that we should consider following that practice. He also mentioned the trade unions and said that the TGWU and USDAW are opposed to the Bill because of the serious effects that it will have on employees in the industry.

If we are to make progress we must ensure that the terms and conditions of workers, as outlined in the Bill, are made appreciably better. People should be able to feel that they can work on a Sunday if they desire without its having an unacceptable effect on their way of life.

The hon. Member for Crawley spoke about the law being in disrepute and he is correct. As I said in answer to the hon. Gentleman's earlier intervention, the important thing is how we work in the future to re-establish the law's repute. The hon. Gentleman said that he does not believe that the Bill is a stalking horse for Sunday trading, but I am not sure that that is so. I have my doubts and I believe that many people in the country are suspicious. I believe that——

Mr. Andrew MacKay *rose in his place and claimed to move,* That the Question be no put.

Question put, That the Question be now put:—

The House divided: Ayes 51, Noes 67.

Division No. 102] **[2.25 pm**

AYES

Adley, Robert
Alexander, Richard
Arbuthnot, James
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bowis, John
Browne, John *(Winchester)*
Buck, Sir Antony
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cohen, Harry
Colvin, Michael
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Dorrell, Stephen
Durant, Tony
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Fraser, John
Gilmour, Rt Hon Sir Ian
Gow, Ian
Greenway, Harry *(Ealing N)*
Hamilton, Hon Archie *(Epsom)*
Haselhurst, Alan
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howell, Rt Hon D. *(S'heath)*
Hunt, David *(Wirral W)*

Janman, Tim
Knapman, Roger
Knox, David
MacKay, Andrew *(E Berkshire)*
Mayhew, Rt Hon Sir Patrick
Morrison, Sir Charles
Nelson, Anthony
Rathbone, Tim
Rhodes James, Robert
Richardson, Jo
Ruddock, Joan
Shaw, David *(Dover)*
Sims, Roger
Soames, Hon Nicholas
Summerson, Hugo
Townsend, Cyril D. *(B'heath)*
Waller, Gary
Walters, Sir Dennis
Wells, Bowen
Wheeler, John
Whitney, Ray

Tellers for the Ayes:
Mr. James Couchman and
Mr. Peter Thurnham.

NOES

Alison, Rt Hon Michael
Allen, Graham
Alton, David
Anderson, Donald
Banks, Robert *(Harrogate)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beggs, Roy
Benyon, W.
Carrington, Matthew
Corbyn, Jeremy
Cousins, Jim
Cryer, Bob
Davies, Q. *(Stamf'd & Spald'g)*
Dover, Den
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(Antrim S)*
Goodhart, Sir Philip
Griffiths, Win *(Bridgend)*
Ground, Patrick
Hinchliffe, David
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Jessel, Toby
Jones, Ieuan *(Ynys Môn)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Lofthouse, Geoffrey
McAvoy, Thomas
McCrea, Rev William
McCusker, Harold
Macdonald, Calum A.
McFall, John
Maclennan, Robert
Madden, Max
Maginnis, Ken
Marek, Dr John
Martlew, Eric
Meale, Alan
Michael, Alun
Molyneaux, Rt Hon James
Murphy, Paul
Nellist, Dave
Paisley, Rev Ian
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Randall, Stuart
Robinson, Peter *(Belfast E)*
Rossi, Sir Hugh
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Stanbrook, Ivor
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Teddy *(S'end E)*
Turner, Dennis
Walker, A. Cecil *(Belfast N)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Widdecombe, Ann
Wise, Mrs Audrey
Young, David *(Bolton S:E)*

Tellers for the Noes:
Mr. A. E. P. Duffy and
Mr A. J. Beith.

Question accordingly negatived.

It being after half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 24 February.

Private Members' Bills

DISABLED PERSONS (NORTHERN IRELAND) BILL

Read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bils).

HOUSING ASSOCIATONS (ACCESS TO INFORMATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 February.

BRITISH RACING COMMISSION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 February.

PLANNING PERMISSION (DEMOLITION OF HOUSES) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker (Mr. Harold Walker): Second Reading what day?

Mr. Hugh Dykes (Harrow, East): On a point of order, Mr. Deputy Speaker. I did not hear any objection.

Mr. Deputy Speaker: Second Reading what day, please?

Mr. Dykes: For this vital Bill, under protest, Friday 24 February.

INTERNATIONAL PARLIAMENTARY ORGANISATIONS (REGISTRATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 February.

CHANNEL TUNNEL ACT 1987 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Robert Adley (Christchurch): In high dudgeon, Friday 14 April.

PLANNING (NOTIFICATION OF DEVELOPMENT PROPOSALS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Tony Baldry (Banbury): With the leave of the proposer, Friday 24 February.

FUEL AND ENERGY PROVISION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 February.

GAMING MACHINES (PROHIBITION ON USE BY PERSONS UNDER EIGHTEEN) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 10 March.

HUMAN RIGHTS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 10 March.

HEARING AID COUNCIL (AMENDMENT) BILL

Read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

COALMINING SUBSIDENCE (DAMAGE, ARBITRATION, PREVENTION AND PUBLIC AWARENESS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 February.

DEFINITIVE MAP MODIFICATION BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Tony Baldry (Banbury): With the leave of the proposer, Friday 24 February.

HEDGEROWS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

RIDERS OF EQUINE ANIMALS (WEARING OF PROTECTIVE HEADGEAR) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 February.

CERVICAL CANCER (TESTING AND TREATMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Alan Meale (Mansfield): With the permission of the proposer, Friday 24 February.

PROTECTION OF PRIVACY BILL

Order read for resuming adjourned debate on Question —[27 January]—That the Bill be now read a Second time.

Question again proposed.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

JUNIOR HOSPITAL DOCTORS (REGULATION OF HOURS) (No. 2) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Not printed.

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Mr. Deputy Speaker. Will you explain the situation?

Mr. Deputy Speaker: If the Bill has not been printed, I cannot put it to the House.

Planning Appeals (Croydon)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dorrell.]*

2.39 pm

Mr. Humfrey Malins (Croydon, North-West): I am grateful for this opportunity to raise the subject of planning appeals from the London borough of Croydon. Last November, a lady constituent living in Thornton Heath, which is part of north-west Croydon, informed me that she had received an unsolicited letter from a property company based in Reading. It read:

"Please excuse the liberty of writing to you, but we are looking for residential land for development, and we noticed that your property has a large area of land which, subject to planning permission being granted, may be suitable for this purpose. If you would be interested in receiving an offer, substantially in excess of the current market value of your property, we should be pleased to hear from you."

That type of approach is not untypical, and I gather that some property dealers go even further, commissioning helicopters to fly over south London to scan back gardens. My constituent, correctly, resented the approach that was made to her. She spoke to me of the deteriorating quality of life in part of north Croydon, where she felt that there had been too much development and infilling, bringing with it more people, stretched services, and the destruction of whole communities. That is a common enough complaint, but it is genuinely felt.

When I discussed the matter with Croydon's planning officer, Mr. Coombs, he confirmed that one of the major concerns of Croydon councillors is that in the past few years there has been a sometimes dramatic, usually gradual, but always continuing change in the character of the borough brought about by development—a change for the worse.

Pressures on the planning authority are building up, so I tabled a question to my right hon. Friend the Secretary of State for the Environment, asking how many planning applications were received by the London borough of Croydon in the last 10 years, how many were granted, how many were the subject of appeals, and how many appeals were allowed and refused. My right hon. Friend replied that applications under section 29 of the Town and Country Planning Act 1971 had risen from 2,101 in 1983-84 to 2,456 in 1987-88. The number of planning appeals under sections 35 and 36 of that Act had risen from 79 in 1984-85 to 136 in 1987-88. Significantly, in 1974, of the 79 appeals made that year, 47 were dismissed, but in 1987-88, only 67 of the 136 appeals made that year were dismissed. That strongly suggests that many more appeals are being allowed these days.

I acknowledge that the value of such a comparison is limited. The district plan adopted in 1982 sets out policies and guidelines, and is a major consideration in the determination of development proposals. Even so, Croydon, as with other places, no doubt, has seen a steady increase in the number of appeals allowed by the Secretary of State, and many members of Croydon council feel that their position in maintaining local democracy is to some extent being eroded by a combination of the advice, actions and decisions of central Government.

The planning officer's schedule of applications and appeals shows that the percentage of appeals dismissed by the Department fell from 77 per cent. in 1977 to only 48 per cent. in 1987. At that rate, within 10 years no appeals to the Secretary of State will be dismissed; they will all be allowed. Whether this is a fair comparison and conclusion to draw is uncertain, but what is clear is that now almost more appeals succeed than fail, and the developer and the applicant are both encouraged not so much to ignore local authorities but to rely on the fact that they have a better than even chance of success on their appeal.

Local councillors feel, with justification, that their decisions are unduly influenced by the threat of appeal and the possibility of a claimant being awarded costs, because if the local planners make a decision against known Government policy there is a real prospect that heavy costs will be awarded against them. A recent application that came before Croydon was for a car telephone mast set on high ground within an area of metropolitan open land. Circular 16/85 dealt with telecommunications development. It says:

"Planning Authorities will have to be alive to the special needs and technical problems of telecommunications development, and in many cases these will necessarily have to prevail over normal planning policies."

But should they? Sometimes, I think not. Is it not an unfair constraint on the proper planning considerations of a development, and is this not an example of a circular taking away the local authority's discretion?

There are also many instances when, on appeal, a planning inspector, having agreed with the council's objection, allows the appellant to introduce an amendment —say, in terms of reducing the number of dwellings—in an attempt to overcome the problem. This is a prospect not open to the local authority at its level, but perhaps it should be. There is concern that the considered decisions of the local authority are not being sufficiently supported by central Government—and all this at a time when pressures on local authorities are undoubtedly increasing.

Croydon's published figures for 1987 show that over the five years from 1982 to 1987 there has been about a 38 per cent. increase in the number of planning applications. There has been an increase in the number of appeals and tree preservation orders, all of which add hugely to the workload of the authorities. Despite improvements in productivity, there is bound to be an increasing number of outstanding applications.

When the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations were introduced in 1981, they included a concession for duplicate applications. A 25 per cent. fee is prescribed for the second application providing that it is lodged within 28 days of the first. The object of submitting duplicate applications is to facilitate an appeal on one, against a failure to determine within the statutory period of eight weeks, while still negotiating on the other. In these circumstances, there would be no point in asking the applicant to agree to an extension of the determination period. Can this really be right?

In the circumstances that I have outlined—the increase in the backlog of work, the time taken to determine applications, the reduction in the decision period for appeals, and the increase in the percentage of appeals allowed—developers have now been encouraged almost to go to appeal, and the practice of submitting duplicate applications has become all too common. In the sense that a developer can exercise his right of appeal against a failure to determine, are we not seeing an element of queue jumping? Many London local authorities—I am sure that Croydon is one of them—are concerned about the twin

issues of the number of appeals that are being allowed and the overriding of local planning policies by Department of Environment circular planning advice.

Mr. Roger Sims (Chislehurst): I am grateful to my hon. Friend for allowing me, unusually, to intervene in an Adjournment debate. He is correct in what he is saying, and neighbouring Bromley is having similar problems. Does he find, as I do, that our constituents are becoming increasingly incensed at the fact that decisions taken by local councillors, on the advice of officers and residents who know the district, are being overturned on the advice of a single inspector based in Bristol?

Mr. Malins: My hon. Friend is right. He and my hon. Friend the Member for Ravensbourne (Mr. Hunt) are extremely active on this important matter on behalf of their constituents. Every authority has its own concerns, but a common theme is a desire for greater local accountability, possibly by increasing the status of local plans. Local councillors are the ones who are best qualified to decide local planning issues. Many of them have lived in the area for a long time, they know their patch well, and they have a great feel for their people and for the area that they represent.

All that brings me back to my constituent in Thornton Heath. She at least had local interests at heart, but others may be tempted by the grubby money of property developers. As a result, formerly attractive streets in north-west Croydon—be they in Beulah, Norbury, Thornton Heath or elsewhere—will be yet further damaged. A Government circular says that there is always a presumption in favour of allowing applications for development, unless the development would cause considerable demonstrable harm to interests of acknowledged importance.

Has the pendulum swung too far? Yes, the interests of industry, commerce and technology are important, but are they so important that they should so often override environmental and community interests? People in north Croydon and elsewhere are beginning to feel instinctively that the quality of their environment is deteriorating. They believe that local democracy is gradually being eroded. They have an instinctive feeling that, whenever commercial pressures and environmental interests clash, commercial pressures will win the day.

Unless we are careful, people in south London and elsewhere will face a very bleak future in terms of the quality of their neighbourhoods. I can only hope that today my hon. Friend the Minister will be able to offer some words of reassurance to the many people who are concerned about such a vital matter as the quality of our environment.

2.51 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): I begin by congratulating my hon. Friend the Member for Croydon, North-West (Mr. Malins) on securing this Adjournment debate and on the way in which he has made his points. He has demonstrated today, as on so many other occasions, his deep understanding of the concerns of his constituents and his diligence in bringing them to the attention of Ministers. I have listened carefully to the points that he has made and I understand his concern about certain aspects of planning policy as they affect appeals in the London borough of Croydon. I am very well aware of the regional importance of Croydon, as both a shopping and a commercial centre. The council has made strenuous efforts over the years to encourage development, economic prosperity and the provision of jobs. The results of their positive approach are an example to many other authorities.

The council has kept abreast of changing trends. It has monitored its local planning policies and has adopted a flexible approach to planning control to meet changing circumstances. A notable example of this is the way that the Council has seized the opportunities for large-scale commercial and residential development on redundant sites in the Purley way area, encouraging retail warehouses and other developments to help to relieve pressures and congestion in the town centre.

I am also aware of the efforts that Croydon has made to meet housing needs and its difficult task in trying to meet development pressures and yet maintain an acceptable living environment that retains local character.

The pressure for development reflects the attraction of Croydon as a place in which to live and work and also the buoyancy of the local economy. Unemployment in Croydon is about 37 per cent. below the level that prevails in London and it is much below the national average. Those are some of the success stories that lead to pressure for development.

My hon. Friend addressed largely the density problem. At the outset I ought perhaps to put into context the density issue in Croydon. In 1981, population density in Croydon was 36·6 persons to the hectare. In 1987, it was 36·9 persons to the hectare. Although the impression of many of my hon. Friends constituents may be that population density is increasing rapidly in Croydon, the figures do not show that to be true. Between 1981 and 1987 Croydon's population declined by about 2,000—from a figure of about 321,000 to 319,000 in 1987.

The present greater London development plan identifies the desirable housing density within the greater London area as between 70 and 100 habitable rooms to an acre. It is open to an individual council to draw up a local plan giving more precise densities in different parts of its area, as the Government consider that density should be a matter for local authorities and not for national or regional guidance. I assure my hon. Friend that the new regional guidance for London will reflect that, and the rigidities contained in the previous Greater London development plan will be removed. The recently-issued policy planning guidance note No. 12 expressly states that a local council can adopt density policies. It is important that councils take advantage of the opportunities presented in that planning policy guidance note, which states:

> "Where authorities consider that the pressure for development and redevelopment is such as to threaten seriously the character of an established residential area which ought to be protected, they may include density and other policies in their local plans for the areas concerned, while avoiding undue rigidity. The scale and character of new development in relation to existing development are material considerations which should be taken into account in deciding planning applications, and the decisions of local planning authorities will be the more secure where the adopted local plan includes policies designed to protect the environmental character of particular localities."

I hope that the London borough of Croydon will bear that in mind when it prepares its unitary development plan.

[Mr. Christopher Chope]

My hon. Friend referred to helicopters being used by potential developers to identify unused land for development. There is nothing inherently wrong with that provided that they keep within the law. Development land is scarce, particularly in London and the south-east, and it is in the national interest that developable land should be brought into use. However, it is one thing to identify land for development, but it is quite another to harass the owners or occupiers of the land to force them to sell against their will, and it is not acceptable for landlords to harass tenants in order to obtain vacant possession. Nor is it acceptable for developers to harass owner-occupiers. My hon. Friend referred to one particular case, but I am aware of other cases of harassment on a much more severe scale in the London area.

I understand my hon. Friend's concern about the number of telecommunications masts being erected in line with the changing technology, and the problems involved in their siting. They were rarely required when the present town and country planning system was set up, but I believe that the system is flexible enough to balance the needs for the masts and for environmental protection. My hon. Friend quoted from circular 16/85 but I wish to quote from planning policy guidance note No. 8 entitled, "Telecommunications" which states:

"Government policy is to facilitate the growth of telecommunications . . . However, the Government is also fully committed to preserving the national heritage, and the growth of telecommunications does not mean that the appearance of buildings, towns and countryside can be allowed to suffer serious damage."

There is no question of usurping the principle of treating each case on its merits or removing local authority discretion. However, we must recognise that telecommunications masts have different requirements from other types of development which must be taken into account in the exercise of development control. The purpose of the circular and planning policy guidance note No. 8 is to set out those special requirements and identify how they can be balanced with other planning matters.

My hon. Friend referred in considerable detail to the issue of a number of appeals being allowed in the London borough of Croydon. The proportion has declined from 52 per cent. in 1986-87 to 44 per cent. in 1987-88 to 38 per cent. in the nine months in the current financial year—a trend which, if extrapolated, could show that in some year in the future all the appeals will be turned down. Perhaps my hon. Friend looks forward to that occasion. He will certainly welcome the change in the trend, which is reflected nationally. Nevertheless, I understand that allowing planning appeals may be seen by some as undermining the policies of the local planning authorities.

There has, at the same time, been an increase in the rate at which local planning authorities refuse applications for planning permission. That has increased nationally from 14 per cent. in 1984-85 to 16 per cent. in 1987-88. The refusal rate in Croydon is even higher at between 17 per cent. and 20 per cent. in the years between 1984 and 1988. There was no change in national planning policies or in development plan policies that would have explained the increase in the rate of refusals. The Government have no wish to undermine the way in which local authorities carry out their responsibilities, but our inspectors must have regard to national policies as well as to local policies.

Planning is, to some extent, subjective and, therefore, it is inevitable that the inspector will not always reach the same conclusion as the local authority. Obviously, if the local authority refuses more applications at the outset, that may lead to an increased number of appeals allowed.

We should also keep in perspective the increase in the percentage of appeals allowed. Applications permitted on appeal represent less than 2 per cent. of the 390,000 or so planning permissions given each year. In Croydon it was about 2·6 per cent. of 2,050 permissions given at borough level and on appeal in 1987-88.

Some commentators allege that departmental circular 14/85 was responsible for increases in successful appeals. That is not the case. The circular simply reminds authorities of the general presumption in favour of allowing applications for development, having regard to all material considerations, unless that development would cause demonstrable harm to interests of acknowledged importance. The principle is as old as the planning system set up by the Town and Country Planning Act 1947 and the key words were repeated from circulars issued in 1949 and 1953. The principle was again restated in 1985 in the White Paper "Lifting the Burden" and more recently in planning policy guidance note 1.

Some concern has been expressed that the Department and its inspectors are not taking proper account of local plans in allowing appeals. That is not so. Development plans are a vital part of the framework for development control. They are not prescriptive, but provide a firm basis for rational and consistent decisions on applications. Planning policy guidance note 1 emphasises that, where a plan is up-to-date and relevant to the particular proposal, it follows that the plan should normally be given considerable weight in the decision, and strong contrary planning grounds will have to be demonstrated to justify a proposal which conflicts with it. That policy was reiterated in planning policy guidance note 12 and again the White Paper on the future of development plans, which was published only last month.

I appreciate the complex problems facing planning authorities. Throughout the south-east the pressures for housing on the one hand and the need to conserve the environment on the other pose very difficult problems. Decisions on whether and where to allow development call for careful consideration and the reconciliation of conflicting demands. The main vehicle for resolving them is the development plan.

Every inspector taking an appeal must carefully consider the development plan policies. That is one of the factors which must be weighed in the balance. An inspector wil need good reasons to set aside the provisions of an up-to-date adopted plan, and, if he does so, must give a clear explanation.

Ministers have said before, and I repeat today, that in determining planning appeals, up-to-date local plans consistent with national and regional policies will carry a great deal of weight. Although the Croydon borough plan was adopted nearly seven years ago, it is clear and succinct and remains a very important consideration for development control purposes. The council has regularly monitored development trends and the effectiveness of its plan policies and has made alterations to the plan over the past year or two to take account of changing circumstances.

The council in Croydon is therefore, well placed to prepare a unitary development plan. It would be well

advised to start work well in advance of the introduction of the unitary development plan commencement order. It should start work now on how to apply detailed density policies to the borough.

We hope to issue shortly the draft strategic guidance for London, and the commencement order for the unitary development plan process will be issued during the summer. Croydon will then be in an even stronger position to review its strategic policies in a way that takes account of the opportunities and needs of the area.

My hon. Friend made some other detailed points. He was concerned about the amendment of applications at appeal. I hope that he will agree that the development control system should allow a degree of flexibility to enable the developer to make his application more acceptable by introducing small amendments. That would normally be done only with the agreement of the local authority. The purpose of the circular and planning policy guidance note 8 is to set out the special requirements and how they can be balanced with other planning matters.

My hon. Friend is concerned also about duplicate applications. I agree that some cases that cause most concern are those in which an applicant believes that the authority will take more than the statutory period to decide his application, and then decides to appeal against non-determination as soon as possible. At the same time, the applicant leaves the door open to negotiate an agreement on the duplicate. That is wasteful to the appellant, the authority and my Department, but it is understandable when many authorities decide fewer than half their applications in the eight-week period. As my hon. Friend will know, although Croydon has speeded up its decision-taking process, it is still dealing with only about 40 per cent. of its applications within eight weeks.

I do not doubt that, were Croydon to get near the national target, which is to deal with 80 per cent. of applications within eight weeks, it would find a dramatic reduction in the number of duplicate applications. The remedy is to be found in the hands of the authorities.

My hon. Friend is concerned also about costs. A review of regulations has just been approved, and fees will rise by about 15 per cent. from 14 March. There will be a further review this year and, given that there has been no comprehensive review of the fees scheme since 1986, it will give us the opportunity to look at the matter in greater depth, including consideration of my hon. Friend's views.

I hope that I have been able to put my hon. Friend's concerns in perspective. I hope that he will take comfort from the increased emphasis on local plan making, and I hope that his council will take full advantage of the new opportunities, especially on the issue of density, which is of such great concern to my hon. Friends who represent outer London constituencies.

Question put and agreed to.

Adjourned accordingly at six minutes past Three o'clock.

House of Commons

Monday 20 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

Wales Tourist Board

1. **Mr. Adley:** To ask the Secretary of State for Wales when he last met the chairman of the Wales tourist board; and what was discussed.

The Secretary of State for Wales (Mr. Peter Walker): I frequently meet the chairman of the Wales tourist board to discuss many matters of mutual interest.

Mr. Adley: I thank my right hon. Friend for that reply and declare an interest in the industry. Is my right hon. Friend aware that those of us who have an interest in these matters have long felt that things in tourism are done rather better in Wales than in England? Will he accept congratulations on that? In view of the current review of tourism has my right hon. Friend discussed with our right hon. Friend the Secretary of State for Employment—and if he has not, I hope that he will—the structure of tourism in Wales?

Mr. Roy Hughes: Declare an interest.

Mr. Adley: I have already declared an interest. Will my right hon. Friend tell me whether the Wales tourist board, or other agencies, will still be able to distribute grant as required to areas of Wales where development is still needed?

Mr. Walker: Tourism is of incredible importance to Wales in bringing in people who will look at the commercial and industrial prospects of Wales and, of course, in providing jobs and opportunities in rural and coastal areas. That is why the board's net budget for 1988-89 will be 90 per cent. more than it was in 1983-84. Section 4 assistance to the industry has tripled from £1 million to nearly £3·3 million during the same period and has been of great advantage to the economy of Wales.

Mr. Anderson: If we are to fill up the beds in our very welcome Holiday Inn in Swansea, we need, as the Secretary of State will be aware, to clean up Swansea bay. Is he satisfied that we shall not be able to comply with the EC bathing waters directive until 1995 at the earliest? Does he recognise the link between the directive and clean beaches in Wales as a whole?

Mr. Walker: Yes, of course I do. I am glad to say that immense capital investment is going into that, which did not happen under the last Labour Government.

Mr. Harris: Given the common problems faced by the tourist industry in Wales and the more remote parts of England such as Cornwall, will my right hon. Friend tell me why on earth section 4 grants under the Development of Tourism Act 1969 are being suspended in England whereas, as he says, they are being tripled in Wales? What is the fairness of that?

Mr. Walker: In fairness, they have not been tripled in Wales this year, but over the past few years. Section 4 grants have been continuing in England. The report that my right hon. Friend has had will be discussed with those concerned and conclusions must be reached on the English tourist industry on the basis of information on inward investments coming into the English tourist industry. I have to make decisions on the Welsh tourist industry.

Welsh Coalfield

2. **Mr. Denzil Davies:** To ask the Secretary of State for Wales whether he has any plans to meet in the near future the chairman of British Coal to discuss the state of the Welsh coalfield.

Mr. Peter Walker: I am in touch regularly with the chairman and deputy chairman to discuss issues of mutual interest.

Mr. Davies: When the Secretary of State next meets the chairman, will he tell him of the deep anger and resentment in west Wales that British Coal is walking away from the anthracite coalfield, with its enormous reserves of high quality and saleable coal? Will he urge the chairman to carry out a study of the economics of mining anthracite from small drift mines employing up to 75 people because many believe that mined in that way, anthracite could be extremely saleable and competitive in relation both to opencast operations and imports of Chinese coal?

Mr. Walker: I shall convey the views expressed to the chairman of British Coal and I shall also examine, within the Welsh Office, the suggestion about smaller units employing fewer than 75 people and what economic impact that would have. The right hon. Gentleman's suggestion is constructive.

Mr. Livsey: Will the Secretary of State note that British Coal Opencast has decided again to try for permission to work the Bryn Henllys site in my constituency, after an inspector turned down that application about a year ago? Is he aware that there is deep anger in the community that British Coal will attempt that again? Is there not far too much opencast coal in the south Wales coalfield, which is despoiling the environment?

Mr. Walker: In making decisions about opencast coal applications, one must consider carefully both the short-term and long-term environmental implications. I hasten to add that when I was responsible, as Secretary of State for the Environment, for such developments in England, I found that, with certain conditions one could improve the environment over a period of years. However, such applications must be looked at carefully bearing in mind the whole environmental question.

Mr. Raffan: Will my right hon. Friend join me in congratulating the miners at Point of Air in my constituency for their dramatically increased productivity since the miners' strike? Will he confirm that over £130

million has been invested in the coal industry in Wales since 1985, and that our record compares favourably with that of the Labour party which, during its last two terms in office, closed a total of 56 pits in the Principality?

Mr. Walker: I must correct my hon. Friend. In their last two terms, the Labour Government closed 62 pits. However, the closure of pits brings no joy to any party. Problems such as geology often affect such decisions. Although I deeply regret the closures of pits for mainly economic reasons as that creates problems, the increase in productivity has been helpful in that respect.

Mr. Ray Powell: Does the Secretary of State recall that when he was a Minister in the Department of Energy, he was responsible for several colliery closures in Wales? Does he realise that the mining fraternity has been reduced from 22,000 in 1979, to fewer than 8,000 now and that in my constituency seven collieries have been closed and 5,000 miners made redundant? Will he accept that his valleys initiative is not making any dent in unemployment in the valleys?

Mr. Walker: I know that the hon. Gentleman will be delighted that since the valleys initiative was announced, unemployment in the valleys has fallen faster than it has in the rest of Wales. In response to his anxiety, perhaps he will send me quotations of what he said during the period of the last Labour Government when 30,980 jobs were lost in the mining industry in Wales.

Mr. Barry Jones: Does the Secretary of State accept that the south Wales coalfield is apprehensive, especially in the light of the 1,500 jobs at the Cynheidre and Marine collieries and the 500 jobs elsewhere that are under review? Why has the Carway Fawr project been halted, after £34 million worth of investment? If the reason is geological, that is incompetence of the highest order, but if it is because of the prospect of privatisation, it is a scandal.

Finally, since the coalfield and the valleys are synonymous, may I warn the Secretary of State about making statements tomorrow to his cronies in the Confederation of British Industry about the valleys initiative? He should come to this House to make a statement. What has he to hide? Is he engaged in a desperate election ruse?

Mr. Walker: I can quite understand the hon. Gentleman's neurosis. I shall make sure that I send him a copy of my speech tomorrow, which will give detail after detail of what is actually taking place in the valleys. When the hon. Gentleman has seen all the details, he should compare them with what went on in the valleys when he was a Minister. I should be delighted to see the comparison.

Tourism (Grants)

3. **Mr. Gregory:** To ask the Secretary of State for Wales what is the number of applicants for section 4 grants under the Development of Tourism Act 1969, the number approved and the value awarded, for each year since 1980; and if he will make a statement.

The Minister of State, Welsh Office (Mr. Wyn Roberts): With permission, Mr. Speaker, I shall circulate the information in the *Official Report* and I shall also place a copy in the Library.

Mr. Gregory: I thank my hon. Friend for that answer. Will he confirm that hoteliers and those who so successfully manage tourist attractions in Wales will not suffer the problems that beset their colleagues in England because of the Secretary of State for Employment who has suspended section 4 assistance? Will he confirm that section 4 is of great value to the Principality?

Mr. Roberts: I can certainly confirm that there has been a considerable increase in the number of applications for section 4 assistance from 1980-81, when there were 160 applications, to the current year's forecast of 224 applications. Of course, the number of applications approved has increased over the years, as has the assistance offered. I can also confirm that the section 4 scheme is not being suspended in Wales. My right hon. Friend the Secretary of State for Employment made his statement on 31 January suspending, as I understand it, further applications for section 4 assistance in England.

Following is the information:

Development of Tourism Act 1969
Section 4 assistance

	Number of applications	*Number approved*	*Assistance offered £ million*
1980-81 outturn	160	43	1·6
1981-82 outturn	190	113	2·2
1982-83 outturn	158	55	1·6
1983-84 outturn	171	56	1·9
1984-85 outturn	224	87	2·2
1985-86 outturn	239	162	3·5
1986-87 outturn	207	145	3·5
1987-88 outturn	168	119	2·5
1988-89 forecast	224	150	3·4

Labour Statistics

4. **Mr. Butler:** To ask the Secretary of State for Wales by what percentage unemployment has fallen in Wales since June 1987.

Mr. Peter Walker: Between June 1987 and January 1989, seasonally adjusted unemployment has fallen in Wales by 40,900, from 12·6 to 9·2 per cent., a decrease of over 27 per cent.

Mr. Butler: How does that fall compare with the fall in England? What contribution has the increase in self-employment made?

Mr. Walker: I believe that I am correct in saying that, in terms of a percentage fall in unemployment, the north-west of England, the west midlands and Wales have been the three best regions of the United Kingdom. There has been a substantial increase in self-employment during that period. I will send my hon. Friend the full details.

Mr. Roy Hughes: With Welsh coalfields in a near terminal condition, with massive redundancies in the steel industry, including a major closure, is this the time for the Government to come forward with proposals to double the toll on the Severn bridge, our main access point? Why does the Secretary of State not plead with the Chancellor to get rid of that additional tax on the people of Wales?

Mr. Walker: As I have pointed out many times to the hon. Gentleman, the toll on the Severn bridge was imposed during the period of a Labour Government. The toll on the Severn bridge was kept throughout the terms of all

Labour Governments. Unlike the Labour Government, we will swiftly deliver a second bridge. When I read the headlines of the hon. Gentleman's local paper, I found that there is deep concern because there are not enough sites for industrial development. With the enormous demand that is taking place in Newport, the hon. Gentleman is benefiting more than most from the change in the Welsh economy.

Sir Anthony Meyer: Do movements in the unemployment figures result from differences between jobs lost and jobs gained? Is it not a fact that most of the jobs lost have been in industries belonging to the last century and that most of the jobs gained are in industries with a bright future?

Mr. Walker: Yes, Sir. In the period that I mentioned, there have been substantial further job losses in the coal industry and some further job losses in the steel industry. The diversity of the Welsh economy will be one of the greatest benefits to Wales in the years that lie ahead.

Mr. Wigley: Is the Secretary of State aware that the Welsh Development Agency has identified the television and film industry as one of the growth sectors to develop more jobs in Gwynedd? In those circumatances, is he aware that his personal veto this morning on the urban plan to provide the shell of a building for a new studio to develop the industry in Caernarfon is seen as sabotage of prospects for that sector? Is he aware that that is contrary to indications given by his civil servants, not only to the company but to the county council and to the Welsh Development Agency? As a result of his veto, the company stands to lose £50,000 to £60,000. Is that his contribution to the economy of the area?

Mr. Walker: I deplore the hon. Gentleman's emotional words. If he has evidence that any official in the Welsh Office in any way said to anybody that this grant would be made, he had better provide it. Whoever did so will certainly be seen by me. He has made an allegtion, and I expect him to substantiate it.

Several people—some of them will known to the hon. Gentleman—have made strong representations to me. If there were any priority in that area, it should be urban aid for Holyhead. I am glad to say that I provide that. The hon. Gentleman should perhaps speak to some of his own colleagues who gave me that advice.

Mr. Nicholas Bennett: Does my right hon. Friend agree that one of the major ways in which unemployment has been reduced in Wales is through the Government's regional policy of relocating Civil Service and other Government agency jobs to the regions and Wales? Does he find it surprising that some Opposition Members are opposed to relocation?

Mr. Walker: Relocation has had one remarkable effect on Wales. We now have in the Principality the head office of the Export Credits Guarantee Department and the Patent Office. The Companies Registration Office is also in Wales. When I was Secretary of State for Trade and Industry most of those Departments were in London. I am glad to say that they are now in Wales.

Mr. Barry Jones: Instead of making pussy-footing radio statements on the 1,000 steel job losses, why did the Secretary of State not fight for them? There are now 3,000 steel and coal job losses ahead. On his first real challenge since his appointment, the Secretary of State has run away. The right hon. Gentleman is all talk and no fight. Does he not realise the bitterness of the steelworkers, who were in no way consulted? Before Christmas they were offered shares; now they are offered the dole. The right hon. Gentleman has funked his responsibilities. Where is the meat?

Mr. Walker: During the period of this enormous fall in unemployment, there has been an enormous surge of inward investment and great diversification of the economy. The only role of the Labour party is to stir up any bad news that it can get hold of to give a bad image of Wales. The hon. Gentleman was a Minister in the Welsh Office—*[Interruption.]*—10 years ago when major steel closures were announced. I am delighted that the Welsh steel industry is now modern and has a high level of investment. Will the hon. Gentleman pledge himself to renationalise the steel industry?

Hon. Members: Answer.

Environmental Research

5. **Mr. Michael:** To ask the Secretary of State for Wales what plans he has to stimulate and encourage research into environmental matters in Wales.

The Parliamentary Under-Secretary of State for Wales (Mr. Ian Grist): The Welsh Office has commissioned a number of research projects into environmental matters related to my right hon. Friend's responsibilities in Wales, and with permission, Mr. Speaker, I shall circulate a list in the *Official Report* and place a copy in the Library of the House.

Mr. Michael: Will the Minister also circulate a list of those items that are being deleted and undermined by him and his right hon. Friend? When the Minister considers the proposed closure of research vessel support services at Barry, the destruction of the environmental research centre at Bangor, the threat to the environment from the Water Bill and the failure of Government Ministers to obtain a separate water authority for Wales, does he agree that the Secretary of State is presiding over the destruction of environmental research in Wales?

Mr. Grist: I am afraid that the hon. Gentleman took a little too long in preparing that question. I have read his speech in this House, in which he made most of those points, and some of his contributions in the Water Bill Committee, in which he made other points which have been well answered by my hon. Friend the Minister of State. The research vessel services from Barry are a matter for my right hon. Friend the Secretary of State for Education and Science. I understand that the move has been made for the best scientific reasons.

Mr. Morgan: The Minister is right to say that the Department of Education and Science is formally and departmentally responsible. But, in pursuit of joint oversight responsibilities for these facilities in Wales, did the Secretary of State for Wales plead with that Department on the ground of regional policy alone—as is pointed out in the early-day motion of the hon. Member for Vale of Glamorgan (Sir R. Gower), who is sadly absent today—that it makes no sense to move hi-tech jobs in

Government research and development from an area such as south Wales to an overheated area in the south-east of England?

Mr. Grist: The hon. Gentleman, too, is repeating what he said in the debate. This is a decision by the Natural Environment Research Council and it is for the best scientific reasons. There is no other similar institute which has its vessel separate from its main body. Southampton university will be a world-wide centre of excellence for oceanographic research.

Following is the list:

Environmental research projects commissioned by Welsh Office as at February 1989

Project	*Researcher(s)*
Environmental Remote Sensing	University College Cardiff
Conwy Estuary Invertebrate Study	University College of North Wales
Evaluation of the Performance of pre-treatment facilities on marine discharges	Welsh Water Authority
Baseline Study of Acid Rain in Welsh Lakes	University of Bradford
Effect of Storm Water overflows on river water/biota quality	Welsh Water Authority
Investigation of the changes in Water quality and quantity arising from upland drainage of afforested areas	Institute of Terrestrial Ecology
Hydrological impact of small-scale broad-leaved forestry on lowland sites	Institute of Hydrology
The movement of sediments in Swansea Bay	University of Southampton
Ecological modelling of the impact of atmospheric pollution afforestation, soil type and land use	University College Cardiff
Organic compounds in Welsh Soils	University of Lancaster
Survey of contaminated land in Wales	University of Liverpool
Body Burden and exposure to heavy metals	Singleton Hospital, Swansea
Tree and Shrub seeding experiments	University of Liverpool
Survey of analytical capability for radioactivity in Wales	University College Cardiff
Development of a national system for monitoring wastes arising in Wales	Aspinwall and Company
Minimisation of waste movement	M. J. Carter Associates
Effects of ozone and other gaseous pollutants on Welsh vegetation	Institute of Terrestrial Ecology
Morbidity and heavy metal content of Welsh soil	University College Cardiff
Whole Body Monitoring for Chernobyl radiation	Singleton Hospital, Swansea
Radon Survey in Wales	National Radiological Protection Board
Assessment of Reclamation Methods for Contaminated Sites in Wales	Richards Moorehead and Laing, Ruthin
Effectiveness of coastal defence structures in Wales	Polytechnic of Wales, Pontypridd
Monitoring of East Pentwyn and Bournville landslips	Gwent County Council
Site specific monitoring of landslips using BRE methods	Polytechnic of Wales, Pontrypridd, and Building Research Establishment
Site-specific monitoring of landslips using microseismic/acoustic emission techniques	Polytechnic of Wales, Pontypridd
Durability and performance of 'fixtone' in coast protection structures	Polytechnic of Wales, Pontypridd
Coastal process monitoring, Carmarthen Bay	University College of Swansea
Wales Terrestrial Rural Data Base	University College Cardiff
Welsh Landscape Study: the use of Remote Sensing to classify landscape	University of Nottingham, Wye College, University of London
Deeside Thematic Geological Mapping	British Geological Survey
Wrexham Thematic Geological Mapping	British Geological Survey
Assessment of sand and gravel resources in the Lleyn Peninsula, Gwynedd	Department of Earth Sciences, University of Liverpool
Welsh Highways Landscape Study	MWT Landscapes, Avon
Study of Exposed Highway Rock and Scree Slopes	Richards, Moorehead Laing Ltd.
A55 Ecological Study	D. Lovejoy and Partners

Wrexham and East Denbighshire Water Company

6. **Mr. Ron Davies:** To ask the Secretary of State for Wales when he last met representatives of the Wrexham and East Denbighshire water company; and what matters they discussed.

Mr. Grist: I have had no recent meeting with representatives of the company.

Mr. Davies: Will the Minister confirm that the Wrexham and East Denbighshire water company will not be offered the protection under the Water Bill that is available to the Welsh water authority? Will he confirm, therefore, that it will be open to hostile and foreign bids and that such a bid could provide a foothold in the Welsh water industry for further takeovers? If protection is good for the Welsh water authority, why is it not good for the Wrexham water company?

Mr. Grist: The hon. Gentleman knows the answer to the first part of his question. As the company is worth less than £30 million, it does not come under the same rules as the water authority when privatised. But we have nothing against foreign investment in British companies, and I cannot think why the hon. Gentleman should take that line. I expect that he appreciates that about 30 per cent. of water in the United States is owned by French companies, and I have not heard the Americans yelling.

Dr. Marek: Will the Minister talk to the Wrexham and East Denbighshire water company? Is he aware that only last week there was another incident of water pollution where a known carcinogen, formaldehyde, was tipped into the river and only fortuitously the company's intakes were closed at the time? There is a general lack of belief in Wrexham that the Welsh Office intends to clean up the River Dee. When will the Welsh Office, and its agent the Welsh water authority, prosecute those people successfully and give the public the confidence that their water is clean and fit to drink?

Mr. Grist: The hon. Gentleman had better prove that it is not clean and fit to drink. I have no proof of that. The responsibility for the serious incident to which he referred was shared among several water authorities. I believe that further steps are being taken.

Poverty

7. **Mrs. Clwyd:** To ask the Secretary of State for Wales if he will make a statement on his Department's strategy for dealing with acute poverty and deprivation in the Cynon Valley and other districts with a high percentage of low-income households.

Mr. Peter Walker: It is difficult to answer such a question in the short time available for a parliamentary answer. As this Government are carrying out massive programmes of expenditure in the Cynon Valley in education, health, housing improvements, factory building, derelict land clearance, urban aid, regional grants and training, I will, with permission, Mr. Speaker, circulate the details in the *Official Report* and place a copy in the Library.

Mrs. Clwyd: Does the Secretary of State's statement today show an increase of 67 per cent. in the money that will be spent in the valleys of south Wales? That represents £7 million, which is made up of £1 million for inflation and £2·6 million for the garden festival, leaving only £3 million for all the valleys of south Wales. Is it not yet another of the Secretary of State's hot air balloons? How will it help the people of Cynon Valley—the poorest district in Wales, the district with most of the problems that have been identified in the surveys conducted for HTV by the Cardiff business school, and the area where 60 per cent. of households have incomes of £4,000 a year or less? Has the Secretary of State read the last sentence of the Cardiff business school report, which states:

"If, as we are led to believe, Wales is drawing on a new era, nobody has informed Mountain Ash about it."?

Mr. Walker: Although I had intended to publish my detailed answer in the *Official Report*, in view of the hon. Lady's long supplementary question, I shall place my answer on the record now. Since January 1986, the number of unemployed claimants has fallen by 27 per cent. Since 1984 regional industrial support has been provided towards capital investment of £79 million, with associated forecasts of about 3,900 jobs. More than £11·5 million has been spent on a broad range of training measures. The Welsh Development Agency has provided more than 500,000 sq ft of new factory floor space. Land reclamation covering 600 acres and costing about £6 million has been completed. Economic regeneration in the area has been supported through the allocation of more than £5 million of urban programme resources. More than 6,000 houses in the constituency have been improved.

All those things cost tens of millions of pounds. The hon. Lady's old trick of quoting one item as an example for all the valleys has not come off this time. I hope that everyone will read the full reply.

Sir Anthony Meyer: Is my right hon. Friend aware that the very ambitious urban aid programme that was announced today will be warmly welcomed and that there will be special pleasure that Clwyd has not suffered at the hands of south Wales, although we should have liked to see more projects? Is he aware that there will be general satisfaction with the help that he has given to St. Asaph business park, which is one of the best developments to have emerged in Rhuddlan for a long time?

Mr. Walker: The urban aid programme to the Principality is of particular help to north Wales. Although the biggest concentration of help is in the valleys, in total the programme will do much good, create many jobs and improve the environment throughout Wales. Our record compares unbelievably well with that of the previous Government who were responsible for such matters.

Mr. Murphy: Does not the so-called initiative for our valleys involve more fantasy than reality? What our valleys want are better schools, better hospitals and better housing. Does the Secretary of State not accept that our valley councils have lost more in rate support grant over the past 10 years than he has given them in new money in the latest package? Does he not also accept that much of his programme was going to come about in any event, that he has deliberately delayed the urban programme announcement, that six of our valleys are still not designated areas under the Act and that a proper revitalisation of the valleys would require massive and genuinely new investment spread over at least eight years, not advertising hype spread over three?

Mr. Walker: I do not blame the hon. Gentleman for making such a speech just before a by-election, but I am glad to tell him that tomorrow I shall go through every detail of the valleys programme and I look forward to the Labour party publishing beside each item what the Labour Government achieved in their last five years. I look forward to reading that comparison. I can only say that in dealing with derelict land, providing new jobs and building factories we dwarf anything that the Labour party ever contemplated.

Following are the details:

Since January 1986 the number of unemployed claimants in the Aberdare travel to work area has fallen by 27 per cent. Since 1984 regional industrial support has been provided towards capital investment of £79 million with associated forecast of some 3,900 new and 900 safeguarded jobs. Over £11·5 million has been spent on a broad range of training measures, including YTS and wider opportunities for women.

The Welsh Development Agency has provided over 500,000 sq ft of new factory floor space since 1979 and within its current programme the agency is planning to build a further 16 units. Land reclamation covering 600 acres and costing some £6 million has been completed or is under way or planned.

Economic regeneration in the area has also been supported through the allocation of over £5 million of urban programme resource since 1979 towards schemes submitted by Cynon Valley borough council. In addition this morning I have announced more than a further £1 million for 1989-90.

The Government have made a substantial investment towards the cost of improving the A4059 at Aberdare and Abercynon. Furthermore, the Welsh Office has supported the county council's proposal which led to the reopening in September 1988 of the passenger rail link to Aberdare.

On housing since 1979, work on over 6,000 grant improvement projects, costing £19 million, has been completed in addition to enveloping schemes on 450 dwellings at a cost of £3·3 million. Schemes are in hand to improve an additional 500 homes at a cost of £4·5 million.

In the last five years, £9 million has been spent on improving school buildings in the area, and an allocation of £800,000 has recently been made towards the cost of providing a 40-bed unit for the elderly at Aberdare general hospital.

Barrage Schemes

8. **Mr. Stern:** To ask the Secretary of State for Wales if he intends to make any proposals to alleviate the impact on the ports of south Wales of proposed barrage schemes.

Mr. Peter Walker: I am not aware of any direct adverse effects on port activities in south Wales arising from current barrage proposals.

Mr. Stern: Is my right hon. Friend aware that there is a clear distinction between the proposed Severn barrage, which could severely affect all ports and port-related industries in and around the area, and other barrages such as the Cardiff bay barrage, which will have no such effect?

Mr. Walker: There have been full consultations with the port authorities about the Cardiff bay barrage, which is the one for which I have responsibility, and I do not believe that it will have an adverse effect. As for the Severn barrage, the proposal will need to be examined thoroughly before any conclusions are reached. Clearly, however, the port interests will have to be considered carefully before any such proposal is made.

Mr. Flynn: Is the Secretary of State aware that the Cardif business school has reported on the barrage and on the valleys of south Wales? Will he tell us why he refused to give an interview on the television programme referred to by my hon. Friend the Member for Cynon Valley (Mrs. Clwyd)? Is it true that, while refusing to be interrogated by the House and on television, he is carrying out government by press conference, as he is holding one tomorrow? Is it true that he is beginning to unravel? Is Peter the piffle artist becoming Peter the pimpernel, who is never around when there is bad news about?

Mr. Walker: As for that last phrase, the hon. Gentleman obtained coverage in this morning's papers, and I am surprised that he has repeated it for tomorrow's.

I remind the hon. Gentleman that when I launched the valleys initiative I challenged the Labour party to choose it as a subject for the Select Committee on Welsh Affairs. The then Opposition spokesman said that that would quickly be done, but I am still waiting for Labour Members to choose the subject for debate in the Select Committee. Perhaps they would like to choose it for the next one.

As for the television programme, I was asked to appear 36 hours in advance, having been sent the large number of documents. I said that I would be happy to appear on any television programme about the valleys initiative at any time.

Health Service

9. **Mr. Geraint Howells:** To ask the Secretary of State for Wales if he will make a statement on the present state of the Health Service in Wales.

Mr. Grist: Record numbers of doctors and nurses are treating record numbers of patients. The increase in resources that we propose for the Health Service in 1989 will enable the NHS to extend its remarkable record of achievement.

Mr. Howells: I am sure that the Minister is aware that the people of mid-Wales are succeeding in their concerted effort to raise £500,000 to install a scanner at Bronglais hospital, Aberystwyth. I am sure that he is also aware of the view of the majority of those people that the Government should re-establish the Mid-Wales health authority. Will he give an assurance that he will consider the matter, and also tell us the latest developments on the building of the second phase of the hospital?

Mr. Grist: There are no proposals at present for the re-establishment of the Mid-Wales health authority. I was interested to hear the hon. Gentleman raise the subject of the scanner proposal, and I wish it the best of success.

Mr. Ieuan Wyn Jones: If any new hospitals are built in Wales, such as the East Glamorgan hospital, will the funding for those hospitals, in terms of capital costs, be entirely met by the Welsh Office or, as a result of last week's disclosure in *Construction News*, are we to take it that Treasury guidelines to introduce private sector money into such building will mean that the commitment from the Welsh Office will be less?

Mr. Grist: The hon. Gentleman should know that we are still awaiting the proposals of the Mid-Glamorgan health authority for the funding of that new hospital. When we see those proposals we shall arrive at a judgment. I assure the hon. Gentleman that we have no intention to cut the necessary construction of new hospitals, such as that to replace East Glamorgan hospital.

NHS Review

10. **Mr. Livsey:** To ask the Secretary of State for Wales if he will make a statement on the National Health Service review as it affects Wales.

11. **Mr. Raffan:** To ask the Secretary of State for Wales if he will make a statement on the Government's National Health Service review, "Working for Patients", as it caters for the distinctive health care needs and circumstances in Wales.

Mr. Peter Walker: The conclusions of my review of the National Health Service in Wales are included in the White Paper "Working for Patients", Cm. 555. I am confident that by increasing the responsibility and accountability of those working in the service, by increasing patient choice, and by ensuring appropriate rewards for those who deliver results, my proposals will lead to even better patient care for the people of Wales.

Mr. Livsey: Does the Secretary of State agree that there is great concern in rural Wales that the opt-out proposals in the review are totally unsuitable to that area and that the general practitioner services mentioned in the review are not properly structured to deliver the sort of services that should be provided in mid-Wales?

Will the nurses' pay review in Wales be fully funded by the Government?

Mr. Walker: I can understand the hon. Gentleman expressing his concern about the opting-out of hospitals in rural Wales, having looked at some of the press comments on the proposals. When the hon. Gentleman sees the working papers he will discover that no hospital will be able to ask for trust status unless it agrees to carry out the whole range of services that must be undertaken in that area. Thereafter, it will be the responsibility of the Welsh Office to monitor those hospitals to ensure that they carry out all those services. I promise the hon. Gentleman that no trust hospitals will be created without those hospitals

first agreeing to the totality of their obligations and without their being monitored thereafter to see that they fulfil those obligations.

I agree with the hon. Gentleman that GP practices throughout Wales differ from one locality to another and that the considerations for the rural areas are wholly different.

Announcements will be made about the nurses' pay award, but I assure the hon. Gentleman that public and Government expenditure will be considerably increased throughout the Principality as a result of that award.

Mr. Raffan: As the review referred to a much higher incidence of heart disease, strokes and most forms of cancer in Wales compared to the rest of the United Kingdom, will my right hon. Friend assure the House that the Health Promotion Authority for Wales will have a much higher profile than it has had and a budget to match? Will my right hon. Friend confirm that the authority's detailed proposals will be published before the summer, and will those proposals include advertising campaigns on tobacco and alcohol abuse, which account for more than 100,000 deaths a year in the United Kingdom?

Mr. Walker: I share my hon. Friend's concern and that is why in the Welsh section of the White Paper I strongly stressed the importance of health promotion and the preventive side of health in Wales, which have an enormous contribution to make. At the moment I am examining a large number of detailed proposals that have been put to me. We have a meeting within the next couple of weeks to discuss those proposals and I assure my hon. Friend that we will publish the details as quickly as possible.

Mr. Michael: In the light of the White Paper, what importance should the public in Wales now place on the 10-year plans being prepared by health authorities and considered by his Department? Will the right hon. Gentleman exempt Wales from the opting-out schemes, which could make those plans meaningless?

Mr. Walker: No. The hon. Gentleman must give more careful thought to the detail of what he describes as the "opting-out schemes". Those schemes do not represent opting out, as hospitals will remain within the National Health Service. By opting out one decides to delegate some of the managerial decisions to a lower level. If that can be done with improved efficiency with the whole range of services continuing to be carried out, there is no reason why the Secretary of State for Wales should not give approval to such a scheme. Thereafter, however, the Secretary of State and the Welsh Office will have the duty to monitor such a scheme. Such schemes should be judged on their merits and improved efficiency and they should mean that, in total, the hospitals still carry out all the functions required in the district.

Labour Statistics

12. **Mr. Wigley:** To ask the Secretary of State for Wales what is the latest percentage unemployed for *(a)* Wales and *(b)* each of the five employment areas with the highest level of unemployment in Wales at that date.

Mr. Peter Walker: On 12 January 1989 the seasonally adjusted unemployed rate in Wales was 9·2 per cent. The unadjusted rates for the five travel-to-work areas with the highest unemployment on 12 January 1989 were Pwllheli, 19·1 per cent.; Cardigan, 18·9 per cent.; south Pembrokeshire, 18·8 per cent.; Aberdare, 18·4 per cent.; and Holyhead, 18·3 per cent. I am pleased to say that unemployment in all these areas has fallen dramatically in the last 12 months—by 21 per cent. in Pwllheli; by 22 per cent. in Cardigan; by 25 per cent. in south Pembrokeshire; by 13 per cent. in Aberdare and by 16 per cent. in Holyhead.

Mr. Wigley: Do not these figures of between 18 and 20 per cent. in unemployment black spots, when compared to the levels of 2 and 3 per cent. in Hertfordshire, Berkshire and Buckinghamshire, give the lie to the public relations exercise that the Secretary of State is undertaking which says that the economy of Wales is coming right? Will he now reconsider his advice that local initiative will solve all these problems, given that he has undermined local initiative in the example quoted earlier about people who have been willing to put up £1·7 million of locally raised money for a project which was undermined by the Welsh Office?

Mr. Walker: Obviously, the hon. Gentleman is emotionally carried away by this decision. I think that he should explain——

Mr. Wigley: It matters.

Mr. Walker: I think that he should explain that virtually all the money for that project was to be public expenditure. The local authority and central Government were asked to provide it all.

I mentioned the reduction in unemployment that has taken place in Holyhead, and, while the decrease has not been as good there as in some other areas, the announcements that I made this morning gave a priority to Holyhead. I suggest that the hon. Gentleman goes to Holyhead and explains that in his view the priority should have been given to the television studios and not to Holyhead.

CHURCH COMMISSIONERS

Publications

25. **Mr. John Marshall:** To ask the right hon. Member for Selby, as representing the Church Commissioners, what publications the Church Commissioners plan during 1989.

Mr. Michael Alison (Second Church Estates Commissioner, representing the Church Commissioners): During 1989 the Church Commissioners will be producing a range of publications including their report and accounts for 1988, the 17th report of the central stipends authority, a series of leaflets describing the work of the Church Commissioners, and a brochure on commended entries for the parsonage design award competition.

Mr. Marshall: Does my right hon. Friend agree that the country yearns for a moral lead? Would the Church Commissioners consider using their publication budget to meet that moral need, especially as certain Church leaders are failing to give it?

Mr. Alison: My hon. Friend will have noted the debate in the House last Monday on the initiative by my hon. Friend the Member for Bromsgrove (Sir H. Miller). On the

question of a moral lead by the bishops and others, the overriding Christian message is not so much moral exhortation as justification by faith from moral failure. There can never be a surfeit of the propagation of that fundamental message of grace. My hon. Friend's message to the bishops will certainly be noted.

Mr. Frank Field: Following the suggestion of the hon. Member for Hendon, South (Mr. Marshall), does the right hon. Gentleman agree that last week's meeting of the ecclesiastical committee and the legislative committee might point to a useful moral lead to be given by the commissioners? We heard that some bishops had sent on training courses in preparation for ordination people who could not be ordained because they had been divorced and were remarried. Would not a moral lead to be to make sure that those people are paid while we come to a conclusion with the legislative committee about whether that piece of legislation was expedient?

Mr. Alison: The hon. Gentleman makes a fair and pertinent point. A more definitive response to him must await the time which will probably arrive when the clergy ordination Measure is taken on the Floor of the House. Then we shall all have an opportunity to raise such issues at length.

General Synod,

26. **Mr. Gow:** To ask the right hon. Member for Selby, as representing the Church Commissioners, when he next intends to be present at a meeting of the General Synod of the Church of England.

Mr. Alison: I intend to be present at the next meeting of the General Synod which is scheduled for July of this year.

Mr. Gow: While recognising the undoubted right of all members of the General Synod to deeply held views for or against the policies of the present Government, would it be helpful if my right hon. Friend were to point out to the General Synod that its reputation would be enhanced if its members, when in Synod, devoted more time to matters spiritual than to matter political?

Mr. Alison: I certainly note what my hon. Friend says. He will know that there is a temptation in that lesser assembly to emulate the topics and methods of procedure of the greater assembly of which he and I are members. He will also know that the General Synod is a creature of Parliament and that it is fully in his hands, as a private Member, to introduce a Bill to abolish the General Synod of the Church of England if he so wishes.

Mr. Winnick: When the right hon. Gentleman attends the Synod, or well before then, will he take the opportunity to congratulate the Archbishop of Canterbury on his excellent statement today, which, while expressing concern —which I share—for any offence caused to the followers of the Islam religion, strongly protests against the sentence of death passed by religious leaders in Iran? Is the right hon. Gentleman aware that that action is totally unacceptable to British people, including Moslems, who disapprove strongly of what has been said?

Mr. Alison: I take note and respond positively and warmly to what the hon. Gentleman has said, particularly about the Archbishop of Canterbury's statement. There could hardly be a more fundamental demonstration of the difference between the Christian religion and Islam than the response of the Christian deity to those appalling and unthinkable attacks, which is the foundation of forgiveness in the Christian religion.

HOUSE OF COMMONS COMMISSION

Computer Services

28. **Mr. Allen:** To ask the hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, how many staff are employed by the commission on computer services.

Mr. A. J. Beith (On behalf of the House of Commons Commission): The Computer Officer, who has responsibility to both Houses for computer developments planned for Parliament as a whole, has a staff of two assistant computer officers, one of whom is on secondment to the House, and one full-time and one part-time secretary. In addition, there are 140 computer terminals throughout the Departments of the House which are available to a wide range of staff users.

Mr. Allen: Will the hon. Gentleman consider using some of the time of those operators for the installation of a fax machine which could be used collectively by right hon. and hon. Members rather than duplicating many times a facility that could be provided and serviced by one additional member of staff, or even by current members of staff?

Mr. Beith: That proposal has been considered by the Services Committee. The Accommodation and Administration Sub-Committee gave detailed consideration to the possibility of providing further centralised facilities in addition to those provided by the Post Office in the Central Lobby, for which a charge is levied. But the sub-committee concluded that the practical difficulties outweighted the advantages of a centralised service. As the hon. Gentleman said, several right hon. and hon. Members have purchased their own fax machines, the cost of which is reimbursable from the office costs allowances, and sufficient lines are available for all who wish to do so.

CHURCH COMMISSIONERS

Fire and Vandalism

27. **Mr. Harry Greenway:** To ask the right hon. Member for Selby, as representing the Church Commissioners, how many churches within the commissioners' care were damaged by fire or by vandalism in the past year; what were the comparable figures five, 10 and 15 years ago; and if he will make a statement.

Mr. Michael Alison (Second Church Estates Commission, representing the Church Commissioners): The limited information I have does not extend to most of those churches which are the responsibility of the incumbent and parochial church council, and the commissioners do not have information about fire and vandalism affecting them.

Mr. Greenway: Has my right hon. Friend seen the figures showing that at least one third of our churches and cathedrals have been vandalised by fire or in other ways in the past year? Does he share my worry about that and

about the fact that so many churches have to be locked as a result? Will he note that it is rare for a mosque to be locked and that people of the Islamic faith remain in their mosques to ensure that they are not vandalised. Will he encourage members of the Church of England to show the same fervour in their own churches and to keep them open by watching them and looking after them?

Mr. Alison Between 1977 and 1982, a total of 56 per cent. of churches suffered theft, and the figures are higher in inner city areas. I take note of what my hon. Friend says: it is a great pity if any parish church has to be locked at a time when members of the public may wish to enter it. A conceivable solution to the problem might be to redraft the guardian angels when they are made redundant from Underground trains and deploy them in parish churches. The Church Commissioners would willingly supply them with wings.

WALES

Economic Situation

13. **Mr. Martyn Jones:** To ask the Secretary of State for Wales what representations he has had from industries in Wales about the current economic situation.

The Secretary of State for Wales (Mr. Peter Walker): I have frequent discussions with industrialists, which confirm an expectation of rising investment.

Mr. Jones: Although investment may be rising, surely the industrialists also made representations about the rise in interest rates and the cost of borrowing? I have certainly received representations from the farming industry in my constituency, whose members are worried about their income levels. One reason why they have low incomes is the rise in interest rates and the cost of borrowing.

Mr. Walker: I agree with the hon. Gentleman that rising interest rates present problems, particularly for the farming community, which has to borrow heavily. Inflation also brings problems and must be tackled.

In industry—as opposed to merely the farming industry—the range of facilities offered by the Welsh Development Agency, provided by way of regional selective assistance, makes Wales an attractive place in which to invest. That is why an all-time record for inward investment into Wales was achieved in 1988.

LORD PRESIDENT OF THE COUNCIL

Peers Gallery

29. **Mr. Harry Greenway:** To ask the Lord President of the Council if he will estimate the average number of peers who use Peers' Gallery seats on each day of the week; and if he will make a statement.

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): It is not possible to provide the information that my hon. Friend requests, as attendance by peers in their Gallery depends largely on the business of the House.

Mr. Greenway: My right hon. Friend and hon. Members on both sides of the House will have noticed that the Peers Gallery is almost invariably empty, even during Prime Minister's Question Time. Will my right hon. Friend and those responsible soften their hearts and open those seats, formally reserved for peers, to members of the public, hundreds of whom are disappointed every day in their attempts to enter the House? Perhaps peers could be invited into the Special Galleries of the House which are also almost invariably empty?

Mr. Wakeham: My hon. Friend's specific proposal is a matter for the Accommodation and Administration Sub-Committee. On sitting days from Monday to Thursday, two rows, each of 12 seats, remain available for peers from 2.30 pm to 5.30 pm. If the 12 seats in the second row are not occupied by peers at 5.30 pm, they can be used by Members' guests. My hon. Friend should also remember that equally generous arrangements are made for Members of the House of Commons in the House of Lords.

Food Programmes

30. **Ms. Walley:** To ask the Lord President of the Council how much money has been allocated to introduce healthy and nutritious food programmes covering the Members' and Strangers' Cafeterias.

Mr. Wakeham: The Refreshment Department retains the services of a qualified nutritional adviser on an ad hoc basis, whose fees are paid from the trading account. It is the continuing policy of the Department always to maintain and, where possible, to improve the nutritional content of food served in the House. However, no money has been allocated specifically for this purpose.

Ms. Walley: I thank the Lord President for that answer. Now that the Commission has turned down the unanimous decision of the Catering Sub-Committee to invite the London food commission to give advice on how healthy and nutritious the food in the Members' and Strangers' Cafeterias is, what will the Leader of the House do to improve the situation? Does he not realise that many Members on both sides of the House and many staff who work here have to eat morning, noon and night in those cafeterias, and that there is a desperate need to take on the services of people who are qualified and at the forefront of their field in this subject?

Mr. Wakeham: I am not sure that the hon. Lady's views are fully shared by all hon. Members or, indeed, by all members of the Sub-Committee. It is not the Commission's policy to disclose the reasons for its decisions, and I can only assume that the Commission prefer the Refreshment Department's current practices, which were designed to promote healthy and nutritious food in the House.

Sir Fergus Montgomery: Is my right hon. Friend aware that the London food commission is not a body of recognised dietary experts but a Left-wing organisation?

Mr. Wakeham: My hon. Friend's analysis is correct. As I understand it, the London food commission is a consumerist pressure group staffed by academics and investigative journalists. It has no expertise in advising on dietary matters. In addition, its future is uncertain, as the original funding from the GLC is known to be running short. As far as I know, the commission has not found any other source of funding so far.

Mr. Dobson: Setting aside the Lord President's snide references to the London food commission, which has done a considerable amount of good work, I ask him whether, instead of being so complacent, he would be prepared to undertake a thoughtful and organised survey of the views of hon. Members and of the other people who have to use the cafeterias in this place——

Dame Elaine Kellett-Bowman: They are jolly good.

Mr. Dobson: Some Conservative Members may think so, but many people think they are flaming lousy.

Mr. Wakeham: I do not accept what the hon. Gentleman says. I did not think my remarks were particularly snide; I thought they were straightforward and factual. If there were a need for a review or anything of that sort the initiative would have to come first from the Catering Sub-Committee.

Dame Elaine Kellett-Bowman: May I inform my right hon. Friend Friend that I lunch in the cafeteria every day? I have the sense to choose nutritious, healthy food, and I am lasting pretty well.

Mr. Wakeham: My hon. Friend makes her point effectively.

Order Paper

31. **Mr. Allen:** To ask the Lord President of the Council if he will take steps to make the Order Paper more user-friendly.

Mr. Wakeham: No, Sir. I am not aware of any significant demand for changes in the form of the Order Paper.

Mr. Allen: Does the Lord President accept that the Order Paper is our daily agenda? If he looks at today's agenda, he will see that it is almost one inch thick. That must represent a tremendous waste of time and paper every day. Will he ensure that parliamentary questions are listed by Department, and consider any other reforms that hon. Members suggest, rather than destroying a vast amount of Amazonian forest each day?

Mr. Wakeham: The Order Paper is designed primarily for the use of right hon. and hon. Members, and I am sure that many of us who have become familiar with its style and format would—contrary to the hon. Gentleman's belief—find the changes that he proposes considerably less convenient. The matter has been considered by the Services Committee; the Order Paper is designed to be of greatest use to the House.

If the hon. Gentleman has suggestions, I advise him to bring them to the attention of the Accommodation and Administration Sub-Committee.

European Documents

32. **Mr. Teddy Taylor:** To ask the Lord President of the Council if he will take steps to ensure that European documents are considered by the House of Commons before a common position has been arrived at by the Council of Ministers; and if he will make a statement.

Mr. Wakeham: In their response to the second special report from the House of Commons Select Committee on European Legislation, Session 1985-86, the Government reaffirmed that they would endeavour to bring forward documents for debate at the earliest appropriate opportunity. That continues to be our objective. In the case of Community legislation subject to the co-operation procedure, it is the Government's aim that parliamentary scrutiny should be completed before a common position is agreed by the Council of Ministers.

Mr. Taylor: As many of the laws that used to be made in the House of Commons are now made by the Council of Ministers, and as we can discuss its decisions for only one and a half hours after 10 o'clock at night, does the Lord President agree that this makes nonsense of democracy and deprives the public of the knowledge of what is going on? Does he also agree that it is an insult to all that Parliament stands for if the House sits from 10 pm to 11.30 pm to discuss matters that have already been decided in Brussels?

Mr. Wakeham: I agree that the way in which the House has dealt with European matters in recent months has left something to be desired, and I am taking steps to try to improve it. However, I do not accept my hon. Friend's contention that some of these matters must be discussed after 10 pm, but I am afraid that they will continue to have to be so. My discussions show that it might be possible substantially to improve the way in which our debates are held.

Mr. Spearing: Is the Leader of the House aware that those who are concerned about this matter are grateful to him for referring to the Select Committee's report of two years ago and that we look forward to the Government implementing the intention that they stated at that time? Does he agree that it is becoming a matter of considerable importance that a common position is reached? A common position is, in effect, the last and combined word —perhaps on a majority vote—of the Council of Ministers, prior to possible amendment by the European Parliament at Strasbourg. Although debates may have to take place after 10 pm, the Leader of the House might care to bear in mind that debates at earlier times on major matters would be more appropriate.

Mr. Wakeham: I recognise the strength of what the hon. Gentleman says. He knows the pressures that we are under and that I am trying to do my best to improve some of the apparent weaknesses.

Mr. Dykes: Does not the Lord President of the Council agree that all parts of the House are anxious to get this right, including those who are keen on our membership of the European Community? Does he agree that Jacques Delors' famous 80 per cent. utterance was taken out of context, and that he was advocating greater involvement by the national parliaments? I appreciate the difficulties that my right hon. Friend faces and I am not criticising him, but would it not be a good idea to consider a combination of more all-day European Supply days such as the one next Thursday, longer debates—late at night, if necessary—the sending of more business upstairs to Committee whenever a particular document makes that relevant and also, once a month, having a longer Friday afternoon session so that European enthusiasts, such as my hon. Friend the Member for Southend, East (Mr. Taylor), myself and others can take part?

Mr. Wakeham: I agree with my hon. Friend that most of his suggestions will form part of the solution , though I think that the House would be reluctant to depart from the view that it should rise at 2.30 on Fridays. However, his other suggestions are more helpful.

Mr. Murphy: On a point of order, Mr. Speaker. It arises out of Welsh questions and the Secretary of State for Wales' answer to the question that he was asked by my hon. Friend the Member for Cynon Valley (Mrs. Clwyd). [HON. MEMBERS: "Where is the Secretary of State?"] I see that the bird has flown. He said that there would be no time for a statement on the valleys initiative during Question Time and that he would place a copy of his speech in the Commons Library. Has he asked you for permission to make a statement to the House on the initiative or has he, as he did last week when he refused to make a statement to the House on the Welsh business rate, copped out once again? Is it right that the Secretary of State should hide behind English Tory Members of Parliament, who consistently seem to have their names at the front of the Order Paper when there are Welsh questions, thus denying Welsh Members the right to put their point of view on behalf of their constituents?

Mr. Speaker: I have no knowledge of a statement. Certainly one was not offered today. It may be offered tomorrow, but I do not know.

Mr. Wigley: Further to that point of order, Mr. Speaker. Is it not totally unacceptable that when only 13 questions were answered on Welsh matters, four of them should have been asked by hon. Members with English constituencies and that most of the questions were answered by a Member representing an English constituency? We have only one chance a month to cover a whole range of problems that are relevant to the people of Wales. When will you be in a position to defend the interests of Welsh Members in this Chamber?

Mr. Speaker: The hon. Gentleman ought to know, and I ought not to have to keep repeating it, that this is a United Kingdom Parliament. He reserves the right to take part in discussions on other matters. The only Member who was present in the Chamber today who sought to catch my eye and was not called—and I deeply regret it—was the hon. Member for Bridgend (Mr. Griffiths). However, the hon. Member for Caernarfon (Mr. Wigley) was called twice, so I do not think that he has any cause for complaint.

Mr. Peter Walker: Further to that point of order, Mr. Speaker. First, I should very much welcome any extension of Welsh Question Time, because that would be such an advantage to the Government side of the House. Secondly, I shall be making a speech tomorrow in Wales in which I shall review in detail the massive progress that has been made under the valleys initiative, and I hope that every hon. Member and everybody in Wales will read it.

Mr. Dickens: Further to that point of order, Mr. Speaker. I was not called at Question Time, nor did I stand to ask a question. However, as a matter of principle it annoys hon. Members to think that Welsh Members should adopt such an attitude, because millions of pounds of English taxpayers' money are directed towards Wales. We have given Wales one of the best Secretaries of State in the Cabinet. It ill behoves Welsh Members to suggest that this is an English Parliament. We are entitled to look at how our money is being spent in Wales.

Mr. Alan Williams: On a point of order, Mr. Speaker. There is a very serious point involved here. You have always said that you think it important that this House should be given information first. You will remember that on the occasion of the first valleys initiative statement we had to raise many points with you in order to persuade the right hon. Gentleman to come here 24 hours after he had made a statement in Wales. During Question Time today—and this involves your position, Mr. Speaker—the Secretary of State said that he could not deal adequately with the question on the Order Paper in the name of my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) because there was not enough time in a parliamentary answer. Yet he then stood up and said that he would be making a statement in the valleys tomorrow.

One might point out that this morning he issued to the press a 20-page document which he still has not come to the House to answer for. Is it not a fact that if the right hon. Gentleman was dissatisfied with the time that would be available by way of a normal parliamentary answer, he could have opted—as any Minister, with your permission, Mr. Speaker, could—to take that question at the end of Question Time and then face proper intensive questions, or he could have made a statement?

Mr. Peter Walker: Further to that point of order, Mr. Speaker. I understand the feelings of the right hon. Gentleman, who has been deposed from his position as shadow Secretary of State for Wales. The document that I issued this morning on urban aid has always been issued in that form by all Governments. Secondly, the speech that I shall be making tomorrow will give in great detail the marvellous progress made under the valleys initiative.

Mr. Alan Williams: Not here.

Mr. Peter Walker: The right hon. Gentleman says "Not here". When he was shadow Secretary of State and I challenged him to have this debate in the Select Committee on Welsh Affairs, he said, "We soon will." The Labour party has never chosen it as a subject.

Mr. Win Griffiths *rose—*

Mr. Speaker: I will allow one more point of order, as the hon. Member was not called during Question Time.

Mr. Win Griffiths: On a point of order, Mr. Speaker. Further to the statement by the Secretary of State for Wales about the speech he is going to make, may I ask whether he can tell us if that speech will be included in the expenses of the Pontypridd by-election?

Mr. Speaker: Order. I do not think we can profitably continue Question Time.

Mr. Dobson: On a point of order, Mr. Speaker. On a number of occasions you have said that it is your belief that any initiatives being announced by the Government by way of statement are best announced to the House. If the Secretary of State for Wales is indeed going to say anything new tomorrow, surely he should be saying it here. If his excuse is that he will not be saying anything new, I hope that the newspapers will note that he will just be churning out the same old stuff yet again. If he proposes to say something new, I hope that, as the guardian of the

interests of all parts of the House, you, Mr. Speaker, will make representations to try to make sure that he does it in the House rather than just making a speech or holding a press conference, even if it is in Wales.

Mr. Speaker: I shall look carefully at the speech of the Secretary of State.

BILL PRESENTED

COMMON LAND (RECTIFICATION OF REGISTERS) BILL

Mr. Tony Favell, supported by Mr. David Harris, presented a Bill to remove from registers of common land and registers of town or village greens dwellinghouses registered under the Commons Registration Act 1965 which had been used as dwellinghouses for a minimum of twenty years immediately prior to the commencement of that Act; and for purposes connected therewith: And the same was read the First time; and ordered to be read a Second time on Friday 24 February and to be printed. [Bill 79.]

Points of Order

Mr. David Winnick (Walsall, North): On a point of order, Mr. Speaker. It has always been said that the House is concerned with the rights of individuals and that any injustice, or possible injustice, to an individual is as much the concern of the House of Commons as is injustice to a large number of people. Is it not a fact that the very serious death threat that has been made against a British citizen —a death threat made by someone who is, in effect, the leader of a foreign country with which we have diplomatic relations—is of such importance that we should have a statement at the earliest opportunity?

There are two matters that I wish to raise with you, Mr.. Speaker. The first concerns the protection of the individual, which is a matter for the Home Secretary, and the second concerns the state of Anglo-Iranian relations. Many of us believe that diplomatic relations with Iran should be broken off. I hope that I am not in any way abusing the opportunity to raise a point of order with you, but will there be an opportunity for the House to question a Minister at the earliest opportunity? I hoped that we could do that today, but I trust that we shall certainly have an opportunity tomorrow.

Mr. Speaker: That matter may well arise during Prime Minister's Question Time tomorrow.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr Speaker. You and some other Members of Parliament are residents of Westminster. I am not sure whether you are a ratepayer in Westminster, but, as a resident of this building, you might well be one. It has been suggested that Westminster ratepayers can call for an extraordinary audit into the council's affairs. The council has spent £1 million paying off Mr. Brooke, the chief executive, to keep his mouth shut. It is possible within the law for ratepayers to call for an extraordinary audit.

I have the idea that, as you, Mr. Speaker, live here, we could have a round robin and you could head it. There are one or two Opposition Members who live up the road who would sign. I am not too sure that we would get too many Tories to sign. I am pretty sure that if we started things here, we could get an extraordinary audit and sort out this Lady Porter job.

Mr. Speaker: I think that the hon. Member might start the round robin.

Mr. Nicholas Bennett (Pembroke): On a point of order, Mr. Speaker. While we are on local government matters, perhaps Derbyshire county council could be included in the extraordinary audit so that we might establish why Mr. Reg Race has lasted only nine months and the pay-off has not been announced to the public.

Mr. Richard Holt (Langbaurgh): On a point of order, Mr. Speaker. You will have been alerted, during the weekend, to the serious situation which has arisen again in Cleveland. It is a matter which Parliament has yet to debate. There has been a judicial inquiry into what happened, but many of my constituents are being subjected, once again, to serious allegations, although they have been cleared in court. I wonder whether there is any way in which the Secretary of State for Health can be brought to the House to make a statement about child sex abuse in Cleveland. The Government clearly refuse to give us an opportunity to debate the matter, despite my asking for a debate on no fewer than 12 occasions.

The Government were clearly unaware of the subterranean effort to bring the issue to the fore. It is no coincidence that there is a letter signed by 11 paediatricians, a letter from a psychologist and letters in the local press attacking the hon. Member for Middlesbrough (Mr. Bell) and me, and that there is to be a seminar at Teesside polytechnic next weekend, at which the guest speaker is——

Mr. Speaker: Order. What is the point of order for me? I shall not be there.

Mr. Holt: The matter is serious. We ought to have a statement from the Government so that my constituents and those of my friend and colleague the hon. Member for Middlesbrough can have their minds put at rest.

Mr. Speaker: I am sure that what the hon. Member has said has been carefully noted by members on the Government Front Bench.

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker. I understand the reply that you gave my hon. Friend the Member for Walsall, North (Mr. Winnick), but is it not possible to ask the Leader of the House, who is present, when we will have a statement about Mr. Rushdie and the ayatollah's decision? This is a matter of great importance to the British people. Can we have a Government statement at the earliest possible moment? As the Leader of the House is here, perhaps he can give us an idea of when a statement will be made.

Mr. Speaker: I am sure that the Leader of the House has listened carefully and will have noted what has been said on this important matter.

Orders of the Day

Transport (Scotland) Bill

Not amended (in the Standing Committee), considered.

New Clause 4

PENSION SCHEMES

'The S.T.G. staff pension fund and the S.T.G. Transport Operatives Pension Scheme (T.O.P.S.) shall continue in operation, and it shall be a condition of sale that any new company operating any undertaking disposed of under section 1 above shall participate in them.'.—*[Mr. Wilson.]*

Brought up, and read the First time.

3.45 pm

Mr. Brian Wilson (Cunninghame, North): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this we may take amendment No. 17, in clause 12, page 6, line 32, at end insert

'and shall ensure that employees' pension rights are in no way diminished by the operation of this Act.'

Mr. Wilson: The new clause and amendment No. 17 deal with the pension rights of employees of the various sectors of the Scottish Bus Group under the present system and our concerns about how those rights will be affected by privatisation. New clause 4 simply asks that the Scottish Transport Group staff pension fund and the transport operatives pension scheme—TOPS—continue in operation and that it should be a condition of sale that any new company operating any undertaking disposed of under the Bill should participate in them. In other words, we are seeking to defend the rights of those who work within the Scottish Transport Group and to say that they and their rights cannot be sold off like so many cans of beans.

At present, the vast majority of people who work for the Scottish Transport Group come within a pension scheme—TOPS. The latest TOPS report and accounts list the participating employers as all those who are to be sold off under the Bill. There are 10,473 members of TOPS, not only contributing members but pensioner and deferred pensioner members. There seems to be general agreement that the scheme is well run, well managed and extremely beneficial to those who have, in many cases, worked for the Scottish Transport Group for many years. The correspondence I have received on the subject shows that members of the pension scheme are appreciative of what they consider to be a good scheme which is advantageous to their interests.

The scheme provides a pension on retirement linked to final pensionable pay near that time. As pay increases, pension expectation rises in line. For 40 years' membership, members receive a pension of two thirds pensionable pay near retirement.

The STG pension schemes are good. They have been revised at regular intervals and have been improved with members being contracted out of the state earnings-related pension scheme with subsequent savings in national insurance compensation. The employees' contribution is 5 per cent. of pensionable salary and they are allowed to make additional voluntary contributions if they wish. The employers pay the whole cost of the benefits for employees and their dependants. Those contributions are normally in excess of those paid by employees.

From everything I have said, I am sure that my hon. Friends will agree that it is a model pension scheme, which is what one would expect from the public sector. A person who has worked for 40 years for the Scottish Transport Group or one of its subsidiaries will receive a maximum pension of, as I have said, two thirds of pensionable salary. Therefore, someone who was earning £12,000 per annum would receive a pension of £8,000 per annum.

There are many benefits other than the retirement pension. There is an early retirement pension, a late retirement pension, an ill-health retirement pension and, perhaps more important, an in-built provision for index linking so that it is not simply a straightforward sum each year. A lump sum on retirement is also possible.

TOPS has been approved by the Inland Revenue superannuation fund under the Finance Act 1970. This is important because, from such approval, benefits stem to employees in tax relief on their contributions and their lump sums on retirement or death. The pension benefits are taxed, taking into account personal tax relief. Approval by the Inland Revenue also means that there may be limits on the contributions employees pay and on the amount of their benefits.

On every score, it is a well established and well operated pension scheme and it is no wonder that there is immense concern among employees of the Scottish Bus Group about the implications for the scheme after privatisation. They have only to look south of the border at some of the experiences of their former workmates within public sector bus operations to see what the alternative propositions might be.

It is tragic that any Government should, with such equanimity, be prepared to take away the rights of working people and the right to peace of mind for which they have paid over the years. One cannot do that in any sense of fairness or justice to those who have, without any political considerations, given their working lives to the Scottish Bus Group and its subsidiaries. There is contempt for those working people in the idea that pension rights can be swept aside together with their best interests and peace of mind. That is the proposition contained in the Bill. Make no mistake: nothing in the Bill will safeguard the interests of the employees of the Scottish Bus Group after it has been broken up and sold off, perhaps to the highest bidders.

When the Minister replied in Committee to our amendments and proposed new clauses, he said—as he has tended to say throughout the passage of the Bill—that the Government can take to themselves the power to give certain safeguards. He pointed out that clause 12 enables the Secretary of State to make orders to protect pension rights with respect to subsidiaries of the Scottish Transport Group after privatisation. The Minister told us that clause 12 provided for the Secretary of State to take into account representations made by those who administer the pension scheme in question. He assured us that the preservation of a proper pension scheme would be a consideration taken into account by the Secretary of State in determining to whom the subsidiaries of the Scottish Transport Group were to be sold. On every count, the Minister's defence on pension rights is that it will be within the powers of the Government to safeguard the interests of workers.

I take exception to that and regard it as inadequate, for two fundamental reasons. First, experience does nothing to reassure us that the Government will use the powers they have taken to themselves to interfere with the untrammelled workings of the market place. Many Opposition Members have severe doubts about the likelihood of the Secretary of State making orders for the implementation of a pension scheme after privatisation if the scheme introduced by the new owner was unsatisfactory.

Secondly, what will happen in the years after privatisation? As has been seen clearly from the English and Welsh experience, the initial sales of subsidiaries of the Scottish Bus Group may be only the beginning of a long and complicated saga. I have visited Southampton within the past few days to see what had become of one of the subsidiaries there—Hampshire Bus. What happened there was a classic example of asset stripping. A substantial part of Hampshire Bus—the operative side—was sold to another owner. As a result, many of the workers' previous pension rights have already disintegrated. I have not noticed the Secretary of State for Transport coming to the House with orders to reverse that process.

If the subsidiaries of the Scottish Bus Group are released into the private sector, with all the rhetoric about freedom and competition, one of the rights that will be established is the right of a buyer to sell on to a new owner. Whatever safeguards the Minister may tell us, to salve his conscience, are built into the legislation, the truth is that they will disappear immediately further sales take place. If the Minister can give us any example from the privatisation programme, in which the Government have been engaged since 1979, of a Secretary of State coming to the House in order to bring in check private owners who have subsequently done away with the right of the employees of former public companies, I should be extremely interested to hear about it. Such a precedent does not exist and will not be established under the relatively minor privatisation programme that we are discussing today. Unless safeguards of pension rights are written into the Bill now, it is extremely unlikely that those rights will be safeguarded subsequently.

Mr. John McAllion (Dundee, East): New clause 4 calls for the continuation of the Scottish Transport Group staff pension fund and of its transport operatives pension scheme—otherwise known as TOPS. The reason why new clause 4 seeks to do that is set out in amendment No. 17 which states that we aim to

"ensure that employees' pension rights are in no way diminished".

To secure that aim we want it to be a condition of sale to any private operator that pension conditions are preserved through the existing pension fund schemes. The existing arrangements are well established. Both the staff pension fund and TOPS are in the hands of trustees who run them through management committees. We are told in the notes on clauses that the management committee of the staff pension fund consists of group representatives and staff representatives in equal numbers, and that the management committee of TOPS consists of four members from the management of the Scottish Transport Group and three members from the trade unions, representing the workers.

However, in Committee my hon. Friend the Member for Falkirk, West (Mr. Canavan) pointed out that the report and accounts for 1987-88 referred to six trustees responsible for TOPS and a management committee of 10. I do not know which figure is correct, although the Minister did not contradict my hon. Friend in Committee. I do not know whether there are 10 members of the management committee or only seven, as is referred to in the notes on clauses. I hope that the Minister will clear that up when he replies. It is fairly important to know with whom we are dealing when winding up the scheme. We need to know whether it is a 10-strong or a seven-strong management committee, with a majority of management representatives. That was not made clear by the Minister or the Government in Committee.

There are good reasons why the schemes should be continued, even under the new privatised regime. The schemes involve all the subsidiaries of the Scottish Bus Group and are therefore comprehensive and national, covering more than 10,000 members. By definition, a scheme of that size must be better than a scheme that is based on an individual privatised subsidiary or on one privatised company on its own. We can take as an example Strathtay bus company in Tayside, which is to be privatised and which has only 461 employees. If that company were to set up a new pension scheme based on only 461 employees, the likelihood is that that scheme would in no way match a scheme based on more than 10,000 members, as is the case with the Scottish Transport Group. The principle that applies is, the bigger the scheme, the better the benefits to the people involved.

By opposing new clause 4 and amendment No. 17, the Minister seems to be trying to deny to the people who will be transferred to the new privatised subsidiaries the kind of benefits enjoyed by members of big schemes, such as the existing scheme. In 1987-88 the total investment income for TOPS was £6,208,000. The total income for TOPS in that year, in contributions from the company and the members, as well as transfers of pension rights from other schemes was £13,426,000. In the same year expenditure on benefits and other costs amounted to £3,104,000, leaving a net addition to the scheme of £10,322,000.

The Minister will have to explain to me and everyone else how a scheme with such benefits and based on more than 10,000 members can be matched by a privatised scheme covering only 461 employees. It seems common sense to say that if the Minister transfers the pension rights of existing employees of the Scottish Transport Group to the new privatised subsidiaries he will, by definition, sign away the substantial benefits that the employees enjoy under the existing scheme.

Under the existing TOPS arrangement, for example, the employees' contribution amounts to 5 per cent. of pensionable salary. The member can add to that voluntarily, if desired. However, the employers must pay the whole cost of the benefits that are not covered by the employees' contributions. That invariably means that the employer—the Scottish Transport Group and, through the Scottish Transport Group, Her Majesty's Government—ends up paying substantially more than the employees. I cannot see any private sector operator agreeing to match the scale of the contributions currently made by the Scottish Transport Group and Her Majesty's Government.

[Mr. John McAllion]

4 pm

In Committee, my hon. Friend the Member for Falkirk, West and the hon. Member for Tayside, North (Mr. Walker) had an interesting exchange about the merits of the existent or non-existing pension scheme run by Magic Bus and Stagecoach. It was never made clear, if Magic Bus and Stagecoach are to have schemes, what they would be. Whatever the schemes may or may not be, they will not be able to match the transport operatives pension scheme which is run by the Scottish Transport Group. The Minister has failed to counter that argument. I look forward to hearing his contribution and finding out whether he can guarantee to employees whose companies are about to be privatised that their future pension rights will be as secure as they are under TOPS.

TOPS benefits are substantial. Somebody who has spent 40 years of his life working for the Scottish Transport Group would receive two thirds of his pensionable salary on retirement. If he earned £12,000 in his last year, he would receive £8,000 from TOPS. That is a substantial benefit. As my hon. Friend the Member for Cunninghame, North (Mr. Wilson) said, there are other benefits over and above that—for example, the early retirement pension, the ill-health retirement pension, the lump sum on retirement, insurance so that any surviving dependants will receive the pension rights of tbe deceased, and so on. Most important, there is an assurance that pension rights are linked to the retail prices index.

If the experience of the National Bus Company, which was privatised in England, is taken as a model, we can be sure that privatised subsidiary companies will not index-link future pension rights for their employees in the way that TOPS has done for Scottish Transport Group employees. All 72 of the privatised National Bus Company subsidiaries left the best scheme, which was for them the equivalent of TOPS, and broke the link between pension rights and the rise in the cost of living. It is likely that the Scottish experience will be exactly the same as that in England. In Committee, the Minister confirmed that, saying:

"All accrued benefits under the scheme will continue to receive index linking in future."

The key words are "accrued benefits". Until the moment of privatisation, benefits will be secured by index linking into the future. What about future pension rights when the Government have ended the scheme, abolished TOPS and transferred the employees into new pension schemes with new companies? The Minister also said:

" Pensions increase arrangements for new pension schemes will depend on the provisions of those schemes."

Future pension rates will be at the mercy of employers who take over subsidiaries of the Scottish Bus Group. In the main, they will be private sector employers operating in a free market and looking to secure an edge over their competitors. The Minister will find it difficult to convince me that the new employers' priority will be to match the existing and future pension rights of STG employees.

What will happen when the existing scheme is abolished? What will happen to surpluses from TOPS? Again, that matter was debated in Committee as the Minister said, after remaining entitlements had been secured, using the surpluses which still remained from TOPS, if any surpluses are left in addition,

"Surpluses cannot be transferred to a purchaser. They would go to the Consolidated Fund."—[*Official Report, First Scottish Standing Committee*, 14 February 1989; c. 354.]

The Minister used the word "cannot", but there is no such thing when one is dealing with Her Majesty's Government or Parliament. This is a sovereign Parliament, and it can decide anything that it likes. The Minister meant that any surpluses will not be transferred to pensioners because that is what the Government desire. The Minister is saying that the Government will take from pensioners what is currently theirs by right. That means that, in effect, the Bill will steal from pensioners what is their due.

In Committee, the Minister tried to argue that that was because the Scottish Transport Group and employers had contributed towards the pension scheme and that, by right, it was the Government's money. Of course, the employers contributed to the TOPS scheme on the basis that such contributions would fund the pension rights of their employees. The Minister is backing away from the commitment that the Scottish Transport Group and the Government gave, and is now saying that the money must go back into the Treasury's coffers. We hear that the Treasury's coffers are already bloated with a £15,000 million surplus which is to be used in the next Budget to line the pockets of the Government's private sector friends.

The Minister suggested also that the technical arrangements for preserving pension rights will be straightforward. He suggested two scenarios. First, any worker may have a transfer value of past entitlements paid into the new scheme offered by the new private owner. Secondly, if a worker does not want that to happen, sufficient funds may be transferred to a commercial company to enable it to continue to pay pension entitlements, including index linking. Either way, the schemes will no longer be underpinned by a publicly owned company and backed by the Government. Pension arrangements will be wholly in the private sector.

What will happen in the event of a catastrophe—for example, if a commercial company goes bust or the new pension scheme collapses? What will be the Government's commitment to past pension rights? Will the Government intervene to ensure that any pensioners who are affected will have their pension rights secured by her Majesty's Government in the event of a collapse of a commercial company or the new pension scheme?

The Minister claims also that the future of existing schemes is a matter for trustees and their members. In the case of TOPS that would mean the management committee—whether seven or 10—and more than 10,000 members. The Minister said that changes might be made by the trustees only with the approval of the Scottish Transport Group board and also with the approval of those voting at a meeting of members of the scheme. Exactly what arrangements have been put in place for more than 10,000 members to vote on proposals suggested by the STG management board?

The Minister also said that the Scottish Transport Group intends to meet with the trade unions to discuss pension arrangements. We will finalise the question about pensions even before the meeting takes place. What is the point of that meeting taking place when we are deciding the configuration of any pension settlement? The Bill will soon pass through the House and go to the House of Lords. After that meeting with the trade unions, the House

will then meet to consider the proposed changes to protect the members' interests on privatisation. I am told that there is to be a meeting between the Secretary of State for Scotland and the Transport and General Workers Union as soon as it is practicable.

What is the point of the STG board, the Secretary of State for Scotland or the Minister meeting the Transport and General Workers Union? What is the point of meeting to discuss pension arrangements when hon. Members are deciding what the pension arrangements are to be? The Minister will have to tell me what he will discuss with the trade unions. More important, if the trade unions negotiate important concessions with the board, the Secretary of State for Scotland and the Minister himself, will they be incorporated into the legislation before it is enacted, or will the meetings be a complete waste of time?

The Minister has already made proposals about future arrangements. He said that the Scottish transport scheme should be wound up and that there should be a transitional period to ensure continuity of pension provision and that employees are to be allowed to remain in TOPS for a limited period. He did not spell out what was meant by a limited period, but he will have to tell hon. Members how long employees will be covered by TOPS before the Minister winds it up and what chance employees or their representatives will have to influence the outcome of negotiations on the way in which the scheme is to be wound up.

The Minister referred to Caledonian MacBrayne. He said that the workers who remained in the public sector with CalMac were assured continuity of pension provision and that their pension arrangements would be unaffected. If that is the case for 50 per cent. of CalMac employees who remain in the public sector, why cannot it be the case with the rest who will be transferred to the private sector? Why do they have to be the victims of the Government's dogma? Why are they to be denied any chance of having future pension rights secured under new clause 4 and amendment No. 17?

The Secretary of State for Scotland has statutory powers to make pension orders in relation to the STG. He has never used those powers. Clause 13 provides, as a cautionary measure, for the Secretary of State for Scotland to make such orders in relation to a privatised subsidiary in order to safeguard existing pension rights. That power enables the Secretary of State to intervene in the private sector and, in a sense, to discriminate against one particular group of private sector companies—those which take over one of the STG subsidiaries. I accept that that is fair. The price to pay for picking up the public asset should be respect for the pension rights of the public company employees. Why cannot the price also be to guarantee the future pension rights of the workers who happen to work in the public company?

I am sure that when the Minister speaks he will say that one cannot discriminate against one group of private sector employers. But he is already doing that in clause 13, so the principle is already there. It is just that he will not apply it to future pension rights because he is not in the least interested in defending workers' pension rights.

In Committee the Minister said that the Secretary of State will see clearly from the disposal programme whether pension arrangements are a key factor and will take that into account before he makes a decision. It seems that the Secretary of State will seek to safeguard the existing pension rights of those who work in the subsidiaries by looking closely at the buy-out proposals and that he will not favour any buy-out proposal which does not give some future security of pension rights to the workers who will be affected.

The Minister will not spell out what the Secretary of State is likely to find satisfactory. Are the standards which the Secretary of State will accept as sufficient to allow a buy-out proposal to go ahead those of TOPS or the standards of schemes run by Stagecoach and other private sector operators? The Minister has a responsibility to spell that out. Throughout our Committee proceedings he ran away from protecting the pension rights of STG workers.

The real problem is that there is no democracy in Scotland. No one in Scotland voted for this measure. It is being imposed on Scotland and, more important, on the workers who, with the rest of the Scottish people, voted overwhelmingly against the Government. They do not want the Bill, privatisation or to lose their pension rights. Yet they have no recourse because of the flawed structure of this United Kingdom Parliament. If the Minister wants to retain this unitary Parliament, he had better start looking at the ways in which he can secure the rights of the people affected. He is selling out the workers' rights and, by doing so, the future of any United Kingdom Parliament.

4.15 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I am happy to respond. The hon. Member for Dundee, East (Mr. McAllion) asked how the TOPS management committee was made up. It consists, as the notes on clauses state, of four management representatives and three trade union representatives. The scheme is vested in individual trustees.

The hon. Member for Cunninghame, North (Mr. Wilson) was correct in suggesting that there are powers under clause 12 if future arrangements are inadequate. If future arrangements were inadequate, my right hon. and learned Friend the Secretary of State would undoubtedly use those powers. Pensions for employees of the Scottish Transport Group, with the exception of some Caledonian MacBrayne employees, are provided for by the group's pension schemes.

The hon. Member for Dundee, East asked about CalMac employees. He is correct that 50 per cent. of CalMac staff do not belong to the STG schemes, but are covered by the Merchant Navy officers' pension fund, the Merchant Navy ratings' pension fund and British Rail funds. The pensions of staff in those funds will be unaffected by the Bill. I am glad to confirm that fact.

Mr. McAllion: As 50 per cent. do not belong to TOPS, by definition 50 per cent. do. Will the Minister spell out exactly how pension rights will be affected? Will their rights be transferred to a commercial company or will some other arrangement be made through the Government or CalMac?

Lord James Douglas-Hamilton: If the hon. Gentleman wants me to go into more detail, I shall do so. When the subsidiaries are transferred to the private sector it will be for the new companies to make pension arrangements for employees. The existing pension arrangements will continue for a transitional period. Accrued rights under the existing schemes at the date of an employee's transfer

[Lord James Douglas-Hamilton]

to a new scheme will be fully protected. New pension arrangements will be made for CalMac employees in the STG scheme on broadly the same terms as they currently enjoy. Obviously, the STG pension schemes will be wound up.

Mr. McAllion: The Minister said that arrangements would be made "on broadly the same terms" for existing CalMac employees who are in TOPS. Exactly what does that mean? Will any of their existing rights be taken from them under the new arrangements?

Lord James Douglas-Hamilton: It is expected that the pension arrangements consequent upon privatisation will be made by those responsible for the schemes, without the need for any intervention by the Secretary of State. I am absolutely confident that in this case the 50 per cent. of CalMac staff who do not belong to STG schemes will be unaffected by the Bill. As for the remainder, I can only repeat what I have already said: the schemes will be on broadly the same terms as are currently enjoyed. I cannot envisage what the circumstances will be in 20 years' time.

Mr. Thomas McAvoy (Glasgow, Rutherglen): Will the Minister give way?

Lord James Douglas-Hamilton: I should like to develop the next point.

It will be for the privatised companies in due course to establish pensions arrangements for their employees. The terms of such arrangements may be different from those provided by the existing STG schemes. When making bids, prospective purchasers will be asked to state their proposals for pensions arrangements and these will be taken into account in assessing bids. There are reserve powers in the Bill to make pensions orders if satisfactory pensions arrangements are not provided by any of the privatised companies.

The hon. Member for Dundee, East asked about the purpose of the meetings that will take place with the trade unions. Obviously, the purpose is to ensure that the best possible pensions arrangements are reached. The Secretary of State must approve each individual sale. The bids that prospective purchasers make and the outline of their proposals will be taken carefully into account.

The future of the STG schemes is a matter for the trustees and members of the schemes. Subject to the necessary amendments being made to the provisions of the schemes, they will continue for a transitional period after privatisation to provide for continuity of pension provisions and allow time for the privatised company to make new arrangements. The transitional period for a company will begin when it is privatised and will be at least six months and up to 16 months. During that period employees will be able to remain members of their STG scheme. They will be able to opt to have a transfer value paid into their new pension scheme at the end of the transitional period or to have their accrued pension rights in their STG scheme frozen to come into payment when they retire. Any such deferred pensions entitlement will be fully protected in accordance with the provisions of the appropriate STG scheme, both as regards the calculation of the pension to be paid at the time of retirement and provision for future increases. Deferred pension entitlements for employees who have left the STG or who leave prior to privatisation will be similarly protected.

Mr. McAllion: The period of between six and 16 months during which employees will be allowed to remain in the TOPS is to enable trade union representatives and the new employers to negotiate new pension arrangements. What happens if they fail to reach agreement? Will the period be extended, or will the trade union be almost forced to concede what the employers want at the end of 16 months?

Lord James Douglas-Hamilton: I have been careful not to lay down specific periods for the bids to come in, because, as I have said many times, it may take longer for some management-employee buy-outs to be lodged than others. But I can tell the hon. Gentleman that sufficient time will be given to take all such considerations properly into account.

The new pension arrangements will need to be established for the 50 per cent. of CalMac employees who are currently members of the STG pension schemes. They will provide for pensions on the same terms as are currently enjoyed. Retired STG employees and those retiring before privatisation or before the end of any transitional period will have their pensions provision fully secured so that they will receive the same pensions as they would have received from the Scottish Transport Group.

It would not be appropriate to make it a condition of sale, as is required by new clause 4, that new companies should participate in the existing pension scheme. The simple reason is that the provision of pension arrangements is a matter for those companies. However, prospective purchasers will be asked to declare their intentions when making bids, and that information will be taken into account when assessing bids. Should a company, after privatisation, fail to establish satsfactory pension arrangements, we would consider using the reserve powers in clause 12 to make pensions orders.

Mr. McAvoy: If any bid included a reduction of employees' pension rights, may we have a firm commitment from the Minister that the Government would not give that bid the go-ahead?

Lord James Douglas-Hamilton: To be frank, I do not envisage a management-employee buy-out team making a bid that would reduce pension rights. I have made the position clear. All relevant circumstances will be taken into account when bids are made, and pension provision will be a key subject for the Secretary of State to consider. As I said, the Secretary of State must approve each sale.

Mr. Wilson: The Minister cannot be allowed to get away with that. He knows as well as we do that there is no guarantee that all the purchases will be made by buy-out teams which, as he said, may reasonably not be expected to reduce the quality of their pension schemes. But the scale of the buy-outs might make it more difficult to maintain that position.

Lord James Douglas-Hamilton: All relevant circumstances will be taken into account, and those extremely important facts will be considered when bids are made. In that connection, clause 12 is an important insurance policy if adequate arrangements are not made.

On amendment No. 17, I have already explained to the hon. Member for Dundee, East that accrued entitlements will be protected. Employees will be able to opt for a transfer value or to have their accrued pension entitlements converted into deferred pensions which will be calculated in accordance with the provisions of the STG schemes. Future pensions are a matter for the new companies, and it would be surprising if they did not wish to secure pension arrangements that are satisfactory to their employees in the interests of attracting and retaining a motivated staff. I ask hon. Members to vote against amendment No. 17.

Mr. Wilson: On a point of order, Mr. Speaker. Should you not suspend the sitting until there is someone on the Tory Benches who is capable of walking over and picking up the notes to the Minister?

Mr. Sydney Chapman (Chipping Barnet): Am I not capable?

Mr. Wilson: I thought that the hon. Gentleman, as a Government Whip, would have to maintain his position on the Bench. There is no one else on the Tory Benches, so perhaps we should give them time to get someone in to act as the Minister's runner.

Mr. Speaker: It is well known that when the Benches are empty there is much else going on in the House.

Mr. McAllion *rose*——

Mr. Speaker: The hon. Gentleman has already spoken once. He cannot speak again.

Mr. McAllion: I had not realised that the Minister had finished speaking.

Lord James Douglas-Hamilton: I am happy to try to answer a few more hon. Members' queries.

The hon. Member for Dundee, East asked how a small scheme can match a large scheme. There is no reason in principle why a small firm should not make pension provision on the same scale as a large employer. But a small company may not set up and run its own scheme. It may arrange its pensions through an insurance company or a pensions firm. The hon. Gentleman asked what would happen if a pension scheme collapsed. It is for employers to set up suitable pension arrangements for their employees. A satisfactory pension scheme would be a funded scheme vested in the trustees under which, if an employer went out of business, employees' accrued entitlements would be safeguarded.

Mr. McAllion: I am grateful to the Minister for that reply. He said that the reserve powers to make pension orders would be used to secure existing pension rights if a subsidiary did not take the steps that, the Secretary of State considered appropriate to secure the pension rights of its employees. What happens if a company is sold to one private sector owner but is transferred to another within a year? Would the reserve powers still be available to the Secretary of State at the second or third sale?

Lord James Douglas-Hamilton: To the best of my knowledge, the answer is yes. The reserve powers are extremely important, and if grossly inadequate provision were made for pensions I would expect my right hon. and learned Friend to use them.

Mr. Sam Galbraith (Strathkelvin and Bearsden): I was disappointed by the Minister's reply. It was full of even more weasel and imprecise words than usual. His speech was full of phrases such as, "All relevant circumstances will be taken into consideration"; "I am confident that" such and such a thing will not happen; "I do not envisage" that this will occur; "I fully realise that such may be the case"; "These will be taken into consideration"; "The means will be satisfactory"; and "This will be taken into account." I was left wondering exactly what he meant, and I am not sure whether the Minister realised what he was trying to say. What he did not give in response to the many points made by my hon. Friend the Member for Dundee, East (Mr. McAllion) were absolute guarantees and reassurance for the people who work for the Scottish Transport Group.

I hope that the Minister will go away to think about the matter and come back with some guarantees on the points that have been made. In response to my hon. Friend the Member for Dundee, East, the Minister said that the transitional arrangements will take between six and 16 months. He was rather vague about that, so my hon. Friend asked him more questions. Having said that he would be specific about six to 16 months, the Minister then said that he did not wish to use specific time periods when discussing the matter. What is the magic about the period chosen?

Lord James Douglas-Hamilton: The hon. Gentleman was not a member of the Standing Committee, so he may be unaware that the disposal programme will start in the autumn and will continue for a considerable time. A crucial factor upon which it will depend is the speed at which management-employee buy-out teams can mount bids. Their interests will have to be taken into account.

Mr. Galbraith: Perhaps, not being a classics or English scholar, I have trouble putting my words into a form that the Minister can understand. I was trying to ask what was so specific about the period of 16 months. I admit that I was not on the Committee and that I am on a steeply rising part of the learning curve, but I shall reach the asymptote fairly soon. May I ask what is wrong with 15 months or 17 months?

4.30 pm

Lord James Douglas-Hamilton: We consider a period of between six and 16 months altogether feasible. It seems reasonable to assume that the arrangements could be completed effectively within that time.

Mr. Galbraith: I do not wish to tease the Minister further. He is obviously in considerable difficulty, and as his PPS, the hon. Member for Tayside, North (Mr. Walker) is not yet here to assist him, I shall pass over the matter of the transitional period.

The Minister talked about the protection of pension rights. May we take it that that protection is absolute within the period of six to 16 months, although it may not be absolute outwith that period?

Lord James Douglas-Hamilton *indicated assent.*

Mr. McAllion: Perhaps, through my hon. Friend, I could try to obtain some sympathy. The Minister did not answer me earlier when I tried to raise a point about the period of between six and 16 months. During that period the privatised company must come forward with a

[Mr. McAllion]

proposal that the Secretary of State can accept, but included in the proposal must be an agreement between the trade unions and the employer about pension arrangements. If such an agreement cannot be reached within 16 months, must the trade unions collapse and accept whatever the employer insists on?

Mr. Galbraith: That is the crux. I was on the point of asking the Minister the same question. He tried to fudge the issue earlier by saying that he did not want to specify periods. Must this period last until an agreement is reached by both parties, or will it be a finite period at the end of which the unions must accept the propositions put forward by their employers? Would the Minister like to clarify that now, or would he prefer to wait for his PPS?

Sir Nicholas Fairbairn (Perth and Kinross) *rose*——

Mr. Galbraith: I will certainly give way to the hon. and learned Gentleman, who looks like a bus conductor in that outfit.

Sir Nicholas Fairbairn: The hon. Gentleman asked what was so magical about the number 16. If he cares to count the number of persons in the Chamber, including you, Mr. Speaker, the Chairman of Ways and Means and his Clerk, he will find that there are 16.

Mr. Galbraith: That was an excellent contribution. I actually understood what the hon. and learned Gentleman said, which is unusual, although I do not think that it contributed much to the debate.

Can the transitional period be extended for negotiation between union and employer? I shall be pleased to give way if the Minister wishes to provide some reassurance on the matter, but it appears that he does not wish to do so.

The question of retaining a national scheme rather than creating smaller schemes has already been touched on. I too have a Scottish Transport Group company in my constituency—Kelvin Scottish. Retaining a national scheme with 10,000 members, rather than creating a smaller one like the one on Tayside, would benefit all employees.

The Minister did not give a clear response to the question from my hon. Friend the Member for Dundee, East. What methods does he propose for consultation about transitional arrangements and pension schemes? We require a much more detailed answer before we can reassure those involved.

Pension schemes are vital to many of our constituents, and I should have thought that they would be of equal importance to Conservative Members in Scotland, who may soon have to look to their own pension schemes—although the Minister has reassured me that he may have other arrangements. That is why we are pursuing the matter in detail, particularly the transitional arrangements.

Lord James Douglas-Hamilton: The hon. Gentleman has raised a relevant point. If difficulties arose in a specific case, extending the 16-month period would certainly be considered. The period may start at different times for different companies. It will start on the date of a company's privatisation and will last for at least six months, to ensure continuity of pension arrangements for employees, and up to 16 months, depending on the circumstances of the company concerned. It is thought that 16 months should provide sufficient time for new pension arrangements to be set up, but if difficulties arose the powers in clause 12 would be available to the Secretary of State.

Mr. Galbraith: The Minister has certainly gone some way towards clarifying the position, and it would not be proper for me to be mean-spirited. His answer, however, was infected with the same problem of vague wording that has featured in all his replies. He says that the transitional period may be extended. Why can he not say that it will be extended? The Minister shakes his head. But who will decide whether the period "may" be extended? Will it be the Minister, the Secretary of State, the employers, the trade unions or some quango in which failed Tory Members of Parliament serve on inflated salaries? This is not merely a matter of semantics. Can the Minister not say "will" rather than "may"? Can he explain the difference between the two? Why cannot he be more specific?

Question put and negatived.

New Clause 5

SCOTTISH BUS PASSENGERS' CONSULTATIVE COMMITTEE

'(1) There shall be established a body to be called the Scottish Bus Passengers' Consultative Committee,—

(2) It shall be the duty of the Scottish Bus Passengers' Consultative Committee

(a) to monitor the effects of this Act on bus passengers in Scotland; and

(b) to make recommendations to bus operators and the Secretary of State regarding the effects of this Act on bus passengers in Scotland.

(3) The Secretary of State shall have the power to direct bus operators operating undertakings disposed of under this Act to implement any recommendations of the Scottish Bus Passengers' Consultative Committee.

(4) The Secretary of State shall lay before Parliament proposals for the establishment and composition of the Scottish Bus Passengers' Consultative Committee.'.

Brought up, and read the First time.

Mr. Wilson: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, we may take the following amendments: No. 1, in clause 1, page 2, line 20 after 'Group', insert

'and representatives of consumer interests'.

No. 2, in clause 2, page 2, line 24, at end insert

'in the interests of the transport user'.

No. 12, in page 2, line 29, at end insert

'In so doing he shall give consideration to the interests of employees and the travelling public'.

No. 14, in clause 3, page 3, line 11, after 'State', insert 'and to the interests of the Transport Users Consultative Committee'.

Mr. Wilson: The new clause and amendments are primarily concerned with consumer interests. They assert the rights of those who use bus services to some form of protection and a place to go if their interests are not properly safeguarded.

New clause 5 proposes the establishment of a body, to be called the Scottish bus passengers' consultative committee, to monitor the effects of the legislation on passengers and to make recommendations to bus operators and the Secretary of State. The Secretary of State would have power to direct operators who are the beneficiaries of disposals under the legislation to

implement any of the committee's recommendations, and would lay before Parliament proposals for the establishment of composition of the committee. We are suggesting the establishment of what might be referred to in shorthand as "Ofbus", along the lines of Oftel and Ofgas. It is not short for "Come on, get off the bus"!

The proposal has a parallel in a new clause tabled in Committee by the hon. Member for Dumfries (Sir H. Monro) proposing that bus interests should come under the Scottish transport users consultative committee, as rail and ferry interests do at present.

I looked up just now to acknowledge the hon. Member for Dumfries, but, of course, it was a futile gesture because, once again, there is not a solitary Conservative member of the Standing Committee present other than the Minister and the Whip. Perhaps it is not surprising that the hon. Members for Wimbledon (Dr. Goodson-Wickes) and for Battersea (Mr. Bowis) and those other hon. Members from other exotic places who served with us would not find it particularly attractive to participate in further debates on the Bill today. It is remarkable, however, that not a single Tory Member who represents Scotland has found it worthwhile to be here. We are sure that just as those Members' performance in the Committee will be noted, so their performance in the House today will be noted. Four English Tory Members were members of the Committee considering the Bill and we look forward with interest to see whether that number will rise to seven when we consider the Scottish education Bill because the fidelity of the hon. Member for Dumfries and the right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith) cannot be relied upon.

The concern about the privatisation of the Scottish Bus Group and its implications for its 10,000 workers felt on the Conservative Benches is demonstrated by the fact that no Back-Bench Conservative Member is present today. The hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) took one look and retired whence he came. He made an important intervention when he counted the number of people present. It is perhaps surprising that he did not count and find that he had double the actual number present, but he, too, has departed.

The consumer interests that we wish to protect through the new clause and the associated amendments are many and varied. We have the support of every consumer body and of everyone who studied the bus privatisation and deregulation that took place in England and Wales. Those studies reached the conclusion that, whatever else is served by privatisation and deregulation, it is not the interests of the consumer. The Scottish Consumer Council commissioned a report on the impact of deregulation and, in passing, it commented on the implications once privatisation took place. That study clearly demonstrated that there were no proven benefits for consumers and that if such benefits were to be achieved they must be written into legislation. Similarly, the Transport 2000 group, which has done a great deal of work on this matter, has discovered beyond doubt that the interests of consumers in England and Wales have not been protected by privatisation.

The Scottish Consumer Council has criticised Scottish bus services generally for being unsatisfactory, particularly in providing timetables and other information, especially at bus stops. At the Consumer Congress conference held in July 1988 a resolution was passed calling for an enforceable code of good practice for the operation and provision of public transport. That code was to be developed to ensure that public transport met the needs of all passengers, including the disabled and that it worked efficiently in the consumers' interest.

The Consumer Congress called for a working party to draft a code of good practice and it was intended that that working party should make use of the information generated by the 1988 transport workshop, whose discussions were reported to the congress. The idea was that there should be a checklist of consumer interests. The Consumer Congress was anxious to introduce good practices to cover such things as access, choice, information, safety and redress. We would expect regulations to be drawn up under those headings in the hope that the privatised companies would be obliged to act upon them.

As in so many other instances, we, at least, are not prepared to rely upon hope. We want something written into the Bill that makes it likely that some of the consumer safeguards will become a reality. We should not have to rely on the private sector to assist in providing facilities, especially as currently in many cases it does not provide such facilities. If facilities were not provided or routes were withdrawn or changed at short notice consumers should have a statutory right to go to a statutory body to seek redress. That body should be created by the Bill.

4.45 pm

As I said in Committee, the lack of redress in terms of the activities of bus companies compared to the activities of rail or ferry operators represents a great anomaly. If British Rail wants to withdraw a service it must make an application to do so, which is considered, and the same thing applies to ferry services. Once again, I remind the Minister of the problems into which the Government ran when they first tried to dip their toes in the water of ferry privatisation with the Gourock-Dunoon service. That was a classic example of the consumers of transport services having their say and, as a result of the strength of public opinion—assisted by the process of a public inquiry carried out by the Scottish transport users consultative committee—forcing a reversal of Government policy. Consumers can have their say regarding ferry services, and, theoretically, regarding rail services, but the anomaly is that they have no say regarding bus services. There is no regulatory body to which people can go to subject the operators' proposals to the necessary scrutiny in the public interest, particularly in the consumers' interest.

Protection is needed for the disabled—their needs are a good reason for a code of conduct to exist—and it should be statutorily enforceable. In Committee, we discussed the report of the disabled persons transport advisory committee many times. There was general agreement that the recommendations put forward in that report were excellent, compassionate and necessary to protect the interests of the disabled. If those recommendations were sensitively applied they would greatly enhance the prospects and ability of disabled people to enjoy the benefits of public transport by travelling wherever bus routes may take them. Currently, physically disabled people——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I belive that the hon. Gentleman is talking about what might have been within the scope of new clause 6 had Mr.

[Mr. Deputy Speaker]

Speaker selected it. He has not done so and, therefore, it would be out of order for the hon. Gentleman to pursue his present line of argument under this new clause

Mr. Wilson: I am grateful for your guidance, Mr. Deputy Speaker, but I assure you that I am talking about the disabled only in terms of the general need for consumer protection, which is encompassed in new clause 5.

The Scottish bus passengers consultative committee proposed in new clause 5 would consider the needs of the disabled if representations were made to it. Provisions for the disabled should also be contained in the code of conduct that we have asked to be drawn up. In view of what you have said, Mr. Deputy Speaker, I shall keep my remarks on this subject brief but I hope that other hon. Members will also refer to the disabled persons transport advisory committee report that I mentioned.

In Committee when we discussed the needs of the disabled and the need for a code of good practice, the Minister's response, as it was to everything else to do with consumer interest, was "It will be all right on the night". The Minister used such phrases as "We hope", "We will advise", or "We will suggest" that private operators should take account of the consumer interest. The Scottish Consumer Council, Transport 2000, BusWatch and so on have urged that consumer interests should be statutorily enforceable by the Bill, but the Minister has rejected such recommendations. On the basis of the English experience of privatisation, it is clear that unless such provisions are written into the Bill, consumer interests will not be considered by the bus companies. Currently, there is no source of redress to which the travelling public can go.

In Committee the alternative proposal advanced by the hon. Member for Dumfries was for the powers of the Scottish transport users consultative committee to be extended. At that time the hon. Gentleman expressed the hope that between then and Report his hon. Friend the Minister would look into the matter, talk to his right hon. and learned Friend the Secretary of State and decide that it was more logical to have one body looking after all transport issues in Scotland. As the hon. Member for Dumfries is not in the Chamber to press his point, I shall charitably do it for him. Will the Minister tell us whether any such discussions have taken place and, if so, what were the conclusions? Because of privatisation, a separate regulatory consumer body is desirable, but we certainly regard the extension of bus powers to the Scottish transport users consultative committee as better than nothing.

Mrs. Ray Michie (Argyll and Bute): I support the new clause because it is essential for bus users to have their interests protected. I hope that the Minister will make clear what happened to the idea of his hon. Friend the Member for Dumfries (Sir H. Monro) about extending the remit of the Scottish transport users consultative committee to include buses. I am not sure why the Minister would not take that on board. Had that something to do with the traffic commissioners or with the Department of Trade and Industry? If so, it is deplorable because I should prefer the remit to be allocated, as it were, by the Secretary of State for Scotland or by the Minister.

I agree with the hon. Member for Cunninghame, North (Mr. Wilson) that it is regrettable that there is no umbrella body to oversee all modes of transport in Scotland. Many journeys contain an element of bus travel and it is essential that bus, ferry, train and even air services should be co-ordinated to give the best possible connections to passengers whose journeys require the use of more than one form of transport.

Many of the remote areas of Scotland have aging populations and many such people do not have the use of cars. In Committee we talked about the needs of women returning home late at night and of the problems encountered by mothers with young children transferring from one mode of transport to another. As I say, we need an integrated service.

Mr. McAvoy: Does the hon. Lady agree that the Scottish Consumer Council's recommendations should apply to the movement of the management headquarters of a particular industry to another location?

Mr. Deputy Speaker: Order. I was listening carefully to the hon. Lady before the hon. Gentleman intervened. I draw to the attention of the House that the new clause deals with a Scottish bus passengers' consultative committee. I hope that hon. Members will confine themselves to talking about bus passengers.

Mrs. Michie: I note your ruling about sticking to the new clause, Mr. Deputy Speaker. I can assure you that I have no intention of straying into the question of the location of the headquarters of Caledonian MacBrayne.

I reiterate that we should have a Scottish bus passengers' consultative committee and I am trying to relate the new clause to my belief that we should have an overall consultative committee. It would be much more sensible to have a body responsible for surveying all transport activity in Scotland because there is no organisation with responsibility for doing that. We shall have the Scottish TUCC and if the Minister accepts the new clause we shall have another body responsible for the buses. The users of Scotland's buses should be able to turn to one body which oversees the other modes of transport. Perhaps that role for the Scottish TUCC is being rejected because on many occasions it has been reactive rather than taking the initiative.

Will the Minister explain why we do not have an overall monitoring system to ensure that transport users get value for money and that there is a proper service, especially for those in rural areas? If the Minister cannot answer that, I shall support the clause.

Mr. Robert Hughes (Aberdeen, North): I fully support the new clause and the related amendments. The changes that are taking place, especially in relation to bus passengers, are wide and varied and are becoming more important as each week goes by. The deregulation of buses has led to a great diminution in the service, especially at weekends and at night when people in rural and city areas feel isolated.

The use of buses is becoming even more important in relation to rail transport. No doubt, Mr. Deputy Speaker, you will wonder how rail transport could relate to the Scottish bus passengers' consultative committee. It is precisely because of Government policy. It will be within the memory of the House—although the memories of Conservative Membes are probably as blank as Conservative Benches—that about five and a half years ago the right hon. Member for Cirencester and

Tewkesbury (Mr. Ridley), when he was the Secretary of State for Transport, implemented a very novel idea. It was about the relationship between the Government and the transport industries and the Government and the rail industry in particular.

The right hon. Gentleman started the process of the three-year letters of intent in which the relationship between the Government and British Rail was clearly set out. It is well known that I disliked what was in the first three-year letter of intent, but I wholly approved of the principle. It is worth repeating that it stripped for ever from folklore the idea that British Rail was wholly independent and could do what it liked, that the Government had no connection with it and were not concerned in the day-to-day running of its affairs, and that there was a chasm between British Rail and the Government. The right hon. Member for Cirencester and Tewkesbury made clear that British Rail did what it was told. Certainly there is much discussion and bargaining about how much money is available, but, essentially, British Rail does what it is told.

The second three-year letter of intent was provided by the right hon. Member for Croydon, Central (Mr. Moore) who is now the Secretary of State for Social Security. An important part of that letter which impinges directly on new clause 5, and makes it essential that the new clause is accepted, was that the right hon. Gentleman said that before British Rail made any investment plans for rural areas it should consider bus substitution. It is perfectly clear what that meant. There was to be no investment in lines to help rural passengers, many of whom were denied easy access to hospitals, doctors' surgeries, pharmacies, dental facilities and leisure and recreation. Many of them were also completely cut off from the normal trading conditions that enable people to exercise choice. The Government are keen on people exercising choice when buying the weekly groceries, but such choice is removed from people who live in rural areas and depend on public transport.

The role of the bus becomes much more important if rail services disappear and are to be replaced by bus services. Part of the three-year letter of intent went so far as to say—this is quite astonishing—that for an initial period, which as far as I can recollect was never defined, British Rail should subsidise bus services because buses were being subsitituted for trains. That was a novel concept for the Government to put forward. In some circumstances I would have welcomed such a discussion. If British Rail is under pressure to increase the frequency of its service, there is a case for a co-ordinated transport system operating bus and rail services. If there is a need for transport when it is not convenient to run rail services, or if only a certain number of trains can run on a line because goods trains and passenger services cannot operate at the same time—although perhaps British Rail should be more innovative in its mix of passenger and freight services—perhaps it is a good idea for British Rail and the bus services—as they are today, not as they will be affected by the Bill—to get together.

5 pm

There are many examples of how different services should work together and how passengers' interests would be better served if there were a body to decide whether the bus companies are carrying out their responsibilities. In the village of Portlethen, some 15 miles outside Aberdeen, the main line station was closed many years ago as it was said to be uneconomic. The nearest main road is three or four miles away, but the buses would not leave the main road to drop passengers at Portlethen village because the bus companies said that it was uneconomic. As the years went by, the village of Portlethen grew, partly due to the oil industry, and became a greater commuter catchment area, and better transport links became vital. After all the years in which we pressed British Rail to open the station and the bus company to allow buses to come down into Portlethen village, when the station was reopened, the bus companies suddenly decided that buses would come down off the main road and start a service to compete with British Rail. That seemed to be nonsense. There were difficulties for British Rail passengers and bus passengers.

While all that agitation was going on a dual carriageway had been built between Aberdeen and Stonehaven. Instead of providing a service when it was most needed, the bus companies and British Rail were persuaded to provide services only when the road network made it less attractive for people to use public transport if private transport was available. In such a situation we would expect the Scottish bus passengers' consultative committee to step in and examine the proposals.

It is difficult enough to persuade publicly owned companies to provide bus services to replace rail services when an element of public subsidy is available, at least in theory if not in practice. As hon. Members who are present know, the way in which transport subsidies and grants are provided in Scotland is quite different from the system in the rest of the country. Transport does not appear as a separate item, but as part of the overall block grant to regional authorities. Therefore, it is difficult to know how much money is being provided, and whether a regional authority is using the money allocated for transport in the block grant for transport matters. That is difficult enough for a publicly owned company with a social responsibility. Whatever anyone might say about private companies, they do not have a social responsibility. Their responsibility is to make the maximum profit for their owners. Therefore, they will be ruthless in cutting services that do not pay. If they have come to an arrangement with British Rail under the bus substitution programme and they consider that they are not getting enough money, there will be no cosy chats or friendly discussions in the board room; they will be absolutely ruthless and cut the services.

It is fashionable to say that transport has changed dramatically over the past decade or so, and no one would deny that. Of course modes of transport have changed and people's personal choices have widened. There is no doubt that the advent of the motor car and the provision of better roads—although in my part of the world we would argue strongly for road improvement—mean that people exercise greater personal choice. Therefore, it is fair to ask why we are so keen on public transport if all experience over the past decade or so shows a fall in rail and bus passenger services and traffic in rural areas and in cities. Things have changed and unemployment has hit people extremely hard and reduced their ability to buy cars. The Scottish bus passengers' consultative committee would be an excellent way of examining what happens.

In response to the noises we make about services disappearing, cuts in services and increased fares, the Minister might say that we are speculating. He might say, as he constantly says, "Don't worry, the market will provide. It will be taken care of. If there are enough

[Mr. Robert Hughes]

passengers there will be enough buses, and if there are enough buses there will be enough passengers." That is a nice simple equation, but it does not work. I know that the Minister is a fair-minded man and I fear very much for his future. If the Prime Minister reads the debate in Committee and sees the praise that I heaped on the Minister during those 12 sittings, the Minister will be next for the chop in the reshuffle, and I would not want that to happen to him.

The Minister is a fair-minded man, so he is bound to accept that there are genuine worries. We are not scaremongering. It is too easy to say that the Opposition are just scaremongering and making it all up, and it will not be as bad as we fear. I hope that it will not be as bad as I fear, but experience of the National Bus Company in England and Wales shows that it was worse than we feared. The services were cut so drastically that at the time no one in their right mind would have forecast that they would become so bad.

Without scaremongering, we fear very much for the needs of bus passengers. Not knowing which companies will take over, and not knowing whether they will simply speculate on the available properties, it is essential that there is a back stop. It can do no harm; it can do only good. I do not know why the Minister, having listened to the arguments of my hon. Friends, has not leapt to his feet to say that he accepts the new clause. We could save a lot of time and move on to other things. The Minister ought to accept the new clause. We would be delighted, and I expect that would blight his future even more, but it is essential that we have a mechanism to check on what is happening so that there is information and a body to which people can bring their grievances so that matters are properly set out and, more important, rectified before damage is done.

Mr. Andrew Welsh (Angus, East): The Government are taking us into unknown waters with the changes in the legislation. Who knows what the exact situation will be and what problems will arise as those changes are forced upon the Scottish people who did not want them in the first place? However, it is quite clear that there will be major difficulties for travellers in Scotland. Certainly the first signs from other areas in which the Government have been allowed to carry out such schemes show that there will be considerable problems for transport users when the changes are introduced.

We are entitled to ask who will look after the public interest and consider the problems for individual travellers. The new clause seeks to address that specific problem. A Scottish bus passengers' consultative committee would be one mechanism by which any problems caused by the changes could be examined from the point of view of the users of the transport system in Scotland. At least there would be an assured mechanism which could be guaranteed to represent the interests and needs of travellers. The new clause seeks to give the Committee reasonable duties, and surely seeking to monitor the effects of the legislation is a necessary and useful function for such a committee. We are entitled to ask who will perform that task if there is no consultative committee. What assurances can the Minister give the Scottish travelling public? Who will make the necessary recommendations if problems arise—as they surely will?

A consultative committee would be an assured way of helping the travelling public, but without it the problem will be passed to the Government. In that event, how would they expect to protect the consumer? Before the afternoon is out, I hope that we shall hear from the Minister how the Government propose to do that and how effective his alternative—if it exists—will be.

The new clause will allow a consultative committee to make recommendations to bus operators and to the Secretary of State about the effect of the Act on bus passengers in Scotland. If no such committee is formed, who or what will make those recommendations?

The new clause also seeks to create a fair and reasonble assured mechanism to protect the rights of travellers under the new system. If the Minister cannot reassure us and explain how he intends to achieve those objectives, he should accept our proposals.

Mrs. Maria Fyfe (Glasgow, Maryhill): When this legislation was presented to the Chamber some weeks ago, I inquired of the Secretary of State for Scotland when he last attempted to board a bus whilst trying to fold a pushchair, with an infant in one arm and a toddler held by the other hand. I am still waiting for an answer. Since the Ministers presenting this legislation hardly ever travel by bus, the least they can do is to listen to those who do so daily.

I would go further—I am not sure whether my hon. Friends presented such an amendment but it was not called—and ask that such a consultative committee comprise a large number of women bus users. I am sure that the proposers of the new clause would agree with that because women tend to use buses more than men, for two main reasons. First, even if a household owns a car, typically, the car is used by the husband going to work in the morning. The wife, presumably looking after the children, gets about by bus with whatever inconvenience that entails, such as the lack of public transport at less busy periods.

Secondly, since women are generally lower paid than men—earning on average about three-quarters of men's pay—they are less likely to be able to afford cars. This is obviously well known, because car advertisements in glossy magazines are clearly, on the whole, addressed to men, not women, car buyers.

The least that the Government should do when designing the legislation is to address the needs of women bus users. They should think not only of convenience, especially for women who have young children to look after, but of safety. The Government cannot be unaware that women are frightened to travel alone at night in isolated places, to wait in bus depots where no staff are present, or to be dropped off at bus-rail links at isolated railway stations where there is no one to guard them against possible danger.

The point is frequently made that if bus fares were set at a reasonable level, buses would be used more often and public safety would be greater. Conservative Members tend to ignore the dangers for women bus users because there are so few women amongst them—at the moment there are no women at all on the Government Benches. The Government perhaps ignore the need for safety, but many women take it very seriously. Surveys demonstrate that 88 per cent. of women feel that it is unsafe to walk alone on the streets at night, which shows that a great public need is being ignored.

5.15 pm

My hon. Friend the Member for Cunninghame, North (Mr. Wilson) mentioned the needs of disabled passengers, and clearly the Bill should represent the needs of bus users who suffer from any form of physical disability. Those needs are largely ignored. Disabled people find that they have to put a great deal of effort into making various authorities meet their ordinary everyday needs. At this stage, we have an opportunity to ensure that the legislation will allow their voices to be heard through formal channels so that they do not have to resort to the usual practice of writing to the appropriate organisations. Such methods do not give their cause sufficient weight, but a consultative committee would ensure that disabled people have a strong voice in these matters. That should not be a matter of controversy and I hope that the Minister will consider it.

Mr. Thomas Graham (Renfrew, West and Inverclyde): The new clause offers Scottish people the opportunity to have at least some confidence in the Government's attitude to the privatisation of the bus service. We know that the recent privatisation of bus services has led to escalating prices, a lowering of standards and customers' complaints being ignored. That was all in aid of the companies' desperate need to make massive profits.

I hope that the Minister will listen carefully to the call from the Opposition and ensure that when privatisation takes place, the golden opportunity will not be missed to set up the Scottish bus passenger consultative committee, which, we hope, will examine customers' complaints and safeguard their interests. It is obvious that the Government have a chance to consider what they are proposing. If they really mean to improve transport in Scotland, why are they frightened of agreeing to the new clause?

At present, many bus companies operate routes that are subsidised by local authorities. They also run timetables that attempt to meet the needs of the local people. The fare structures have also been closely examined.

I believe that the consultative committee will be able to ensure that bus routes serve local areas and communities. It can also examine timetables to ensure that bus companies operate not only at peak times but at midday or at other times when people wish to travel to doctors, hospitals or services that may be situated in the centres of population in cities and towns.

As the Minister knows, I live in a rural area and if I want to go to hospital I first have to go to Paisley. What a disaster it would be if the local bus company decided not to run bus services after about 3 o'clock in the afternoon. What would happen to the elderly and the disabled who are invariably given appointments at off-peak times? Most doctors and consultants in hospitals try to make appointments for people in work at a time when they will not lose too much money.

Correct timetabling in rural areas is essential to ensure that people get to work on time, and the consultative committee could examine such matters. The fare structure is also extremely important. The Government talk about competition, but what chance is there for competition in rural areas where there is perhaps only one bus every hour, or every two or three hours? Passengers have a gun at their head and are told they must pay a certain amount. If they do not, they cannot travel. Such a system punishes the elderly and the unemployed who are on fixed incomes, and the disabled who, we all know, live well below the poverty level.

A consultative committee could also investigate the quality of the buses. I hope that privatisation will not lead to the kind of things that happened after deregulation. Some buses are hardly fit for the road. I am not alleging that they are mechanically unsafe, but when people go to parties or dances they find that some of the buses are not clean and up to the standard that they had come to expect when buses were under local authority control. Some buses are absolutely filthy. They are not kept thoroughly clean, as they were when they were looked after by the local authorities. Since deregulation, buses are only trying to get from A to B as fast as possible in order to make as much profit as possible. The Bill could lead to exactly the same kind of problem. A consultative committee could investigate the quality of buses.

The Minister knows of my concern about the attitude of this Government and previous Governments and that of the people of Britain towards the disabled. We treat them lamentably. The new clause would provide a golden opportunity for the consultative committee to ensure that bus companies carry out recommendations that would ensure that the elderly and the disabled can travel on buses in Scotland in comparative safety. It could also consider what type of adaptations and timetables should be introduced to meet the needs of the disabled.

The Minister has been praised in the debate. He has been described as a caring individual. I believe that he is. The new clause provides him with an opportunity to prove that he is a caring individual. It is clear, however, that the Minister has been browbeaten by his superiors who have said to him, "No, Minister, you will not look after the needs of the elderly, the disabled and the unemployed. You will look after the fast buck merchants who are waiting to come in to steal and cheat and to deal in a shoddy, grasping way with bus companies that have been made successful by the local authorities."

The Minister has an opportunity to stand up and be counted by the travelling, suffering public in Scotland. The new clause provides him with an opportunity to ensure that Scottish people are provided with a consultative committee of men and women who will look after the public's interests and recommend to bus operators what they ought to do to improve services. If the bus operators do not accept its recommendations, the consultative committee should be able to ask the Secretary of State for Scotland to take action. I ask the Minister to support the new clause. It would provide the people of Scotland with at least the hope that after privatisation they will have decent bus services. Otherwise, I am convinced that bus services in Scotland will continue to deteriorate.

Mr. McAllion: I support the establishment of the kind of body that is outlined in new clause 5. I am sure that all 62 Opposition Members with Scottish constituencies support the establishment of a Scottish bus passengers' consultative committee. I suspect that a number of Conservative Members support the establishment of such a committee—most likely the right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith) and the hon. Members for Dumfries (Sir H. Monro) and for Galloway and Upper Nithsdale (Mr. Lang). If they were here, I am sure that they would support new clause 5. The

[Mr. McAllion]

reason that they are not here is that they feel that they would have to vote for new clause 5 if they were here, so they have absented themselves from the debate.

The heart of new clause 5 is subsection (2). It refers to the duty being placed on the new committee

"*(a)* to monitor the effects of this Act on bus passengers in Scotland; and

(b) to make recommendations to bus operators and the Secretary of State regarding the effects of this Act on bus passengers in Scotland."

If we examine the provisions of the Bill, we realise that there is a great need for such a committee to protect the interests of bus users.

Clause 2 sets out the objectives of disposal. They are to promote competition, to bring private sector bus operators into the market and put them in charge of what are now public sector subsidiaries. The changes would have a detrimental effect on bus passengers. Control of subsidiary companies could pass into the hands of an owner who is outwith the local area. Nothing in the Bill guarantees that management and employee bids will be successful. Somebody could come along from outwith the region, or even from outwith Scotland or the United Kingdom, and take over a bus company.

If that happened, there could be a number of consequences. There could be asset stripping, with the new owner selling bus stations for a quick profit. The result would be a deterioration of services in all the ways that my hon. Friends have pointed out—the cleanliness of the buses, the regularity of services and the kind of facilities that are made available to the unemployed, women, the elderly and the disabled.

It is important to establish a committee to monitor these matters, because of what has happened since the deregulation of bus services in Scotland in 1985. Under the Act, regional councils no longer have the power to co-ordinate bus services in their area, with the result that gaps have begun to open up in the bus network throughout Scotland. For example, in Dundee the Tayside Public Transport Company, which is still owned by the regional council, has been forced, under the provisions of the 1985 Act, to alter some of the services and make them commercial. The No. 17 service to Whitfield in Dundee used to operate a two-way pattern which suited everyone; because of cross-subsidy, the public transport company was able to maintain that service. However, the pattern of service has had to be changed to make the service commercial and profitable. The bus, therefore, no longer goes along Summerfield terrace, with the result that 50 old-age pensioners have had to draw up a petition to try to persuade the public transport company to reinstate the two-way pattern.

However, the company's hands are tied because the Government insist that the main consideration must be that bus services are commercially profitable. Consequently, the 50 old-age pensioners have a 10-minute walk to catch the local bus, whereas previously they could catch it near their front door. That is the reality of Government interference in the way that bus networks are run in Scotland. It is important, therefore, that there should be a committee, with consumer representatives on it, that can give advice to, and be consulted by, the Government. It is important that it should also have teeth.

Subsection (3) of the new clause says:

"The Secretary of State shall have the power to direct bus operators operating undertakings disposed of under this Act to implement any recommendations of the Scottish Bus Passengers' Consultative Committee."

That is a very important subsection, because the Scottish transport users consultative committee and the disabled persons transport advisory committee have no such powers. The Government promised to consult the disabled persons transport advisory committee on the introduction of new regulations that would result in better standards of accessibility to buses for the handicapped and the disabled. The Government consult that committee and specifications for both new and existing buses are laid down, but nobody is under any obligation to do anything about them.

Under the Transport Act 1985, local authorities had a duty to pay regard to the transport needs of the elderly and the disabled, but merely having to pay regard to those needs does not mean that anything has to be done about the specifications that have been laid down by the disabled persons transport advisory committee. No duty is laid on the majority of commercial operators to pay any attention to the specifications. The recommended specification published by the disabled persons transport advisory committee says:

"The implementation of this Specification rests on the goodwill that is needed towards those passengers for whom these features cater".

That refers to features such as route numbers, destination displays and entrance and exit steps for the disabled. They have to rely on the Government's goodwill.

In Committee, the Government said nothing that suggested that such a change will be made. The hon. Member for Battersea (Mr. Bowis) trapped the Minister on that point. He asked him whether the bus specification, as laid down by the disabled persons transport advisory committee, would be a requirement in the disposal programme and whether the bus companies that tender will need to give the Minister an answer. The hon. Member said that he welcomed the Minister's positive response. In fact, what the Minister said was that it would be the general policy under the disposal programme.

So the Minister has to be very clear, when he comes to the Dispatch Box, on whether any company applying to take over STG subsidiaries will be required to take on board the specifications laid down by the disabled persons transport advisory committee. If he says yes, he will have to go further. It is not just a question of the disabled; all the other bus users have to be taken into account. Also, the Minister must take these powers not just for the privatised subsidiaries but for all the bus operators currently providing services in Scotland. The only means he has of doing that is by accepting new clause 5. He will have to come up with very convincing arguments to persuade any hon. Member that he cannot accept it, but it is framed in the most uncontentious way anyone could imagine.

5.30 pm

Lord James Douglas-Hamilton: A considerable number of points have been raised. The hon. Members for Cunninghame, North (Mr. Wilson), for Aberdeen, North (Mr. Hughes) and for Glasgow, Maryhill (Mrs. Fyfe) raised the question of the procedures to be adopted if a bus service is withdrawn. Obviously, if a bus service is withdrawn the local authority can replace it with a subsidised service and thus fill any gap. I should make it absolutely clear that since deregulation there has been a

very considerable increase in mileage served by buses both north and south of the border. In Scotland the increase in vehicle kilometres has followed a pattern very similar to that which resulted from deregulation in England. The figures for Scotland were 285 million vehicle kilometres in 1985-86, 302 million vehicle kilometres, in 1986-87, and 329 million vehicle kilometres in 1987-88.

Of course, as hon. Members have suggested, travel for the elderly and disabled is extremely important. The hon. Member for Renfrew, West and Inverclyde (Mr. Graham) made a particular point to which I should like to respond. Local authorities do have the power to subsidise services at times when the provision of a service might not be a commercial proposition. This obviously includes late-night services, which were also a concern of the hon. Member for Maryhill. I have every reason to believe that authorities have made use of these powers. Local authorities also have the power to set up concessionary fare schemes, and all authorities, except one island authority, have concessionary fare schemes covering the elderly and the disabled.

The hon. Member for Maryhill raised various points in relation to the disabled. I am glad to confirm that the disabled persons transport advisory committee, which was set up under the Transport Act 1985, exists to provide exactly the voice for which the hon. Member called.

The hon. Member for Renfrew, West and Inverclyde was concerned about safety conditions. I stress that any person wishing to operate buses must have a PSV operator's licence issued by the traffic commissioner, who has to be satisfied that the person is of good repute and financial standing and has adequate facilities to maintain the vehicles in a roadworthy condition. These vehicles are subject to an initial fitness test by the Department of Transport vehicle inspectors and are then tested annually to a higher standard than cars. They are also subject to spot-checks on the roads. I have to say that since deregulation there is no evidence to suggest that safety standards have been significantly affected, and there is no reason to expect that privatisation of the Scottish Bus Group would affect safety.

We dealt quite fully in Committee with the question of sanctions. However, I should like to repeat that sanctions do exist. The person principally concerned with the general supervision of standards is, of course, the traffic commissioner. If there is a flagrant abuse of procedures, the traffic commissioner can stop the operator from running the services and can require him to repay part of his fuel duty rebate. Although these sanctions are not used often, they are undoubtedly there. Of course, it goes without saying that any operator will wish to run a reliable and satisfactory service if he is to attract custom.

Mr. Robert Hughes: The Minister has said that the sanctions are seldom used. Can he tell the House how often they have been used?

Lord James Douglas-Hamilton: I shall seek to find out the exact number of times and shall write to the hon. Member, but I think that what I said was absolutely correct: that the sanctions are severe and are rarely used. But they do exist to deal with operators who fail, without reasonable excuse, to provide in a satisfactory manner the services registered. The real test is whether they have been used in all the cases where there has been flagrant abuse, and I have reason to believe that the traffic commissioners are doing their job competently in that connection. As I have said, the inspectors are responsible for ensuring that all vehicles are safe and roadworthy.

The question of the disabled was discussed at length in Standing Committee. I shall not go over all that ground again, but I want to mention one point. The specification recommended in the document which has been issued, and which was praised in Standing Committee, has been acted upon by the Scottish Bus Group. The group has revised its own specification to require most of the recommended items to be incorporated in any new vehicles that are purchased.

Mr. Wilson: I do not want to pre-empt anything that the Minister is going to say. We have heard that the Scottish Bus Group has incorporated the recommendation of the Committee. Can he tell us how many private operators in Scotland have done so?

Lord James Douglas-Hamilton: It is considerably more difficult to say. The answer is, of course, that the new clause does not relate to all the private operators, but it does relate to the subsidiaries being set up in the Bill. That is one of the anomalies of the new clause.

I have agreed with the hon. Member for Cunninghame, North that there have been criticisms by the Scottish Consumer Council as to information about bus services. I shall certainly be following up this matter with the council when I meet it shortly. Of course, local authorities have power to make information available if they choose to do so, and they have a very important part to play. I shall take advantage of the discussions to consider what improvements can be made.

The new clause, to which the hon. Member addressed himself particularly, provides that there should be a new body called the Scottish bus passengers consultative committee, whose job would be to monitor the effects of the Bill on bus passengers in Scotland. The committee would make recommendations to bus operators——

Mr. Robert Hughes: Will the Minister give way?

Lord James Douglas-Hamilton: These are factual matters, so perhaps the hon. Member can come back in a minute when I have developed the point.

The committee would make representations to bus operators and to the Secretary of State, who could then direct any of the privatised Scottish Bus Group subsidiaries to implement any such recommendation. These powers of direction go well beyond the powers of the Scottish transport users' consultative committee in relation to rail and ferry services in Scotland. They would apply only to the privatised bus companies; they would not apply to their competitors. There would, therefore, be the anomalous situation that half of the Scottish Bus Group would be subject to a statutory form of supervision which did not apply to the other half, and that would be unsatisfactory.

Mr. Robert Hughes: I think that the Minister intended some slight criticism of the new clause on the ground that it refers only to the companies covered by the Bill. If my memory serves me well, a broader new clause which was tabled in Standing Committee was ruled out of order on the ground that it was outwith the scope of the Bill. The Minister cannot have it both ways. If he wishes to accept the principle of the Bill, surely it is within his powers, when

[Mr. Robert Hughes]

it reaches another place, to have either the long title or the short title amended and to bring in an amendment on a broader basis within the Bill's scope.

Lord James Douglas-Hamilton: The hon. Gentleman is touching on the other matter about the STUCC and its remit—a matter that was mentioned by the hon. Member for Cunninghame, North. If the hon. Member will give me just a moment to finish the point that I am making I shall come to that.

The powers in the new clause are very wide. It appears that the committee could make recommendations about any aspect of bus operations, presumably including fares, and the Secretary of State would be able to direct that such recommendations be implemented. However, one of the objectives of the Bill is to free the STG subsidiaries from central and governmental control. This would not merely perpetuate such control but would allow the Secretary of State to interfere in the activities of Scottish Bus Group subsidiaries to a greater extent than at present.

With regard to the remit of the STUCC, which was referred to by the hon. Member for Cunninghame, North, by my hon. Friend the Member for Dumfries (Sir H. Monro), and, several times, including today, by the hon. Member for Argyll and Bute (Mrs. Michie), there have been suggestions that the Scottish transport users' consultative committee should have responsibility in relation to bus services and involvement in the privatisation of the Scottish Bus Group.

It might be helpful if I were to outline briefly the history of the STUCC and of the Government's thinking on this matter. The transport users' consultative committees number eight in all, and cover Scotland, England and Wales. They were set up under section 56 of the Transport Act 1962. The chairmen and members of the TUCCs are appointed by the Secretary of State for Trade and Industry, who also funds their activities.

Overall responsibility for policy matters that affect the committees therefore lies with the Department of Trade and Industry. I have, of course, spoken to my hon. Friend the Minister for Trade on this subject and my officials have been in touch with his Department concerning comments that were made in Committee.

The main function of consultative committees is to help users who have complaints about rail services and other facilities provided by British Rail and, in the case of the Scottish committee, about ferry services provided by the Scottish Transport Group. There is also the London area committee which, exceptionally, is empowered to look after consumer interests in London Regional Transport services. Road transport was excluded from its remit by legislation.

The Transport Act 1968 applied that exclusion to road transport services provided by the newly created STG. Bus services were excluded from the committee's remit as, even before deregulation, buses operated in a much more competitive and diversified environment than the public sector monopolies over whose transport services TUCCs were designed to act as watchdogs. It was felt that the TUCCs would not have the time or resources necessary to look after the wide range of services and operators, many of them locally based, in the bus sector. That argument will apply even more strongly after privatisation.

Mrs. Ray Michie: Is the Minister aware that, in its evidence to the Scottish Affairs Select Committee, which studied rural transport in 1980-82, the STUCC asked the Committee to consider the need for it to have a remit to examine bus services so that there could be an integrated service in Scotland?

Lord James Douglas-Hamilton: I sat on that Select Committee, so I am aware of the circumstances which the hon. Member describes. The bodies were set up to deal with consumers who travel using nationalised industries, not private bus companies. New legislation and changes to other legislation would be necessary to make the new clause effective. I do not think that it would be helpful to create an additional role for the STUCC at this stage.

Mr. Wilson: I shall not prolong the debate, but the Minister's reply was a litany of excuses for doing nothing.

The Minister's latter point was especially interesting. It was not a defence of his stance but a further argument against denationalisation. He told us that, as long as there are nationalised travel facilities, the consumer has a double benefit. He said that, as soon as we privatise—thus putting the service at the mercy of the market—consumers will have poorer services and be deprived of the redress offered by a consultative committee or some parallel consumer body.

The Minister was engaged in nothing more or less than casuistry. I do him the credit of suggesting that it was not of his invention. He opposed the new clause because it would cover only half of the Scottish bus industry—that half which the Bill will privatise. My hon. Friend the Member for Aberdeen, North (Mr. Hughes) said that when an attempt was made in Committee to create a consumer body with a wider remit, the Chairman ruled it out of order on the ground that it went beyond the scope of the Bill. There is nothing in new clause 5 which would prevent the Government from expanding the proposed consultative committee's remit to include the entire Scottish bus industry.

The Minister wasted everybody's time by using that 50 per cent. argument because the real reason for opposing the new clause is that the Government do not believe that private sector operations should be reviewed by any consumer body or consultative committee. That decision is at odds with the fact that consumer organisations have been established to monitor larger privatised industries. Scottish bus users are clearly not regarded as a category of citizenry who must be bought off with window dressing of that type. Privatisation is to be pushed through without even the safeguard of a consultative body.

Question put and negatived.

Clause 1

TRANSFER OF OPERATIONS OF THE GROUP

Mr. Wilson: I beg to move amendment No. 9, in page 1, line 9, after 'Group")', insert

'and management and employee buy-out teams'.

Mr. Deputy Speaker: With this we are discussing the following amendments: No. 10, in page 1, line 9, after 'Group")', insert 'and trade unions'.

No. 11, in page 2, line 9, at end insert

'the provision that preference be shown to management/employee buyout bids'.

No. 7, in page 3, line 7, clause 3, at end insert—

'(2A) The Secretary of State shall, having regard to section 2(2)(a) of this Act, give directions to the Group to allow a 10 per cent. share to employees and management desirous of aquisition of any undertaking or part of an undertaking.'.

No. 13, in page 3, line 11, clause 3, after 'State', insert

'and to the interests of trade unions representing employees interests'.

No. 19, in page 3, line 12, clause 3, at end insert

'any financial assistance made available for management or employee buyouts shall be available for up to three buyout attempts by existing management or employees within any one of the undertakings created by the Act.'

5.45 pm

Mr. Wilson: We have heard from the Government at every stage that they are in favour of buy-outs. Like good weather, buy-outs are a desirable thing. There is as much in the Bill to ensure the success of buy-outs as there is to ensure good weather.

Once again, we are making it clear to the Minister and putting it firmly on record that, in its present form, the Bill does nothing to make it likely that the Government's words, which have been employed to make the Bill more politically acceptable in Scotland, will be translated into reality.

We want the Minister to say that sales will not proceed until there is agreement—not consultation—among the parties concerned to ensure the success of buy-outs. In each company, buy-out teams are working to put together plausible offers. We do not think that they should have been put to this trouble—we defend the status quo in the Scottish Bus Group.

Confronted with the Government's ideological measures, however, people are working in good faith and, in some cases, raising money in good faith, in an attempt to put a buy-out together. We think that a couple of buy-outs will be allowed to succeed as a form of window dressing. There will be many photo-calls involving the Minister, holding up his little blue bus again, just to show us that, as the Government said, buy-outs have succeeded.

The big sales, however, will go to private sector companies. I am sure that the Minister will not be the ultimate authority on these matters. The ideological jiminy cricket—the hon. Member for Stirling (Mr. Forsyth)—is not with us this evening. I am sure, however, that the idea of the entire SBG being given away or sold to some form of socialised ownership would not be too popular in that quarter.

We believe that one or two buy-outs will be allowed to succeed, but that many SBG assets will be sold to the crude private sector. To give us some reassurance, the Minister can easily accept the amendments which propose that the sale of components of the SBG will not be proceeded with until there has been agreement—not consultation—with interested parties, including management-employee buy-out teams and trade unions. That is a reasonable proposition because, if the Minister is sincere, the last thing that he would want would be to rush in to sell-offs when the buy-out teams were not ready to participate.

Our next concern is about the number of buy-out initiatives that will be given support by the Scottish Office. We have heard a great deal about the assistance that will be given to buy-outs. There will be a guarantee of £48,750 from public funds to the initiators of buy-outs if they do not succeed. Opposition Members do not believe that that is very generous because we know that the cost of putting together a serious buy-out offer is likely to be nearer to £250,000.

In Committee we learnt from the Minister, almost by accident—it was not clear at earlier stages of our proceedings—that, within each privatised company, only one buy-out bid will qualify for the £48,750. That is unacceptable. We know that at least one of the companies that is to be sold off—a large company covering a substantial geographical area of Scotland—has two initiatives going ahead. One initiative is management-led and the other is employee-led.

It is entirely wrong and against natural justice for the Government to make a pre-emptive strike against one of those bids by saying that they will support the other with the financial guarantee of £48,750. In the legislation the Government have not said that they will support only one form of buy-out and no other. If they had had the courage to say that, they would have saved everyone a lot of trouble. English experience shows that there are various forms of buy-out. Everyone knows that there are various formats and varying degrees of emphasis on management and work force. Anyone who has contact with the real world knows that sometimes the management might not have confidence in the work force and the work force might not have confidence in the management. In those circumstances, surely each of those elements is entitled to try to put together a buy-out on is own initiative.

One of the amendments under consideration proposes that up to three potential buy-outs should qualify for Government support. That will not impose any great burden upon the public purse. We are talking about a maximum of 30 potential buy-out bids. Nobody thinks that there will be 30 bids in reality. It would be unlikely if in any more than two or three of the companies to be bought out there were rival bids from within the existing management and work force. However, to rule out the possibility and say that there are no circumstances under which management or employees will be allowed to diverge and put together rival bids to be considered on their merits is unacceptable and flies in the face of what the Government are supposed to espouse—competition.

If a worker-led bid came forward and there were employees within a company who had drive, initiative and new ideas about how it could be run more successfully and provide more services at no cost to the public purse, why should they, in effect, be disqualified without their case ever having been studied by those who are supposed to study the bids? If the Government adhere to their position, the decision on the bids would be taken not after due consideration and detailed examination but at the outset by telling one bid that it had not been selected to receive the £48,750 assistance.

In Committee the Minister said——

Mr. Robert Hughes: I just want to check my memory. Is it not the case that if the buy-out bid is successful, the money would have to be paid back?

Mr. Wilson: That is right. As my hon. Friend knows, that supports rather than contradicts my point.

It would be extremely unattractive to any group of workers or management to enter a serious bid if they had been told by the Scottish Office that the bid was so contemptible that it would not even qualify for assistance if it failed because another bid from within the same

[Mr. Wilson]

management or work force had been judged as superior. That is what the Minister is suggesting and that is what we find unacceptable.

Within the framework of this short debate the Minister has an opportunity to say whether the Government will give any substance to their words. We lack confidence. Time and again we have put down the markers and placed on record that we would regard it as a perfectly reasonable alternative to what exists now if there were a series of companies throughout Scotland which represented the ownership of those at present employed by the Scottish Bus Group under the same conditions as at present and with the same commitment to the current level of services. In the legislation as drafted, where is any provision that underwrites the existing conditions of employment for those working in the Scottish Bus Group?

The only way that that can be ensured, as the Minister recognised in our debate on pension schemes, is if the buy-outs are given a real opportunity to succeed. On the basis of what the Minister says, we will learn whether the Government's thinking has advanced. We will discover whether there is a real commitment or whether it is simply words which they hope that the Scottish public will forget were ever uttered so that in the fullness of time they can shunt the companies off to the private sector to do with them as it will.

Lord James Douglas-Hamilton: A large number of points have been raised by the hon. Member for Cunninghame, North (Mr. Wilson), but the preferences are those stated on the first day of our Committee proceedings. First, a preference is given to bids where there is a high level of employee participation through an employee share ownership plan or some other scheme designed to ensure significant employee participation. Secondly, for competitive reasons, new independent companies will also receive preference and, thirdly, companies which are locally based with their headquarters in the area to be served will receive a preference to increase local responsiveness.

Amendment No. 9 would require the Secretary of State to consult management-employee teams when drawing up the disposal programme. We have already made clear that we are determined to encourage management-employee buy-outs. We welcome the widespread interest that has been shown by management-employee teams in developing bids for their companies. Financial assistance will be given by the STG to one team per company to develop a bid. When considering bids, preference will be given to bids involving significant employee participation.

The STG and, through that, the Secretary of State will keep in touch with the development of bids. The disposal programme will set out the criteria against which the bids will be assessed, including the basis upon which a preference will be given to bids involving significant employee participation. It would not be appropriate to consult prospective purchasers, whether or not they are management-employee buy-out teams, in drawing up the disposal programme. The preparation of the programme is a matter for the Secretary of State, in consultation with the STG.

Therefore, the amendment is inappropriate. As I have said, we will keep in touch with the development of bids by management-employee buy-out teams and we shall take account of any relevant points that arise from that process.

Mr. Robert Hughes: The issue of who receives assistance and who does not is extremely important. Will the Minister confirm that the Scottish Office, or somebody, will carry out an initial selection process if there is more than one employee-management buy-out effort and that there will be, in effect, a preferred bid for assistance? If a bid falls flat quickly, will it be possible for the Secretary of State to switch the assistance to the other bid which was previously ruled out and to give those involved the chance further to develop their proposals?

6 pm

Lord James Douglas-Hamilton: If more than one bid is forthcoming from different management or employee teams in a given company, we shall, of course, consider those bids. All bids, from whatever source, will be given due consideration. I hope that there will not be more than one bid from within a company and I believe that it is unlikely to happen. Amendment No. 19 seeks to require the group to make any financial assistance offered to management-employee buy-out teams available for up to three buy-out attempts in any company.

It may be helpful if I remind the House of the basis on which financial assistance will be made available to management-employee teams. The assistance will be available to one team per company and will consist of an underwriting of 75 per cent. of the costs of the professional fees required to mount a bid up to £65,000—that is, a maximum of £48,750. The assistance will be required to be repaid in the event of the bid being successful. The assistance will be provided by the Scottish Transport Group, which will consider applications from management-employee teams against the background of promoting the buy-out of a controlling interest by management and employees. The best way to encourage and promote a controlling interest by employees, who include management personnel employed by the company as well as other staff, is to encourage strong competitive bids by management-employee teams. We have made it clear that bids involving a substantial degree of employee participation will receive a preference. Successful bids by management-employee teams would also help to meet the competition objective by establishing independent, locally based companies.

The best chance of success for a management-employee bid will arise if there is only one such bid from within the company. The hon. Member for Cunninghame, North made an important point on that. More than one bid would probably be counter-productive because of the substantial danger that neither of the two bids would succeed. If there were disruptive factors at work, one management-employee buy-out team might not come forward. I expect the Scottish Transport Group, before reaching a decision on assistance, to see what it could do to encourage any separate teams to come together to mount a single bid. I hope very much that management and employees in the various companies will be able to agree to mount one bid. I consider amendment No. 19 to be counter-productive in terms of what the Government and the Opposition wish to achieve.

Mr. Wilson: I fully understand that the Minister hopes that one bid will emerge and perhaps that would be the best answer, but if one bid does not emerge, will the Minister maintain the right to dictate that either only one bid will emerge or that he will condemn those involved in an alternative bid to effective disqualification?

Lord James Douglas-Hamilton: Clearly, financial assistance will be given for one management-employee buy-out team per company and no more because that would be counter-productive. Were I to agree to do more than that, it might have the effect of making it extremely difficult for either management or employees to launch a successful bid.

Mr. Wilson: So the Minister categorically denies the right either for management to have insufficient confidence in the work force to mount a bid or, more probably, for the work force to have insufficient confidence in management to mount a bid. I remind the Minister that, when the National Bus Company subsidiaries were sold off to the private sector, the first thing that the private company did in many instances was to get rid of the management because of its dissatisfaction with it. That right will not exist for workers within a company. There may be a good relationship between management and employees in most companies, but if people are not prepared to go down the road together they will not be allowed to go down the road at all.

Lord James Douglas-Hamilton: Obviously, the hon. Gentleman feels strongly about this. We are not preventing anybody from making a bid, but we believe that there should be one form of assistance per company. The Scottish Transport Group will give advice about which body it should go to.

Mr. Wilson: The Minister must accept that if another potential buyer was coming cold on the scene, there would be no question of qualifying for financial assistance. Yet if there are two bids from within the company that is to be sold off, a unique pre-judgment would be made by the Scottish Office about the superiority of one bid against another. It is against natural justice for the mere existence of a bid to be the basis for judgment, rather than the quality of the bid.

Lord James Douglas-Hamilton: I very much hope that that situation will not emerge. The Scottish Transport Group will made recommendations and give advice. I remind the hon. Gentleman that clause 3(2) provides:

"The Secretary of State may, having regard to section 2 of this Act, give directions to the Group as to the manner in which they are to implement the disposal programme generally or in any case specified in the directions."

I accept that the Secretary of State will have the ultimate responsibility because he will have to approve each sale. Any group can make a bid and will be considered seriously, but assistance will be given only for one management-employee buy-out team per company.

Mr. McAllion: The Minister said that there will be only one form of financial assistance per company, in the form of the £48,750 to help people to put together a bid in the first place. In Committee, it emerged that the Scottish Development Agency has been investing public money in the private operator Stagecoach to enable it to put together £5 million with which to buy some of the public assets involved in this privatisation. The Minister said that the money that the Scottish Development Agency invested in Stagecoach was more than £65,000, but less than £1 million. Will he tell us exactly how much public money the Scottish Development Agency has invested in the Stagecoach operation and whether the same level of investment will be available to every bid, including management-employee bids, that is made to buy one of the subsidiaries? If there are one, two or three management-employee bids within a company, will they all receive the assistance from the Scottish Development Agency that Stagecoach has received?

Mr. Bill Walker (Tayside, North): I want to speak briefly. As those hon. Members who were in Committee know, I have been giving advice to Strathtay, which is the current Scottish Bus Group company, and to Stagecoach, both of which operate in my constituency. I hope that both companies will be successful in the privatisation programme because both have much to contribute in different ways.

There is some merit in amendment No. 19, which deals with the possibility of more than one group within management and employees considering a buy-out. In any auction, the more who bid, the greater the likelihood of obtaining the best possible price. In this instance, that is in the interests of taxpayers and also of managers and employees because it is only through learning what the values are and what the method of bidding is that they will achieve a learning curve. Anyone who has had dealings with the present management of the Scottish Bus Group will realise that that is new, uncharted territory for most of them. Some people have previously worked in the English companies when they were privatised and have some direct experience, but the majority have not. There would have been merit in considering the possibility that more than one proposal might come forward in any given company in the group.

It is interesting that the Minister believes that that could have a damaging impact on the quality of bids and that it is better to receive one bid that represents management and employees. He must know—as I know—that some managers are more acceptable to some of the employees than others and that the employees may wish to follow those managers down this road. That is fairly common—there is nothing unusual about it. In any large, structured company, some people are better motivators and better at getting on with the work force than others. Although that does not necessarily mean that they are good or bad managers, it may have an impact on the employees' decision about whether they wish to be part of any bid.

We are talking about a lot of money. Although it may not seem much to people who are used to talking in millions, it will be a substantial risk for the individuals involved. That, too, will have an impact on the decisions made, especially by the employees.

I hope that both Stagecoach and Strathtay will be successful. Strathtay is a good operation and well put together. Those companies could be successful in different parts of the country. Strathtay could be successful in Tayside, and Stagecoach elsewhere. I have never made any secret of the fact——

Mr. Wilson: We know that the hon. Gentleman is advising both companies—he informed us of that in Committee and has said so again tonight—but is it correct

[Mr. Wilson]

that he is backing Strathtay for his own area? Can he give us any reason why the same principle should not be applied to any part of the country that does not happen to be his own?

Mr. Walker: I can answer that easily. I do not know the facts and the background and have not met the people at other firms, but I am impressed by the quality of the management and the attitude of the employees at Strathtay. If I had the opportunity, which I have not had, to go round the rest of Scotland, perhaps I would form the same view of the rest. I am judging by the quality of the management, the leadership and the fact that Strathtay employees—the hon. Gentleman knows this because it came out in Committee—are having funds deducted from their pay every week to make their contributions to buying the shares. I do not know whether that is being emulated elsewhere, so I am asking rather than making a statement. However, as I have said, I am impressed by the quality and the attitude adopted and therefore hope that Strathtay will be successful.

In the final analysis, I hope that whoever acquires the independent groups will be committed to road transport and to public service vehicle activities. That applies equally to those in the private sector and to those who are now in the public sector but who hope to make some kind of management-employee buy-out. It is important to Scotland that those who end up running our bus operations are committed to bus operations. That is one reason why I have no hesitation in saying that I support Stagecoach also.

Lord James Douglas-Hamilton: I thank my hon. Friend the Member for Tayside, North (Mr. Walker) for his speech. Obviously, he will give whatever support he can to his constituency, and that is welcome.

In Committee I promised the hon. Member for Dundee, East (Mr. McAllion) that I would follow up with the Scottish Development Agency the need for management-employee buy-out teams to receive the same treatment as any other applicant for assistance from the SDA. I confirm that my officials have written to the chief executive of the SDA to strengthen that point.

Mr. McAllion: Has the chief executive of the Scottish Development Agency acted on that letter?

Lord James Douglas-Hamilton: I have not yet seen a reply from the chief executive, but my understanding is that the position is exactly as I told the hon. Gentleman in Committee. There will be comparable treatment, which is what the hon. Gentleman wants.

Mr. Wilson: We have noted with interest the declaration from the hon. Member for Tayside, North (Mr. Walker) that he will support Stagecoach everywhere except in his own backyard——

Mr. Bill Walker: I have made it clear that I would not be unhappy if Stagecoach ended up with the Strathtay area, but that I would prefer Strathtay bus company.

Mr. Wilson: The hon. Gentleman has not added anything to my previous comment.

I come back to the Minister on the question of Scottish Development Agency assistance to Stagecoach. My hon. Friend the Member for Dundee, East (Mr. McAllion) asked specifically how much it has received. My understanding is that it is no secret and that it is public information—that is unless it has received £250,000 or more. Surely it has not received £250,000 or more.

Lord James Douglas-Hamilton: The Scottish Development Agency, in syndicate with a number of other financial institutions, subscribed part of a total of £5 million new money raised by Stagecoach. The SDA's investment was made in accordance with our normal commercial criteria to help to strengthen the financial and business position of an expanding company, headquartered in Scotland, which is prepared to provide the prospect of continued growth.

I stress that that money relates to new equity and is not directly linked to any specific plans by Stagecoach for bids for SBG companies. The point that the hon. Member for Dundee, East was making was about assistance to management-employee buy-out teams.

6.15 pm

Mr. Wilson: With respect, that is not good enough. I am asking a straight question to which the Minister can either give or refuse to give the answer. How much public money has Stagecoach received through the Scottish Development Agency? The Minister should not give us that disingenuous stuff about new equity, which is not meant to assist with buying Scottish Bus Group companies. Stagecoach has been more honest and straightforward than that and has told us that it will bid for every part of the Scottish Bus Group. That will be the point at which the Minister's lip service to buy-outs will be put to the test. The Minister now has an opportunity to clarify that position. I assume that he has the information in front of him. Presumably public money is not dispensed with such largesse to Stagecoach or anyone else that the Minister does not know how much has been given. How much Scottish Development Agency money has gone to Stagecoach?

Lord James Douglas-Hamilton: As I said in Committee, it is less than £1 million. I shall check the exact figure with the SDA and, if I am in a position to reveal it, I shall do so.

Question put, That the amendment be made:—

The House divided: Ayes 120, Noes 199.

Division No. 103] **[6.16 pm**

AYES

Adams, Allen *(Paisley N)*	Cryer, Bob
Alton, David	Cummings, John
Anderson, Donald	Davies, Ron *(Caerphilly)*
Barnes, Harry *(Derbyshire NE)*	Davis, Terry *(B'ham Hodge H'l)*
Beckett, Margaret	Dewar, Donald
Beith, A. J.	Dixon, Don
Bennett, A. F. *(D'nt'n & R'dish)*	Dunwoody, Hon Mrs Gwyneth
Bermingham, Gerald	Eastham, Ken
Blunkett, David	Evans, John *(St Helens N)*
Boateng, Paul	Ewing, Harry *(Falkirk E)*
Bradley, Keith	Ewing, Mrs Margaret *(Moray)*
Bray, Dr Jeremy	Faulds, Andrew
Buckley, George J.	Field, Frank *(Birkenhead)*
Caborn, Richard	Fields, Terry *(L'pool B G'n)*
Campbell, Menzies *(Fife NE)*	Flannery, Martin
Campbell, Ron *(Blyth Valley)*	Flynn, Paul
Clark, Dr David *(S Shields)*	Foot, Rt Hon Michael
Clarke, Tom *(Monklands W)*	Foster, Derek
Clay, Bob	Fyfe, Maria
Clelland, David	Galbraith, Sam
Corbett, Robin	Galloway, George
Corbyn, Jeremy	Godman, Dr Norman A.

Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hardy, Peter
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Maxton, John
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Mullin, Chris
Murphy, Paul
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rooker, Jeff
Ruddock, Joan
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wall, Pat
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Cook and
mr. Jimmy Dunnachie.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bonsor, Sir Nicholas
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Critchley, Julian
Currie, Mrs Edwina
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Franks, Cecil
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Grylls, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayward, Robert
Heddle, John
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Lawrence, Ivan
Lightbown, David
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
MacKay, Andrew *(E Berkshire)*
Mans, Keith
Marshall, Michael *(Arundel)*
Mates, Michael
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Riddick, Graham
Ridsdale, Sir Julian
Rossi, Sir Hugh
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. David Maclean and
Mr. David Heathcoat-Amory.

Question accordingly negatived.

Mr. Wilson: I beg to move amendment No. 3, in page 1, line 12, at end insert—

'(1A) It shall be a condition of purchase for any undertaking proposed for sale under this section that the business shall not be re-sold within a period of five years without the consent of employees in the undertaking'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take the following amendments.

No. 4, in clause 2, page 2, line 29, at end insert—

'(1A) In giving effect to subsection (1) above, no single buyer may own more than two of the subsidiaries set up for disposal'.

[Mr. Deputy Speaker]

No. 5, in clause 3, page 3, line 7, at end insert

'and in giving such directions the Secretary of State shall direct that no fixed assets shall be sold by a disposed undertaking within a period of five years without the consent of the Secretary of State'.

Mr. Wilson: We now come to the disposal of assets of the Scottish Transport Group. The key amendment is No. 3. Amendment No. 5 deals with the assets of the undertaking and states that they should not be disposed of within five years after privatisation.

The Bill is a potential asset stripper's charter. There is no hypothesis in that. We have only to look at what has happened in England and Wales to see why the fears that Opposition Members are expressing are so strongly founded. We have only to look at the string of sell-offs of assets of the former National Bus Company groups after privatisation to demonstrate conclusively that those are not far-fetched fears or exaggerated concerns. It is the reality. Unless safeguards are introduced, sell-offs will occur.

I want to look in particular at the case of Hampshire Bus which was based in Southampton. It was sold as part of the National Bus Company sale to a company about which we have heard a great deal in our deliberations, Stagecoach, which is based in Perth. Hampshire Bus was sold for £2 million. It owned two bus stations in Southampton. One was used for city buses and the other for long-distance coaches. At the time of privatisation it was well known that the city bus station was subject to a compulsory purchase order by the council and would be taken over for whatever sum. I have been unable to establish precisely what the sum was. It was apparently part of a complex transport property transaction.

6.30 pm

As I observed on Saturday when I visited Southampton, that site is now the scene of development building work. What was wholly unacceptable and certainly played no part in the deliberations prior to privatisation was that the coach station would also be sold. That was the surprise packet that Stagecoach pulled out of the bag. Having bought Hampshire Bus for £2 million, it sold the coach station for £4·1 million within a fortnight of the initial purchase. The profit on that deal was £2·1 million, with the great majority of assets still in hand.

Since then Stagecoach has disposed of a large part of the bus operations. They were sold to Solent Blue Line, which is a subsidiary of Southern Vectis on the Isle of Wight. It is believed that the selling price for the mobile assets of Hampshire Bus was about £1 million. We now know that Stagecoach has obtained a minimum of £5·1 million for the £2 million worth of public sector assets.

As I observed in Southampton, that leaves a problem for the travelling public. It can be defined as a lack of bus stations. Solent Blue Line no longer operates any sort of bus station in the town centre. Anyone who wishes information about bus services goes to a bus. "Where better?", Tory Members may ask. A bus has been turned into a mobile information centre, giving details of the times of services and other facilities provided. The bus stops in Southampton are ranged along the pavements with the various companies using those facilities—that is perhaps too strong a word—which leads to congestion.

The operational station—the enginering workshop and so on—which was previously accommodated within the bus station has been shunted off to a glorified shed on what can best be described as a piece of waste ground. That is the joy of privatisation in that particular case. Solent Blue Line offers no proper facilities, such as canteens, for workers and they cannot all crowd into a bus to take advantage of such facilities as it provides.

The progression has been as follows: Hampshire Bus was sold to Stagecoach for £2·1 million. Its city bus station was sold for development and its long-distance coach station was wholly unexpectedly sold for £4·1 million. Half the buses were sold for £1 million. The remaining facilities for city bus travellers are virtually nil.

Although Hampshire Bus's successor, Stagecoach, in what we were told was splendid entrepreneurial fashion, doubled its money in a fortnight by selling the coach station, it still left the problem that some people wanted to travel by coach. Fortunately, Southampton is under Labour control and there is an interest in providing public services. Despite the fact that the public purse had been so shamefully ripped off by the sales and the asset stripping, it was left to the ratepayers, through the local authority, to pick up the tab. Because of Stagecoach's speculation, the ratepayers of Southampton have had to fork out £138,000 to provide another coach station. The good, sturdy, private sector alternative would have been to leave people waiting in the rain. After all, why do they need a coach station? If Stagecoach has sold it, why should the contemptible consumers of bus services not just be left to suffer from market forces imposed on them by the Government through privatisation? The people of Southampton have paid £138,000 to assist Stagecoach towards its profit of a minimum of £3·1 million.

In the last few minutes of the Committee stage we had an interesting debate when the hon. Member for Tayside, North (Mr. Walker) defended what had happened. He said that it did not matter how the £3·1 million was acquired and that it was what the company did with the money that mattered. So long as it invested the money in buses, that was all right. That is an extraordinary doctrine of private enterprise. In other words, it is defensible to buy public assets cheap in order to sell them dear. It is a disgrace to the word "enterprise" to attach that claim to it.

Mr. Bill Walker: The hon. Gentleman should look a little more carefully at what I said. I have not yet seen the *Hansard* report of our proceedings, but I said that the assets of any company are its resources, which are human as well as physical. Buildings and buses, as well as employees, are its assets. It is how the management employs those assets to the benefit of the whole that matters. It does not matter that a company has large capital assets if they are under-employed and if the company is going broke. It makes no difference. Management is required to maximise the use of assets. That is exactly what I said.

Mr. Wilson: That is a sophistication of what the hon. Gentleman said and the record will show that. I do not know whether the hon. Gentleman is distancing himself from what happened. If so, I welcome that.

Clearly, this case was an outrageous fraud on the public purse. Someone has said that the assets of Hampshire Bus were worth £2 million. Within weeks Stagecoach had turned them into £5·1 million and still had half the

operation left. Does the Minister care to defend that? If nobody does, why the hell are the Government doing this again under this Bill? There is nothing in the Bill which gives the slightest safeguard against that sort of asset stripping by the same companies to which sections of the National Bus Company were sold.

We are playing for big stakes here. There are many big sharks waiting for the wee Minister to announce the terms of these sales. My advice is that the development value of Buchanan street bus station in Glasgow is £4 million. The development value of St. Andrews square bus station is extremely difficult to assess because in the last year alone commercial property values in the centre of Edinburgh have literally doubled. The best estimate that I can get is that it has a development value of £15 million. Even the Southampton example pales into relative financial insignificance compared with the huge sums that are at stake in the sale of the Scottish Bus Group companies. The Minister will have to agree that nothing in the Bill would stop whoever buys Eastern Scottish from selling the St. Andrews square bus station a fortnight later for £15 million or thereabouts.

On previous form today and in Committee, the Minister will say, "We hope that it does not happen. We do not want it to happen. We shall take into consideration the possibility that it might happen, but it would be dreadful if it did." But the Government will do nothing about it. When it does happen, all that the Minister will be able to say is, "It should not have happened."

In Committee I gave a list of the bus stations in town and city centres in England that had been sold off similarly to, although rather less spectacularly than, the station in Southampton. The record shows that it happened all over the country. Asset strippers and property developers are extremely interested in the property assets of bus companies, and nothing in the Bill would exclude them from bidding for bus companies. A property developer who was interested in bidding for a bus company would not put himself forward as such, but would acquire the acceptable face of a bus company. How will the Scottish Office separate one from the other? The answer is that it cannot and will not. Unless something is written into the Bill to prevent it from happening, what happened in Southampton will happen in the towns and cities of Scotland. Will the Minister write a safeguard into the Bill?

The other amendments in the group deal with the resale of the businesses themselves, which we suggest should not be done without the consent of employees in the undertakings. It is a modest proposition, but I do not expect the Minister to accept it. Time and again in England and Wales, the company that bought the bus undertaking in the first instance proved to be only a halfway house to resales, mergers and splits, and all the time the very last consideration was for the interests of the travelling public. If nothing is inserted in the legislation, that will happen again.

I want the Minister to deal with the details of the Southampton case and of the Scottish company involved in that case. Who advised the Government that the assets of Hampshire Bus should be sold for £2 million? Will those same advisers be involved in valuing property assets in Edinburgh, Glasgow and other cities and towns where the Scottish Bus Group has properties? I do not expect the Minister to say that the matter is outwith his ministerial remit. No Minister could have introduced this legislation without having investigated extensively the experience in England and Wales.

If the Minister admits that monumental errors were made that allowed those profits to accrue to companies that were almost given the assets of the National Bus Company, he must tell us what will be inserted in the legislation to prevent those errors from being made again. The potential also exists for conspiracy, because the idea of people getting their hands on public property at a low valuation and of selling it for a different purpose at a high price is no novelty. Will the Minister safeguard against that, or will he make this Bill a charter for asset strippers and property developers?

Mr. Robert Hughes: My hon. Friend the Member for Cunninghame, North (Mr. Wilson) has made a compelling case for the amendments, and I wish only to reinforce one or two of his points.

Before I do that, may I deal with the intervention of the hon. Member for Tayside, North (Mr. Walker), who said that there was a difference between asset stripping and freeing capital for use in a company? To some extent, he is right. We all know that some struggling companies that are trying to develop their business and put money into services might wish to develop by introducing modern buses, by erecting good bus shelters or by creating decent waiting facilities in their out-of-town operations. If that had happened after the sale of the National Bus Company, one could accept it as good business. Companies may run into cash-flow problems. To pay the wages, they may have to realise some of their assets. Had that been the case with the National Bus Company, one would not have quarrelled with it.

As the hon. Member for Tayside, North knows, the difficulty is that that is the opposite of what happened in England and Wales. Assets were sold not to be reinvested in mobile assets or to provide better services, but simply to take profits out of the company without regard to how they had been earned. The hon. Gentleman had better address his mind to that difference.

We believe that the amendments are vital because we have never been told officially the price of any of the bus companies.

6.45 pm

Mr. Bill Walker: The hon. Gentleman must have studied what has happened in the company referred to, so he will know that it has used the assets to buy new buses. The hon. Gentleman understands how businesses are run. If one can spread a core cost over a larger operation one can offer cheaper fares. That is exactly what has happened with that company because the costs of the base operations have been spread over a much wider network. That is using assets, not stripping them.

Mr. Hughes: Had that happened, it would have been fine, but we know that it did not happen in the vast majority of cases.

The problem is compounded by the fact that we have not been told the prices realised by the sale of the NBC's subsidiary companies. What is more, we are told unequivocally that only those who are fortunate enough to live for another 30 years will be able to find out the purchase price of those companies. I presume that the

[Mr. Hughes]

papers will become available then. It is a bit perverse that one's potential for getting public information depends on one's age. But that is what the Government rely on.

The Minister is a friendly young chap. I do not know the latest medical prognosis of how long he will live, but perhaps he is hoping not to be around in 30 years' time when the papers become available. If he is, he will know that he has repeated the error that was made in England and Wales.

The Minister has made matters worse. Several times in Committee, when defending differences of approach in the Scottish Office and slight differences in this Bill, he said that one of the great benefits of introducing this Bill some years after the privatisation of buses in England and Wales was experience. Yet on this important issue the Government have not taken that experience into account.

The Government say that they cannot tell us the value of the companies because the information is commercially sensitive. I do not understand how it can be against commercial interests to be told the selling price. I repeat the charge that we made in Committee which the Minister, regrettably, did not answer. If a local authority behaved as the Government have over the sale of public assets, its members would be disqualified and taken before the district auditor and might have to spend some time in gaol —and quite right, too. There should be no secrecy. We should be told precisely what the sale price is.

The Minister's only defence—I do not recall him using it in Committee—against the charge that he is wantonly selling public assets cheaply is that we always have recourse to the Public Accounts Committee. The trouble is that that Committee does not have the information on which to act. I have no information with which to write to the Chairman of the Committee asking it to investigate the sale.

Perhaps I had better measure my words carefully, as I do not wish to embarrass anyone. I made inquiries about one of the sales mentioned by my hon. Friend the Member for Cunninghame, North. When I asked how the Public Accounts Committee could examine what I regarded as gross excesses and a gross dereliction of duty by the Secretary of State for Transport, I was told—quite properly—that the PAC could investigate only specific charges. It was no use my saying, "I read in the papers that this happened", "I believe that this happened" or "There is speculation that this happened". The PAC wants hard and fast information, and it is right that it should. We do not want to pillory people without cause. I consider that one of the great benefits of public investigation is that not only are the guilty found guilty but the innocent are exonerated if false charges are made.

The Minister, however, is encouraging speculation and rumour. He is leading us to believe that the information will never be provided. That will fuel speculation. Indeed, we have good grounds for believing that the information that we have been given is accurate: I know that my hon. Friend the Member for Cunninghame, North would not have read out that list without a solid belief that the property speculators were busy.

Why should this matter? It matters in principle. Someone once said that principles were expensive things. The people who suffer if they are broken are not the owners, the shareholders or the board of directors, but those who work in the industry—people who have given their lives to that industry, built up the companies' assets and made them into going concerns attractive for privatisation.

I am astonished to see that no Government amendments have been tabled. I certainly do not charge the Minister with dishonesty; if I were to do so I should be reprimanded. Nevertheless, he has not honoured the spirit of the words that he used in Committee, where we engaged in a long debate about the value of the assets and the effect on the workers. I regret that I cannot quote the Minister exactly, but I am sure that he will tell me if my paraphrase is inaccurate.

The Minister said that he understood the points that we were making and would undertake a close examination to find out what information could be made available. He hinted, at least, that he might be prepared to table a Government amendment on Report to cover the possibility of making the sale price known. In answer to a question from me to that effect, he said in his charming way—with the little smile that he wears when replying—"We shall have to look at it." Perhaps I am becoming too gullible in my old age. I believed that he might bring forward such an amendment, but he has not done so.

The Prime Minister believes that her words strike a chord with the British public. I shall not allow myself to be tempted to discuss devolution, Mr. Deputy Speaker, because, apart from getting into trouble with you, I should get into trouble with my hon. Friends. Let me, however, refer briefly to the speech in which the Prime Minister said that she was totally against devolution. Why? Because, she said, she wanted to devolve power to the individual, not to corporate bodies. That, incidentally, is the core ethos of Socialism; we want power for the individual. It seems odd that the Prime Minister should use the same words as us. I thought for a moment that she had been re-reading "Das Kapital" in her spare time, but I suspect that it was all a charade.

We have learned one thing from this Government, if nothing else. When the Prime Minister speaks, Ministers jump. Either they jump out of the Cabinet, or they jump around in it. If the Prime Minister had meant what she said, and if the Secretary of State—whom I am delighted to see taking an interest in the Bill—had conveyed her message properly, the Minister would have put down an amendment, and would by this time have leapt to his feet to accept amendment No. 3.

What better example of devolution to the individual could there be than the provision in amendment No. 3 that

> "It shall be a condition of purchase for any undertaking proposed for sale . . . that the business shall not be re-sold within a period of five years without the consent of employees in the undertaking."

Perhaps the Prime Minister thinks that that is too modest. Perhaps the Minister will say that five years is not long enough, and will propose a Lords amendment providing that the business shall never be resold without the consent of the employees. I would accept that. I would go out of the Chamber with my tail between my legs. I would have to go to my constituency and say that I had been outbid by Tory Ministers, and that after complaining for all these years about their accruing power to themselves I had found that I had been wrong all the time. But I know that I am right. The Government have no intention of giving power to anyone except those who hold the purse strings. The paymasters of the Tory party have said, "You will

privatise. You will sell off the companies. The power will go with the purse strings, and the people who get the companies will be those who pay the most bucks."

In Committee, the Minister said that he wanted to give a fair wind to employee-management buy-outs. None of us, however, is naive enough to believe that such a buy-out will necessarily succeed in every case. If a private entrepreneur comes along and buys the company, there must be a fall-back provision for employees to have a say on whether their livelihoods are to be bought and sold.

There has been great agitation about the fate of professional footballers—a cause close to the heart of my hon. Friend the Member for Cunninghame, North, and indeed of great interest to all of us who are football fans. The idea that a player was bound to a company for the rest of his life, and could be bought and sold like a chattel with no real say in the matter, went out of the window because it offended against the principles of individuality. I think that, having accepted that, we must also accept that the buying and selling of jobs in this context is also an affront to individuality. I know that the Minister believes that, and I hope that he will accept amendment No. 3.

The Minister said in Committee that he believed that if abuses were proven the Secretary of State would be able to act. I can find no reference in the Bill to his having the power to act: it must be one of the more nebulous powers in the legislation. I hope that if the Minister cannot accept the amendment he will take the matter seriously and will understand that we are dealing with people who, by and large, do not have the interests of the travelling public at heart, but are interested only in making money. They do not care about the people in the industry or those who may serve. The Minister ought to accept this group of amendments in principle—on ethical grounds—and I am sure that he will do so.

Lord James Douglas-Hamilton: The hon. Member for Aberdeen, North (Mr. Hughes) has raised again a question that he put in Committee about publication of the prices obtained for the subsidiaries. I said that once the process of privatisation had been completed we would publish the figure for the total proceeds, and also that I would reconsider the possibility of publishing individual sale proceeds.

The suggestion that we should publish the amount paid for each company raises difficult problems of commercial confidentiality. During the process of privatisation it will clearly not be a good idea to publish the amount received for each company, as it could well affect prices in subsequent sales.

Mr. Robert Hughes: If the Minister will say that, once all the companies have been sold, he will publish the individual price, I at least will be willing to meet him halfway and accept that.

Lord James Douglas-Hamilton: I have considered this matter carefully. Publishing the prices once the sales are completed also raises problems of commercial confidentiality because the companies involved may be concerned that the price they paid for a business should not be revealed to their competitors. The financial backers may also be sensitive about the disclosure of the purchase price that they had supported.

7 pm

With regard to the public interest, the important figure is the sum that is realised for the Scottish Bus Group as a whole. I have already said that we shall publish that figure once all the sales are completed. If individual purchasers want to reveal what they paid for a company, it is a matter for them. The hon. Member for Aberdeen, North is no doubt aware that Grampian Transport plc has revealed that it paid about £5 million for Grampian Regional Transport. After carefully reconsidering the issue, may I say that we would not want, as a matter of practice, to publish the proceeds from each company sold.

Mr. Robert Hughes: The Minister should not pray in aid the Grampian experience, which is totally different. He knows that Grampian regional council is bound by statute to say how much it got from the sale; it cannot simply say that it will not tell anyone.

Lord James Douglas-Hamilton: I stress that any company can reveal what it paid, but it is a matter for the company.

The hon. Member for Cunninghame, North (Mr. Wilson) asked about the Scottish Development Agency investment in Stagecoach. The investment was worth £500,000 and was made in the form of preference shares.

Amendment No. 3 would make it impossible for a Scottish Bus Group subsidiary to be resold within five years without the consent of its employees. That would impose a limitation on the freedom of action of that company which would not apply to the companies with which it was competing. That could cause difficulties and if such an inhibition operated which did not apply to other bus companies it could make it difficult for management-employee buy-out teams to raise funds. However we are keen to see employees participating in their companies through share ownership. The more substantial that share ownership, the more voice employees will have in the running of their company and over issues such as change of ownership.

In privatising the Scottish Bus Group in the pattern we have chosen, we aim to set up a number of new, viable independent bus companies which will ensure healthy competition. We obviously want to see those companies continue as viable units. Successful operation is obviously the way to achieve that—not by giving employees a veto as proposed in amendment No. 3. In any case, it is not clear why the period of five years has been chosen. The best course is surely to encourage bids with substantial employee participation which will ensure that employees have a say in the operations of their company in the long term.

Mr. Wilson: As the Minister reiterates his enthusiasm for bids that give workers a substantial say, does he consider that there is any conflict between that and what he has told us about the SDA investing £500,000 to ensure that such bids do not succeed?

Lord James Douglas-Hamilton: Out of a total of £5 million investment provided by a number of financial institutions, the SDA contributed £500,000 in the form of preference shares. That does not alter the reality, and representations have been made to the chief executive of the SDA arising out of what was discussed in Committee.

Amendment No. 4 would limit to two companies the number of bus companies which one purchaser could buy.

[Lord James Douglas-Hamilton]

The prime aim of the privatisation is to increase competition, efficiency and service to the consumer. No limitations were written into the English and Welsh legislation, and I do not believe that such a limitation is appropriate in this case.

The House should reject the amendment, but should be assured that we have taken on board the point made by the amendment. We entirely accept the need to avoid a single buyer acquiring too many bus companies. In England, when 72 units were sold, no single buyer was allowed to acquire more than four. An application of a similar proportion to the 11 SBG subsidiaries—that is nine operating subsidiaries plus two other operations—would limit any single purchaser to acquiring one subsidiary.

We accept the need to avoid a single buyer acquiring too many bus companies. In part, of course, it depends where those companies are. However, given the nature of Scotland, with its urban concentration in the central belt, we accept the need to limit the numbers bought by one purchaser and will consider what can be said in the disposal programme, by which time the picture will be clearer.

The hon. Member for Cunninghame, North spent a considerable time addressing amendment No. 5, which would prevent any of the privatised bus companies from disposing of fixed assets within five years without the consent of the Secretary of State. It is obviously important to ensure that there is no asset stripping.

It is clearly essential to ensure that property is properly valued, not only on its existing use value for bus operations, but on other bases such as its full development value. We obviously want to avoid asset stripping and the selling on of assets at a large profit. Specialist property advisers have been appointed to value all the properties of the bus group and to advise on the best treatment of those properties in the course of the sale. There are essentially three options for dealing with the properties. The first option is to strip the property from the company and sell it separately. This might apply to a property that is not really essential for the running of a bus undertaking. The second option is to sell the property along with the company but ensure that the price received for the company fully reflects the range of values for the assets. The third option is to sell the property along with the company but with a legal charge on the property which will ensure that if the property is sold, say for development, within a specified period, the Government will receive a specified share of the development proceeds. A fourth option—I did not mention it in Committee—is to sell the property separately but arrange for it to be leased to the bus operating company.

A prohibition on sales of property without the Secretary of State's consent would not achieve the desired objective. The only control open to the Secretary of State would be to prevent the property from being sold for a period. It would not prevent the owning company profiting from the sale. After five years there would be no controls at all.

The hon. Member for Cunninghame, North also asked about the arrangements for the sale of the NBC and its assets in Southampton. That is a matter for the Secretary of State for Transport and I would not want to comment on it. I have made clear the actions that we shall take to avoid asset stripping. The key element is to obtain professional advice on the value of the assets at current use and for development.

Mr. Wilson: Even by the Minister's formidable standards, that was a pathetic reply. I may be naive, and possibly the Minister will tell us differently, but perhaps there were no professional advisers in England and Wales. Perhaps the number of such advisers was pulled out of a hat. What possible answer is it to say that there will be professional advice? Of course there will be professional advice, but we are talking about whether that advice will be any good.

We have already explained in some detail that the professional advice that the Government got in England and Wales stank. Whether that was due to incompetence or corruption, we shall never know, but we know that public assets were sold off cheaply to be sold on dear. That was done on the basis of professional advice.

The Minister has said that what happened with the NBC is nothing to do with him but is for the Secretary of State for Transport to consider. Scottish Office Ministers are extremely selective about when we are operating in a unitary Parliament with unitary interests and when we are operating as a small segment of the United Kingdom when that segment is not supposed to know what is going on in another. Is the Minister seriously saying that when he drew up the disposal scheme and the scheme for professional advice he had no consultation with the Secretary of State for Transport? If so, it is certain that the quality of the professional advice will not be any better in Scotland than it was in England and Wales. Once again I challenge the Minister to address the Southampton example. Would the Minister find it acceptable if the same sort of windfall profits were made by the beneficiaries of the sell-offs? Would there be anything wrong with that?

Perhaps the Minister could clarify the impression given by the hon. Member for Tayside, North (Mr. Walker), who believes that it is all right to buy from the public purse something for £2 million and then to sell off a fraction of it for £4·1 million a fortnight later as long as the proceeds of the sale go to buses. Perhaps the Minister could write a cheque. Why should the Minister sell off the subsidiaries? Why not give them away while saying, "Look here, have it, so long as you spend the proceeds on buying buses.". The public purse would not get anything; after all, it all comes to the same thing. If the Government had given away Hampshire Bus and the assets had then been sold for £2·1 million, the profit would have been the same to the buyer, and the loss to the public purse in real terms would have been no less. Does the Minister regard that as acceptable?

Will the Minister tell us the names of the professional advisers? Are they the people who gave such appalling advice about Hampshire Bus and other segments of the National Bus Company? Does the Minister have any information about that? Has any account been taken of the record of those advisers in past sell-offs? Is it the same old boys' network? Is it always the same advisers and no matter what advice they give and whether it is right or wrong they will always be there? The Minister must tell us something. He must not simply say that there will be professional advisers. I understood in Committee that they were already at work.

Mr. Graham: Perhaps they are the professional advisers who advised the Government to sell the royal ordnance factory in my constituency for a pittance to people who later recouped the price in one sale.

Mr. Wilson: That is an interesting question. My guess would be that they are the same advisers or perhaps from the same coterie of advisers. They are either bent or stupid, but they are not competent and certainly are not working in the public interest.

Lord James Douglas-Hamilton: Is not the hon. Gentleman aware that I said in Committee that the advisers were Kenneth Ryden and Partners?

Mr. Wilson: I am well aware that the Minister said in Committee that Kenneth Ryden and Partners were advisers on property values. He did not say whether they had been involved in any of the English advice or whether they were advising on the valuations as going concerns as bus stations or advising on the development values. He did not say whether two sets of values had arisen in the English context. I am sure that the Minister has consulted his right hon. Friend the Secretary of State for Transport about that.

Were there two valuations for the coach station in Southampton? We shall be grateful if the Minister can help us on that, but if he cannot perhaps he will help us another time.

I am grateful to the Minister for at least informing us that £500,000 of public money has been invested in Stagecoach in order, presumably, to help establish the level playing field which we are told is to exist in these sell-offs. I am surprised that at this sensitive time the Scottish Development Agency should have seen fit to invest £500,000 in Stagecoach, but I suppose that is a matter for the SDA—unless it did that under political direction. Perhaps the Minister will tell us about that as well.

Mr. Bill Walker: The hon. Gentleman will be aware that since its inception the SDA has been investing in this way throughout Scotland and in companies. There is nothing odd about that. Why should it make fish of one and fowl of another? The fact that Stagecoach applied and was accepted is surely enough. There is no end of examples of companies obtaining assistance in this equity form and then going on to be assets to Scotland. Unfortunately, others have been disasters and much public money has gone into them. It is part of the risk that the SDA takes in evaluating this type of equity, and it goes on all the time.

Mr. Wilson: Unlike Conservative Members, I am an admirer of the SDA and I am not attacking it in any way. I just find it a little odd that, at this sensitive time, when Stagecoach has announced that it will bid for every Scottish Bus Group subsidiary and is putting together a £5 million war chest for that purpose, the SDA is investing £500,000. That is especially surprising because the successful achievement of Stagecoach's aims appears to be in conflict with the Government's preference as repeatedly stated by the Minister. It is even against the wishes of the hon. Member for Tayside (Mr. Walker), because he has made it clear that he does not want Stagecoach to succeed in his area.

The other issue upon which the Minister was at his disingenuous worst was about why individual sale proceeds could not be revealed to us. The magic words "commercial confidentiality" were incanted. As my hon. Friend the Member for Aberdeen, North (Mr. Hughes) capably said, a local authority does not have any such option because its dealings have to be a matter of public record. It has always been a mystery to me why the Government can hide behind commercial confidentiality while local authorities have to do things up front.

7.15 pm

The idea that the interests of the buyers should be protected is also mysterious. It is not like a pools entry when one can mark an X for no publicity. The public is entitled to know what has been paid for public assets; there can be no ifs or buts about that. That should be an entitlement, as it is in local government but for some reason is not in Government dealings. However, the truth will out and in each of the 72 National Bus Company sell-offs those who keep an eye on the industry were in a strong position to find out what was paid.

I assure the Minister that we shall keep a close eye on these sales. Even though the Government may be afraid to say what has been paid for the companies, we shall do so and will be able to compare the selling price with the asset stripping price when that process is engaged in.

The Minister was asked many specific questions about the lessons that were learned from the sell-offs and the asset strippings in England and Wales, which in some cases involved Scottish companies and certainly involved companies that will be engaged in the bids for parts of the Scottish Bus Group. What safeguards have been taken against the same thing happening in Scotland? The answer in simple terms is, none. The Minister said that there were four options, but did not tell us which one the Government had decided to implement. Perhaps he could help us on that.

Unless there are safeguards in the Bill, there will be asset stripping and property rip-offs on a grand scale. In many parts of Scotland bus stations that are centrally located in the interests of the travelling public will be sold by property speculators and will be replaced by facilities that are much less adequate and less convenient. That is exactly what has happened in Southampton where, in spite of all the professional advice, the Government committed an offence against the public purse for which they should still be held accountable.

Question put, That the amendment be made:—

The House divided: Ayes 109, Noes 184.

Division No. 104] **[7.16 pm**

AYES

Adams, Allen *(Paisley N)*	Cohen, Harry
Alton, David	Cook, Robin *(Livingston)*
Barnes, Harry *(Derbyshire NE)*	Corbett, Robin
Beckett, Margaret	Corbyn, Jeremy
Beith, A. J.	Cox, Tom
Bennett, A. F. *(Knt'n & R'dish)*	Cryer, Bob
Bermingham, Gerald	Cummings, John
Blunkett, David	Davies, Ron *(Caerphilly)*
Boateng, Paul	Davis, Terry *(B'ham Hodge H'l)*
Bradley, Keith	Dewar, Donald
Bray, Dr Jeremy	Dixon, Don
Buchan, Norman	Doran, Frank
Buckley, George J.	Dunnachie, Jimmy
Caborn, Richard	Dunwoody, Hon Mrs Gwyneth
Campbell, Menzies *(Fife NE)*	Eastham, Ken
Campbell, Ron *(Blyth Valley)*	Evans, John *(St Helens N)*
Clark, Dr David *(S Shields)*	Ewing, Harry *(Falkirk E)*
Clarke, Tom *(Monklands W)*	Ewing, Mrs Margaret *(Moray)*
Clay, Bob	Fields, Terry *(L'pool B G'n)*
Clelland, David	Fisher, Mark

Flannery, Martin
Flynn, Paul
Foster, Derek
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hardy, Peter
Henderson, Doug
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Maxton, John
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Morgan, Rhodri
Mullin, Chris
Murphy, Paul
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Short, Clare
Skinner, Dennis
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wall, Pat
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Wilson, Brian
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Cook and
Mr. Frank Haynes.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bonsor, Sir Nicholas
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Lawrence, Ivan
Lightbown, David
Lloyd, Sir Ian *(Havant)*
Lord, Michael
MacKay, Andrew *(E Berkshire)*
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Rathbone, Tim
Redwood, John
Renton, Tim
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Sackville, Hon Tom
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Michael Fallon and
Mr. David Maclean.

Question accordingly negatived.

Amendment proposed: No. 6 in page 2, line 5, leave out 'may' and insert 'shall'.—*[Mr. Wilson.]*

Lord James Douglas-Hamilton: I regard the amendment, which would replace "may" with "shall", as a Willie Ross amendment. As Opposition Members have pointed out, Lord Ross of Marnock frequently tabled such amendments. It is also fair to say of Lord Ross that he was almost always able to say no to such amendments, although on one occasion I persuaded him to say yes. If hon. Members wish to know the example, let me say that a pop group wished to apply for a licence to practise in America, and they had to get the licence from the Bow street magistrates court in London. I suggested that it would be better if they could acquire it in Scotland and he replied that he would lay an order so that they would have to go to the stipendiary magisrates in Glasgow.

I have to tell the hon. Member for Cunninghame, North (Mr. Wilson) that I have considered the amendment carefully. I explained in Committee that I did not think that the amendment was necessary and that it was our

intention to include in the disposal programme a statement of the general approach which the Secretary of State intends *that the group should adopt in carrying out the* disposals in the programme, including the intended timetable for implementing the programme. As it is our intention that the disposal programme should contain a statement of the general approach which the Secretary of State intends that the group should adopt, I am prepared to accept the amendment, which would require the Secretary of State to do that.

I am therefore happy to accept the amendment. I hope that this is helpful, although it is far from being the case that I wish to tread in the inimitable footsteps of the late Willie Ross.

7.30 pm

Mr. Wilson: I do not want to let the amendment pass without some acknowledgement. This is the first crumb that we have been given in the entire passage of the Bill and I should accept it gracefully. Perhaps if I keep my speeches short on the amendments we shall receive more concessions.

Amendment agreed to.

Clause 7

TRANSFER OF SHIPPING COMPANIES

Mr. Wilson: I beg to move amendment No. 15, in page 5, line 3, after 'in', insert 'and remain with'.

I shall adopt the same formula for this small amendment, which takes us on to the part of the Bill dealing with Caledonian MacBrayne. At present, the ownership of Caledonian MacBrayne rests with the Secretary of State and that should be perpetuated in another form under the Bill. It is not necessary to say more than that.

Lord James Douglas-Hamilton: The aim of the amendment is to require the ownership of Caledonian MacBrayne to remain with the Secretary of State.

It might be helpful if I set out our policy towards shipping services to the Western Isles. We are committed to maintaining at least the present standard of service. This is a standard which has been substantially improved since we came to office. Our manifesto commitment was

"to continue the substantially increased financial support for the provision and upgrading of ferries and terminals which are so vital to the islands".

The evidence of that commitment is in the new ships and piers and substantially improved facilities.

In the light of the dissolution of the transport group, of which Caledonian MacBrayne is part, the Secretary of State decided, having examined the options carefully, that the best arrangement was for Caledonian MacBrayne to become a company owned, in the first instance, by the Secretary of State. He will be appointing a new board for the company, which will be asked to examine carefully existing practices in order to find more efficient and cost-effective ways of delivering the present standard of service. The Secretary of State said that no options for the longer term would be excluded, subject of course to the overriding proviso that they must ensure at least the present quality of service to the islands.

Having set out the background and our commitment to services, it would be odd to specify in statute that a company transferred to the Secretary of State should remain with him in perpetuity. Within the context of looking for better value for money, we do not know what arrangements might be proposed by the board, always subject to the overriding proviso of maintaining at least the present quality of service. We want to avoid limitations on arrangements which might be in the best interests of the islands, which will always remain the touchstone of any change which is considered. An amendment of this kind would limit the range of options which the new board might want to consider.

In all this it is, of course, the service to the islands which is vitally important, and our commitment to it is clear. I ask the House to reject the amendment.

Mr. Wilson: I only partially stated what the amendment was about and the Minister is right that, in addition to recognising the reality that control rests with the Secretary of State, it looks into the future. It seeks to legislate against the possibility of a change of ownership. On those grounds, the Opposition are disappointed that the Minister will not accept the amendment. Perhaps that gives something away about the Government's long-term thinking. However, we have seen off threats to Caledonian MacBrayne before and we shall see them off again.

Amendment negatived.

Mr. Wilson: I beg to move amendment No. 16, in page 5, line 11, at end insert—

'(4A) The Secretary of State shall ensure that the interests of travellers, local people and employees are given representation equal to that of commercial and management interests on the Board of Caledonian MacBrayne Limited.'.

We now come to a more substantial debate on Caledonian MacBrayne and the shipping aspects of the Bill. We have centred the debate round the composition of the board. Although we suspect that the Government would like to do much to Caledonian MacBrayne, the only substantial aspect of the Bill that identifies that company's prospects deals with the creation and composition of a board.

We propose—one might think eminently reasonably—that the interests of travellers, local people and employees should be given equal representation with commercial and management interests on the board. Put in another way, we might call this the NTS amendment. While considering the Bill, we have had to put up with a great many initials such as STG and SDG, and abbreviations such as CalMac. NTS stands, quite simply, for "no Tory sinecures."

We are concerned that the board, which will be crucial to the future of Caledonian MacBrayne and the shipping services on the west coast of Scotland, will be perverted from the start by the sort of political appointments that are increasingly permeating and corrupting public life in Scotland. People with no qualifications, other than a party-political allegiance to Scotland's minority party—the Tory party—are appointed to every board and quango in sight. If that happens with Caledonian MacBrayne's new board, it is certain that the wishes of the people of the west coast communities served by the company will not be respected.

I pointed out in Committee the extraordinary fact that it is now possible to travel from Muckle Flugga to the Mull of Kintyre—the length of the highlands and islands of

[Mr. Wilson]

Scotland—without encountering territory that is represented by a Tory Member. On the 28 routes covered by Caledonian MacBrayne, at no time does one of its vessels call at a port represented by a Tory Member of Parliament.

The reality of politics in Scotland and, more recently, in the areas that this company has served is that the Tories are completely unelectable at local or national level in the west coast areas of Scotland. That is a remarkable fact and, even within my relatively short political lifetime, it represents a remarkable change. Some of the people who have helped to bring it about are here this evening. I pay tribute to the hon. Member for Argyll and Bute (Mrs. Michie) for having put the last piece in the jigsaw to make the highlands and islands a Tory-free zone—and all the better for it. We do not want any of these rejected people or their allies to be brought back to life in a new form.

As was noted in earlier debates, the former Member of this House who represented the constituency of Cunninghame, North before I was elected in June 1987 has already been found a nice little earner as chairman of the Scottish transport users consultative committee. That precedent makes us suspicious about what sort of clapped-out Tory rejects will be put on the board of Caledonian MacBrayne.

Shortly before Christmas, when the privatisation threat still hung over Caledonian MacBrayne, there was a meeting in Oban at which genuine, concerned representatives of our communities came together from all over the west coast. The hon. Member for Argyll and Bute and I were both in attendance, as were about 80 people, united in their opposition to privatisation, because they knew what it would mean for the shipping services on which they depended. They were excellent people who were very representative of our communities and any number of them would have made good members of Caledonian MacBrayne's new board.

For the record, at that meeting just two voices were raised in favour of privatisation. One was that of a Tory councillor from West Kilbride, which, as I pointed out in Committee, is not one of the great nautical centres of the west coast. The other was a British publican from Port Askaig who gave the strong impression of being his own best customer. That was the level of support for privatisation within the community that is served by Caledonian MacBrayne. However, there is no guarantee that those two people, and the other 78 people, will not end up on the board of Caledonian MacBrayne. We shall watch events extremely closely. Again we shall make the Tories pay the political penalty if they try any such tricks.

An arrogance is abroad—led, I think, by the hon. Member for Stirling (Mr. Forsyth)—that makes Scottish Office Tories believe that they can do literally what they like. There is a real touch of the gauleiter about them. They have no electoral base, but they believe that they can carry on as though elections had never taken place and as though they will never take place again. Their cockiness might be justified for the time being, but elections will take place again—assuming that the hon. Member for Stirling does not gain even more influence. At that time, for each of these actions against the wishes and interests of the Scottish people, the Tories will again be made to pay the electoral price. At the moment they nurse the hope of regaining some of the lost lands of the highlands and islands, so in their own political self-interest, as well as in the interests of the people of the highlands and islands, the last thing that they ought to do is to make appointments that would grossly offend those people.

Control of Caledonian MacBrayne is now in the hands of the board of the Scottish Transport Group, which is primarily concerned with bus operations. The board has adopted a hands-off attitude, but that will change. When a board is appointed for the new company, Caledonian MacBrayne Ltd., the question of who the board members are will become relevant.

Lip service has been paid to the notion of islanders being appointed to the board, but I am sure that the Minister recognises that there are islanders and islanders. There are people who have committed their life's work to the island communities that are served by Caledonian MacBrayne and there are others who regard the islands as places to which to go for the occasional highland gathering and the subsequent ball. For instance, they have given Mull the nickname "the officers' mess". We do not want a retired colonel who has set himself up as a mini-laird on one of the islands to be appointed to the board. We do not recognise such people as islanders. What is even more important, the people who live on the islands do not recognise them as islanders.

I know that the Minister has family experience of the kind of appointment that I am talking about. I am sure that he realises that people on the islands are well able to differentiate between those who have a long-term commitment to the islands and those who regard them as an outpost of empire where, preferably, the peasantry ought to be treated as the peasantry of the outposts of empire were once treated. We want those who genuinely represent the folk who travel on the ferries, live in the island communities and work on the ferry services to sit on the board. They would make sound, rational decisions that were motivated by social concern for the communities and by knowledge of local needs.

We have noted at each stage of the Bill that the composition of the board of CalMac will be particularly important early in its life. It has been given two immediate remits by the Secretary of State. We have been told that the new board will be asked to decide on the location of the headquarters of Caledonian MacBrayne. I am pleased to say that in recent weeks the Opposition's views on this matter have become quite clear. We have considered the question of the transfer of the headquarters of Caledonian MacBrayne and we do not like it one little bit. We believe that relocation is a ridiculous requirement to impose on an area where unemployment stands at 27 per cent. It would be an unnecessary burden on the public purse if a new headquarters had to be built in Oban, or anywhere else.

Folk should not be uprooted and disturbed in that way, particularly when no ostensible benefit to the travelling public would be gained. The majority of the travelling public will be at the end of a long-distance telephone call, irrespective of where the headquarters of Caledonian MacBrayne is located. I speak only for my own party when I say that we are firmly against the removal of the CalMac headquarters from Gourock to anywhere else.

7.45 pm

To hark back to the days when David MacBrayne Ltd. was privatised, it is worth remembering that there was an even more complex MacBrayne network of ferry services on the west coast of Scotland. The headquarters of David

MacBrayne Ltd. was not in the community that was served by the company. It was in Robertson street, Glasgow. There is a lot of sense in saying that the headquarters of a widely dispersed shipping company should be close to the centre from which many of the services and many of the passengers emanate.

What we as politicians say about that is not the most important aspect. What the people who live in the island communities and who work for the company say is much more important. We do not want a board to be set up that has been told by the Secretary of State to go down a certain road. We want that board to be representative of the communities, to participate in rational debate, to look sympathetically at the interests of employees—as well as at a political wheeze from the Secretary of State—and come to a rational decision.

We have also been told that the new board will be asked to adjudicate at an early stage on the selling off of two routes on the Clyde—Dunoon to Gourock and Wemyss bay to Rothesay. The location of Caledonian MacBrayne's headquarters is more a matter of judgment than politics, but there is no doubt that there is a political aspect to the question of whether those two routes should be sold off.

The experience of the last nine years while this has been a matter of live debate has shown that it will be very difficult to get any CalMac board that has any contact with the communities served by the company to assent to such a proposition. If the Secretary of State is to obtain the sell-offs that he hankers after, he will achieve them only by putting on the board the placemen and Tory lackeys whom we fear so much. All the power of argument is against the break-up of the network and the selling off of these routes. The economic argument is against it.

If routes are taken out of a subsidised network, the last ones to be taken out are the ones that are the most economically viable—as the Clyde routes are. In that case, either one increases the need for public subsidy of the remaining routes or one reduces the level of services on the remaining routes; they will not have the weighting factor of the relatively good financial performance on the more profitable routes. The economic argument for taking these two routes away from CalMac is completely discredited.

As for the integration of routes and services, the great strength of Caledonian MacBrayne on the west coast of Scotland is its ability to move vessels from one route to another to cover breakdowns, annual overhauls and refits. It is able to co-ordinate timetables and everything else that is connected with the complex Caledonian MacBrayne operation. The strength of integration extends to the booking system. People who are visiting the area can book their way through the Hebrides, across the Clyde, back into Argyll and out again to the Inner Hebrides. All of that is possible with the sophisticated computer-based booking network operated from Gourock. If the Government start playing about by taking loops out of the network and handing them over to some other operator they will lose that advantage as well.

Once again the big argument against privatising these routes is that the people who live in the communities served by them do not want them to be privatised. They made that clear in 1981, when the Government had to retreat in a state of some disarray from the proposal to privatise the Gourock to Dunoon route. I have no evidence to suggest that opinion in Gourock and Dunoon has changed. Equally, I have no doubt that the Government would meet with equally fierce opposition in Wemyss bay and Rothesay.

I might say that both Renfrew, West and Inverclyde and Argyll and Bute, the two constituencies affected by these proposals, are Labour-held marginals. If the Minister wants to ensure larger Labour majorities, I suppose that is one good reason for proceeding with these proposals. But we do not look at these things from a short-term, narrow political standpoint; we look at them from the point of view of the public good. No one wants the Minister's lousy privatisation ideas, and he really should accept that.

The Government have been messing about with this for eight years—confusing and annoying people. They really should go away and do something useful. Their dreadful persistence is an obsession, I think. There must be somewhere in Scotland, some subscriber to Tory funds who is obsessed with the idea of taking over the Clyde shipping services. That is the only possible explanation of the Government's preoccupation with such a relatively minor matter. We do not want these people on the new board of Caledonian MacBrayne either.

There is a clear warning here. Make it a board that is representative of local interests, make it a board that is sensitive to the wishes of the travelling public, and we will welcome it, the people of the communities served will welcome it, and there will be no dispute. But make it another of these nasty little coteries of Tories, appointed on the basis of an old boys' or old girls' network, and further opprobrium will be heaped upon the Scottish Tories—and I should have thought they had enough opprobrium to be going on with without inviting more.

Dr. Norman A. Godman (Greenock and Port Glasgow): I have a continuing constituency interest in Caledonian MacBrayne in terms of both direct and indirect employment. I take it that the reference in the amendment to employees includes those currently employed by the company. That being the case, may I make a plea on behalf of my constituents who find their employment by way of Caledonian MacBrayne. Incidentally, in this context the Lord of the Isles, a Caledonian MacBrayne ferry, is to be launched from Fergusons in Port Glasgow on 7 March. I believe that the vessel will be launched into the Clyde by a lady by the name of Mrs. Edith Rifkind. I have certainly got the good lady's surname right, if not her first name, though I think that, too, is correct.

The object of this amendment is to

"ensure that the interests of travellers, local people and employees are given representation equal to that of commercial and management interests on the board of Caledonian MacBrayne Ltd."

In my view, representatives of local people, present employees and travellers will be most anxious to ensure that orders for new vessels are placed with Scottish shipyards.

I make no apology for making a special plea here in the context of the purchasing power that this new board will have, especially for ferries. Scotland's merchant shipbuilding capability has been considerably reduced. We now have, on the merchant shipbuilding side, Fergusons, Hall Russell of Aberdeen, which, I believe, has finally been purchased in the past few days, the Norwegian firm on the upper Clyde, Kvaerner, and Caledonian MacBrayne.

The new board that is to be set up will need to order upwards of a dozen vessels over the next decade. That may

[Dr. Norman A. Godman]

be within one or two of the figure currently in the company's estimates. I think I am right in saying that the plum order will be the replacement vessel for the Suilven, which plies between Ullapool and Stornoway. The present vessel is very old as ships go. It is not up to the job, although it is crewed and officered magnificently. It has to be replaced within the next three years. I sincerely hope that the new board—made up, as it would be if this amendment were accepted, of, amongst others, representatives of local people, travellers and present-day employees—will ensure that that contract is awarded to a certain yard on the lower Clyde, Fergusons of Port Glasgow.

Local employment in Inverclyde would be helped immeasurably by such contracts. It would be tragic locally if the Scottish shipbuilding dimension were ignored in the scheme of things by this new company. The kind of board that my hon. Friends envisage would ensure that Scottish shipyards, in their present parlous condition, were not ignored.

To move the headquarters of this company from Gourock, if it were not a local disaster, would at least cause dismay amongst many of my constituents, who either work directly for the company or obtain their work by way of the company.

On 3 March the Secretary of State will formally initiate the Inverclyde enterprise zone. I think the ceremony is to be conducted in the municipal buildings in Greenock. I have been invited to the ceremony, and I take it that my hon. Friend the Member for Renfrew and Inverclyde, West (Mr. Graham) has also been invited.

Mr. Graham: No.

Dr. Godman: My hon. Friend says that he has not been invited. I find that utterly surprising, and not right or proper.

If, the Inverclyde enterprise zone having been set up, the headquarters is to be transferred to Oban, the people I represent will be deeply unhappy. In saying that, I mean no disrespect to the good people of Oban, but it seems sensible, in the light of the setting up of the Inverclyde initiative, that the headquarters of this company should remain in Gourock. I understand that in Oban there are few houses for rent or sale. I am told also that there is a major problem in acquiring suitable premises and that there are certain skill shortages in the area.

Mrs. Ray Michie: I should be most interested if the hon. Gentleman could tell the House from where he got his information.

Dr. Godman: I shall be perfectly happy to tell the hon. Lady, who, of course, has a deep interest in this matter. I think that she welcomes the transfer of this headquarters—and there we part company. I have been told by employees of the company——

Mrs. Michie: In Gourock?

Dr. Godman: Yes, of course. I have been told by employees of the company that that may well be the case in Oban and its surrounding areas.

Mr. Graham: I have received letters from constituents who work at the CalMac headquarters who have found that there is a problem with, for example, housing and education provision for the mentally handicapped. I am sure that my hon. Friend has similar information.

Dr. Godman: I do not see why the lives of the fine, decent and honourable employees at Gourock should be disrupted so dreadfully by the move, or why they should be dismissed and receive paltry redundancy pay. It is essential that CalMac retains its headquarters at Gourock. It is essential that the new board has the composition which the amendment envisages and that it accepts the need to protect the interests of travellers, employees and those who work in Hall Russell and Fergusons in Port Glasgow.

In view of the establishment of an Inverclyde enterprise zone, it makes sense for the new board of the new company to place orders for vessels with those two local shipyards. I do not want orders to be placed elsewhere in the United Kingdom, and certainly not overseas. Orders should go to Scottish shipyards. The Minister should give employees at Gourock an assurance that the headquarters will stay in Gourock and that their employment opportunities will not be threatened. The Minister is an honourable man: he should accept this honourable amendment.

8 pm

Mr. Graham: The Minister knows my feelings about the Government's proposals. I fully support the amendment. I am extremely worried by what the Secretary of State for Scotland said on Second Reading. Introducing the Bill, he said:

> "I intend to appoint a new board for the company, which will contain persons with commercial expertise, including some with first-hand knowledge of the islands served and their needs. That is vital to ensure the responsiveness of the company to its customers. As a matter of priority, I would look to the new board to examine the possibilities of relocating the headquarters nearer the centre of the area which it serves. Oban seems likely to prove a suitable place for this purpose. I shall also ask the new board to explore the possibility of transferring to the private sector the Gourock-Dunoon and Wemyss bay-Rothesay routes."—[*Official Report*, 14 December 1988; Vol. 143, c. 980.]

It is imperative that any board should be able to do its job and not have the Secretary of State's hammer at its head and be told that it must consider moving from Gourock to Oban.

What type of board are the Government setting up? Is it a board of donkeys which nods in the direction of what the Secretary of State requires? That would be disgraceful. A board should be able to look at the books and enhance the company's operations. It is incredible that the Government should tell it to privatise the Gourock-Dunoon route. That is nonsense. It is a profit-making run which could make more profit if the company was allowed to run as a free commercial enterprise like companies up the road. The Government put restrictions on CalMac's operations. Allowed to operate freely, the company would produce far more profit.

The same can be said of the Wemyss bay-Rothesay route. Restrictions imposed by the Government ensure that CalMac does not produce profit sufficient to reduce its subsidy. It is lamentable that the Secretary of State made an announcement about the board without describing the CalMac operation.

The review of accounts says:

"Caledonian MacBrayne continue to go from strength to strength. There has been a remarkable growth of traffic over the years reaching record levels in 1987 and more than justifying a sustained substantial programme of investment in ships, piers and passenger facilities generally. The Company's contribution to the prosperity and well-being of the island communities is further secured and strengthened by an aggressive marketing policy which is targeted successfully."

Mr. Ian Irwin, CBE, chairman and chief executive of the Scottish Transport Group, has said:

"Caledonian MacBrayne is now bearing the fruits of the careful planning, investment and aggressive marketing of the last decade. The company has had its best year ever with record passenger carryings and a refund of subsidy to the Secretary of State for Scotland for the second year running (£1·3 million in 1987 and £0·7 million in 1986)."

Dr. Godman: May I observe that I have some criticisms of the present board, one of which is that too often it has ordered ships furth of Scotland?

Mr. Graham: A board has to examine books and make value judgments. I can show clearly that CalMac has worked hard for the people of the islands and its customers.

The headquarters in Gourock has one of the finest staff. They can be held up as an example of workers who have dedicated themselves to the company for which they work. Their record is one of the finest. They are not working in a Para Handy outfit. They work for a shipping company with 28 ships. In the headquarters, the company has one of the largest computer operations in the west of Scotland. It is served by trained, knowledgeable and dedicated staff. There are engineering workshops and bakeries, for example, adjacent to the headquarters—they help to keep costs down.

The company owns the headquarters and the workshops. It is based on the Clyde. The managing director has said quite clearly—and the Minister knows it—that he thinks that a move to Oban would be commercially unsound. He has done an assessment of the work force, 90 per cent. of whom say that they do not want to move to Oban.

I have spoken to the workers and they are extremely unhappy. The board has to be caring. It should consider the views of the workers and the islanders.

I have shown, through the people who have been operating the company successfully, that the workers are an excellent band of people who will continue to strive to enable the company to grow from strength to strength. The board must face the possibility that, because of the Secretary of State's hammer hanging over the company, 90 people could be thrown on to the scrap heap. That might happen in an area with one of the highest unemployment records, not just in Scotland, but in Britain. Why should they be thrown on the scrap heap simply because the Secretary of State wishes to move the headquarters to Oban?

Moving to Oban is not commercially sound. It will not help to reduce costs; it will probably increase them. A burden will be imposed on Oban if the workers decide to move. Will the poor be given homes? Will the 18-year-old girl who has written to me be guaranteed a house? Will the woman who has written to me and who has a mentally handicapped son receive the same services as she receives in my constituency? I do not believe so. With the best will in the world, the services cannot be provided.

The Oban area has its own housing problems and homeless people. I am not an expert on Oban, but I know my constituency. I know the workers in Gourock who work for Caledonian MacBrayne. I have met them. They want to continue to work. They do not want to go on the dole. They want to continue to work for CalMac, as they have done for many years.

Dr. Godman: There is another element to the proposed transfer to Oban, and it relates to the objectives of the Inverclyde initiative and, presumably, the Inverclyde enterprise zone. Those objectives are concerned with reviving the largely dying waterfront of Greenock and Port Glasgow. In that context, would it not be absurd to dampen down Gourock by such a transfer?

Mr. Graham: My hon. Friend is right. The board must look at the Inverclyde enterprise zone. Businesses could be set up in the area to help reduce the subsidies. It would help ensure that CalMac continued to grow from strength to strength.

I hope that the Secretary of State will not continue to dangle the sword of Damocles over the head of the workers. This is a blatant act of piracy, not on the high seas but in high places. Decisions will be made by people who are remote from the workers. I hope that the board will reflect the views of the workers and that it will not consist of people in remote high places.

I hope that the Secretary of State will bear in mind the fact that those workers have worked to ensure that the 28 ships remain at sea and that there is adequate clerical and administrative back-up. More than 800 people are employed by CalMac and the 100 workers in question wish to continue to be employed there. I plead with the Minister to allow them the right to work in Gourock. They should not be thrown on the dole queues. He should give them that right. Through their work they have allowed CalMac to sail the seas and service the islands. He should allow them to continue to work and he should stand up and fight for the CalMac workers.

8.15 pm

Mrs. Ray Michie: The amendment is similar to one I tabled in Committee which was rejected by the Minister. I hope that he will accept this amendment, which I support. I have reiterated on many occasions how important it is that the new board reflects the wishes of local people and employees. The membership should consist of people mainly from the islands and the mainland ports from which CalMac sails. It is important to have a membership representing Dunoon and Rothesay. Those are the two routes that the Government have, unwisely, put under threat. It is essential that the views of the people in those areas be properly reflected.

I was interested to hear the hon. Member for Cunninghame, North (Mr. Wilson) say that the Labour party is in favour of Caledonian MacBrayne's headquarters remaining in Gourock. I am sorry that the hon. Member for Western Isles (Mr. Macdonald) is not present because he never said whether he would be in favour of the headquarters moving to the Western Isles, which is the wish of his council. Therefore, perhaps the Labour party is not in full agreement on that subject.

I can fully understand the wish of the hon. Member for Renfrew, West and Inverclyde (Mr. Graham) to defend his constituents and their jobs. I have already told the hon. Gentleman that the local Social and Liberal Democrats on the council are concerned about the people in the area. I

[Mrs. Ray Michie]

have also said that, should there be a move, I hope that the Secretary of State will give every possible help to anybody who has to move. However, I do not believe that any Member of Parliament would turn down the opportunity of jobs coming to his or her constituency.

Several Hon. Members *rose*——

Mrs. Michie: I will not give way. I want to develop this point a little further.

Mr. Graham: On a point of order, Mr. Deputy Speaker. I have already told the hon. Member for Argyll and Bute (Mrs. Michie) that I have no wish to take jobs from her constituents.

Mrs. Michie: Hon. Members should understand that no hon. Member lifted a finger to stop Argyll and Bute losing jobs. We have lost a considerable number of jobs in the Health Service and in the social work department, which has been removed from my constituency and centralised in places such as Dumbarton and Paisley. Nobody said how terrible that was. They said that it was great that the department should move to somewhere such as Paisley. I am interested to know also how often the hon. Member for Renfrew, West and Inverclyde—*[Interruption.]*

Mr. Deputy Speaker: Order.

Mrs. Michie: I am interested to know how often the hon. Gentleman has travelled on Caledonian MacBrayne ferries and where he goes when he travels on them.

Mr. Graham: Will the hon. Lady give way?

Mrs. Michie: Yes, I shall be interested to hear the answer.

Mr. Graham: I have travelled frequently on Caledonian MacBrayne ferries and on many of its routes. I have travelled from Gourock to Wemyss bay, from Gourock to Dunoon and from Wemyss Bay to Bute. I have travelled on nearly all the Shetland ferries.

Mrs. Michie: I am interested to hear that. There are ferries to Gourock, Wemyss Bay, and Rothesay. What about Coll, Tiree, Colonsay Stornoway and other ports?

I understand what the hon. Gentleman is saying, but he does Oban a gross disservice when he talks about the lack of facilities there and most especially when he talks about the lack of facilities for mentally handicapped children and adults in the area. It is quite wrong that he should say such things without any knowledge of the excellent facilities available in the Oban area.

Much has been made of the great computer that works so efficiently in Gourock. I am sure that it does work reasonably efficiently.

Mr. Graham: Will the hon. Lady give way?

Mrs. Michie: No, because I want to develop my argument about the computer in Gourock. Some hon. Members should speak to constituents outwith Gourock and ask them how many times the computer has double-booked them, how many times they have received their first-choice sailings and how many times what is said on the computer in Gourock is the same as is said on a computer in another part of Caledonian MacBrayne. They are often saying completely different things, so we must find out just how wonderful this computer is.

I say to the Minister again that we must have not just an assurance, but words written into the Bill that will ensure that the people of the islands and the mainland ports are given majority representation so that they can reflect the needs of the islanders especially.

Lord James Douglas-Hamilton: I shall first answer the hon. Member for Greenock and Port Glasgow (Dr. Godman) who raised an important point about orders with Scottish shipyards. I am glad to confirm that the last two ships built for CalMac—the Isle of Mull and one to be launched next week—were both built in Scottish yards. CalMac places orders where it obtains the best value for money and, obviously, it is extremely happy to place orders in Scottish yards. That has been a policy in the past, and will, no doubt, continue to be its policy.

The hon. Member for Cunninghame, North (Mr. Wilson) asked about the profitability of the Gourock-Dunoon route. That route is not profitable as it is operated at present. My right hon. and learned Friend the Secretary of State spelt out the anomaly of an unsubsidised private sector crossing competing with a subsidised private sector crossing on similar routes and he chose his words carefully on Second Reading when he said that the board would look at the possibilities in this connection.

Dr. Godman: In relation to the Ullapool and Stornoway service, has the Minister any idea when an order is likely to be placed for a replacement vessel for the Suilven?

Mr. Deputy Speaker: Order. We are having a wide debate, but we must have some regard for the terms of the amendment.

Lord James Douglas-Hamilton: I shall write to the hon. Gentleman on that point.

On relief vessels, it was suggested that if the three ships that operate the Gourock-Dunoon and Wemyss bay-Rothesay services were transferred to the private sector, CalMac would not be able to provide relief vessels in cases of breakdown. I can assure the House that that is not the case. The three ships concerned cannot operate outside the Clyde, and relief arrangements for the Western Isles will be unaffected. The island service can, at present, draw on the Jupiter or the main CalMac relief vessel in case of breakdown. The capacity of the Jupiter, however, is significantly less than that of the Isle of Arran and of the main relief vessel the Glen Sannox, which will still be available.

I understand the passions that the siting of the headquarters has raised and I listened with care to the remarks of the hon. Members for Argyll and Bute (Mrs. Michie) and for Renfrew, West and Inverclyde (Mr. Graham). I respect the representations made on behalf of their constituents. The reason why my right hon. and learned Friend the Secretary of State will be asking that the new board should consider the best location for its headquarters is that he believes that it is right that the headquarters should be nearer the centre of the area that they serve. My right hon. and learned Friend said that he thought Oban would be likely to prove the most suitable place. Obviously, the new board will look at the issue

carefully and will take into account the interest of employees. It is worth considering carefully whether moving the headquarters would improve the service to the islands.

Mr. Graham: The logic of the Minister's remarks does not meet the eye. Does he mean that everything will be moved into Glasgow because it is the centre of population in Scotland? I cannot understand his logic because in that case, all kinds of businesses should settle in Glasgow. Surely the Minister is not saying that that is how businesses should operate. The managing director has said that there is nothing the matter with the CalMac operation in Gourock, so to move to Oban makes commercial nonsense. Surely the Minister must listen to the man in the driving seat.

Lord James Douglas-Hamilton: If the headquarters move to Oban, they will be nearer to the centre of operations for the lifeline services to the islands concerned. The points that the hon. Gentleman makes on behalf of his constituents and the workshops and the other evidence that he puts forward will, of course, be taken into account. But it is important to bear in mind the commercial aspects of CalMac's operations and the fact that the jobs in question will be relocated, not lost to Scotland.

The hon. Member for Argyll and Bute asked me about members on the CalMac board from Rothesay and Dunoon. The Clyde shipping services advisory committee has two members from Rothesay and a member from Dunoon. That shows how the shipping services advisory committees are the best way in which interests can be involved. When my right hon. and learned Friend announced that a new board would be appointed for CalMac, he said that it would contain people with commercial expertise, including some with first-hand knowledge of the island and their needs. We discussed the composition of the board in greater detail in Committee and I gave an undertaking that we would look for persons with first-hand knowledge of the islands among those who are resident in the islands. We should not see the new board of CalMac as divided into those who have commercial or shipping experience and those who know about the islands. I hope that the persons appointed will combine as many qualifications as possible. We do not want the board to be divided into two camps. Our aim is to have a board that has both the necessary expertise and is responsive to the needs of the travellers who use the service.

Amendment No. 16 suggests that those on board should in some way be there to represent a single interest or qualification. Under the amendment, persons would have to be appointed in relation to a particular interest. That might make the task of appointment more difficult, especially with a small board. For those reasons I ask the House to reject the amendment. In doing so, I remind hon. Members of the other arrangments that exist to represent consumers' interests, such as the transport users consultative committee for Scotland which will continue to have a remit covering CalMac. The committee contains two island residents from Arran, and one from Lewis. The shipping services advisory committees will also continue. Each of the three advisory committees contains substantial representation from the islands and the travelling public. With those three committees, it is possible to have much more extensive island representation than on a small board.

The advisory committees will continue to be consulted by the board of CalMac as before and I hope that that demonstrates to the House the machinery that will continue to exist for responding to the views of the travelling public and those residents in the islands. In the light of that and my description of how we shall approach board appointments, I hope that I have reassured the House that the new board will be responsive to local needs. I therefore ask the House to reject amendment No. 16.

Mr. Wilson: I am sure that I speak on behalf of all Opposition Members when I say that we are not reassured. Indeed, we shall be reassured only when we see the names of the people who have been appointed to the new board and when we have had a little time to study their biographies.

8.30 pm

I object to the distinction that the Minister just drew when he suggested that the natives can travel steerage on the consultative committees while a different breed of person will be appointed to the bridge and be members of the small board. That happens at present in other organisations, especially in the Highlands and Islands development board. It is almost unique for anyone who comes from or lives or works within its area, to be appointed to that board. The other organisation is the Highlands and Islands development consultative council, which is where the local representatives are herded and, supposedly, consulted.

The amendment calls for local people to be represented at first-class rather than third-class level. We are concerned about the board and we shall be keeping a close eye on its membership. Although we cannot take this further tonight, I warn the Minister that if he refuses to take heed of what is said and if he appoints people only because they can be relied on to represent the Tory interest, this will be another little problem that will dog him for the rest of this Parliament.

My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) suggested bringing back Mrs. McCurley. As has already been said, Mr. Corrie has already been brought back in a closely related role. One of my colleagues in Committee suggested that Mr. J. J. MacKay of blessed memory, whom the hon. Member for Argyll and Bute (Mrs. Michie) replaced, might fancy a nice little earner as chairman of the CalMac board, which would keep his connections with Argyll and Bute. I am sure that the work of organising the small band of Scottish Tories cannot be so onerous that he would not have the time to do that on the side. All those names have been bandied around, and I have mentioned one or two possibilities. They will be queuing up already because in such circles they know when jobs for the boys are being handed out, and there will be a few applicants for this one.

Dr. Godman: We can hardly blame those Tory discards for their interest. Mrs. McCurley, for example, has been given a part-time appointment with the Horserace Betting Levy Board. The new board may well be made up largely of Tory discards.

Mr. Wilson: That is the risk that we are trying to spotlight. I am sure that Mrs. McCurley will be as much an expert on horse racing and levies as most of the possible contenders for this board are on ferries.

People in the areas served by the ferries can see through what is happening. I have no doubt that if the Government appoint political nominees, they will continue to pay the political price.

I shall deal briefly with the two central questions raised by the Minister—the Gourock-Dunoon service and the location of the headquarters. I can assure the Minister that I know that the Gourock-Dunoon route is not profitable. Indeed, I did not say that it was profitable, but that it is less unprofitable than most other routes and that is a significant difference, especially in a company that is based on subsidy. If one takes out the less loss-making routes, one must increase the subsidy to those that make greater losses otherwise they will suffer a diminution of service. That is the straightforward economic argument against privatising the Clyde routes.

The Minister is also wrong in his rebuttal of my point about the movement of vessels among the various routes. It is true that the three ships that serve the Gourock-Dunoon and Wemyss bay routes cannot operate outside the Clyde, but if called upon ships that operate outside the Clyde can operate on the Gourock-Dunoon and Wemyss bay routes, as can ships that operate on the other Clyde routes. If one takes those two routes away from the CalMac network, that degree of flexibility will be lost.

I have absolutely no difficulty with the position of the hon. Member for Argyll and Bute on the question of moving the headquarters. She was offered what appeared to be something on a plate for one part of her constituency. She is entitled to fight for that and to support it. However, I thought at the start that she was a little incautious to do so because other parts of her constituency will be less well served. As she recognised in Committee, the idea of moving the headquarters from Gourock to Oban is predicated on the assumption that the Gourock-Dunoon and Wemyss bay-Rothesay routes would be taken out of the CalMac network. As I do not intend that to happen, I do not think that the proposal about moving the headquarters gets past first base.

Although I cannot answer for my hon. Friend the Member for Western Isles (Mr. Macdonald), who is not in the Chamber tonight, I do not think that the idea of moving to Stornoway is particularly sound, if only because there might be some difficulty about Sunday bookings.

Those arguments lie ahead. The main thing now is to get the board right. Although we can take that no further tonight, we shall press our amendment to the vote because we believe that it is essential to put clearly on the record our belief that the board should be representative of the island interest, committed to the extension and development of Caledonian MacBrayne, and not a pathetic cipher, hand picked by the Tories to serve the Tory interest.

Question put, That the amendment be made:—

The House divided: Ayes 100, Noes 173.

Division No. 105] **[8.36 pm**

AYES

Adams, Allen *(Paisley N)*
Alton, David
Barnes, Harry *(Derbyshire NE)*
Beckett, Margaret
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Blunkett, David
Bradley, Keith
Bray, Dr Jeremy
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Cox, Tom
Cryer, Bob
Cummings, John
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Graham, Thomas
Griffiths, Win *(Bridgend)*
Haynes, Frank
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Lewis, Terry
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Mullin, Chris
Murphy, Paul
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Reid, Dr John
Short, Clare
Skinner, Dennis
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wall, Pat
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Nigel Griffiths and
Mr. Frank Cook.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Gale, Roger
Gill, Christopher
Glyn, Dr Alan

Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Knight, Greg *(Derby North)*
Knowles, Michael
Lawrence, Ivan
Lightbown, David
Lloyd, Sir Ian *(Havant)*
Lord, Michael
Meyer, Sir Anthony
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Rathbone, Tim
Redwood, John
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Sackville, Hon Tom
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Walden, George
Walker, Bill *(T'side North)*
Ward, John
Wardle, Charles *(Bexhill)*
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. David Maclean and
Mr. Sydney Chapman.

Question accordingly negatived.

Clause 13

FINANCIAL PROVISIONS

Mr. Wilson: I beg to move amendment No. 18, in page 7, line 36, leave out subsection (3) and insert—

'(3) It shall be a condition of sale of any undertaking or part of an undertaking under the Act that there be no diminution of any concession, benefit or privilege enjoyed by—

(a) any person who is or has been employed by the Group (or any subsidiary of theirs); or

(b) a member or such a person's family.'.

Clause 13(3) states that

"the disposal programme may, with the approval of the Secretary of State, include provision—

(a) for the maintenance to any extent of any concession, benefit or privilege enjoyed by—

(i) any person who is or has been employed by the Group . . .; or

(ii) a member of such a person's family; or

(b) for the making of any payment or the provision of any other concession, benefit or privilege in compensation for the loss, reduction or limitation of that concession, benefit or privilege".

Our amendment would take out that wishy-washy provision.

There is a simple but revealing difference in approach between Opposition Members and Conservative Members. Opposition Members simply say that some folk have concessionary travel, principally because they, their husbands or fathers have worked for the Scottish Bus Group for many years and it should not be taken away as a result of privatisation. It is not they who are privatising, and it is not they who should lose as a result. Let us keep it simple. Part of the deal of selling the company to the private sector is that such concessions are continued. Our approach is nice and simple, honest and decent.

This clause is hedged by caveats under which the Secretary of State may see fit to include concessions as a condition of sale. If some hard-nosed man of the City says, "We do not want all these pensioners cluttering up our microbuses," that concession could disappear overnight. I should be surprised if the Secretary of State is losing any sleep over that.

It is as simple as that. There is no point in spinning out the debate. We do not want the Government to take concessions from people or their relations who have worked for the Scottish Bus Group. If he leaves the amendment intact, the Minister will earn a little respect from the Opposition. Unless it is written into the Bill, as the companies change hands and asset-strippers and speculators get their hands on them, there will be no place for concessions. There will be places only for what passes for business.

Dr. Godman: This is an important amendment. My constitituents who worked for Clydeside and Western are anxious to ensure that their interests, privileges and so on are respected in the same way as those of the employees at Clark Kincaid in the deal which was signed by British Shipbuilders and its buyers. My busmen constituents want the same sort of fairness shown to them as was shown by the management buy-out just down the road in East Hamilton street in Greenock when Clark Kincaid was taken over by Mr. Bill Scott and his colleagues. The negotiations were fair. I spoke to senior shop stewards, councillor Robert Jackson and John Quigley at Clark Kincaid, and they thought that they had negotiated a reasonable deal for the work force.

Employees of Clydeside and Western, whom I have met recently, are seeking the provision that is contained in the amendment. It states that there should be

"no diminution of any concession, benefit or privilege enjoyed by—

(a) any person who is or has been employed by the Group."

That is what they seek if and when negotiations for the purchase of their particular bus company take place. They would prefer to follow that route than the tortuous path that seems to have been followed by the employees at Ferguson in Port Glasgow vis-a-vis the would-be

[Dr. Godman]

take-over by the Perth-based Ailsa company of that yard. In that case the would-be buyer is arguing for a diminution of benefits, pensions and so on.

I hope that the interests of the Clydeside and Western employees, who provide a fine transport service for the people of Inverclyde, will be honoured, as were those of my constituents employed at Clark Kincaid by those who acquired that company.

Mr. McAllion: These concessions, benefits and privileges are essentially free travel for employees and either free or cut price travel for their families. In Committee the Minister said:

"These concessions are not a right, but a privilege."

The use of the word "privilege" presaged the Minister's intention not to stand up on behalf of the employees who insist that these privileges be maintained after privatisation. He showed that he was prepared to accept that the concessions would be conceded, at least in part, by the STG and through it by the Government in the negotiations with the new private operators.

It is important to recognise that although each subsidiary, for example Strathtay, arranges the free concessions for its employees, the concessions apply to the whole of the STG. Therefore, it is possible for an employee of Strathtay to have a cheap busman's holiday with his family which could take him from Dundee to Perth on a Strathtay coach, on a Citylink coach to Gourock, on a CalMac ferry to the Western Isles and as far as Stornoway without any charge to him and only a part charge to his family. We are dealing with substantial concessions and rights which workers enjoy by custom and practice.

When the Minister was asked what the value of the concessions was, he admitted that they had not been costed and said that he would ask the STG for an estimate. Can he tell us the cost of these concessions?

In Committee the Minister said that the STG had the power

"to enter into arrangements regarding the continuation of any concession"

with the new owners of the privatised subsidiaries. Failing agreement in the negotiations, the STG would have the power to make compensation payments for the loss of any such concession. That reveals that the Minister expects the negotiations to fail. In the expectation of that failure he has built into the Bill the provision that the STG can make some sort of pecuniary compensation to those who lose out as a result of privatisation. What sort of financial compensation will be available for people who lose these concessions as a result of privatisation?

The Minister went on to say:

"I wish to make it clear . . . that the provision of any concessions for employees and their families of the privatised companies will be a matter for those companies."

In other words, he conceded that the Government would not impose on the new privatised companies the condition that they pick up the concessions, but would leave it to the companies. He said that the Government

"would expect them to provide concessions for their employees and their families."

He may expect them to do that, but what steps is he taking to make them do so? That is the key question that he must answer tonight. So far he has not said how he can do that.

The Minister said that the Government would make provision in the disposal programme for bidders for any SBG subsidiary to be asked

"what their intentions are with respect to travel concessions."

If Stagecoach said that there would be no concession scheme for its employees, would that statement veto the bid or would the Minister accept the bid because of its other merits? Would he allow a bid to be successful although no concessionary arrangements were made?

The Minister pointed to the National Bus Company experience and said:

"in some cases arrangements regarding concessions were included in sale agreements."

For the life of me, that seems to be what amendment No. 18 is suggesting. If the Government were prepared in the sale of NBC subsidiaries to concede that the continuation of these concessions should be part of the sale agreement, the Minister will have to put up a convincing argument why that cannot be included in the sale of the SBG subsidiaries.

In Committee the Minister said that he would give

"special consideration to the future arrangements for concessionary travel for retired employees of the bus companies"

and that he would

"anticipate that it will be possible to make suitable arrangements within the disposal programme, though necessarily covering the full extent of existing concessions."

The Minister seems to be prepared to accept the precedent set by the National Bus Company privatisation and to include in the sale agreements the condition that retired employees should continue to enjoy concessions. But he also seems to be arguing that he would accept watered-down concessions by the private companies. He must say clearly whether that is the case.

The Minister also said in Committee:

"It remains to be decided whether STG employees other than CalMac employees at the date of transfer would remain eligible for CalMac concessions."

Has the Minister decided whether any of the employees in the privatised subsidiaries will continue to enjoy the concessions which allow them free travel on CalMac ferries? The same applies to CalMac employees and retired employees. Will they be able to use the privatised buses, as they use the STG buses, free of charge?

The Minister ended in Committee by saying:

"It may not be possible to make arrangements for the full extent of existing concessions to continue, because, except for CalMac, the arrangements will depend on what is made available by the new companies."—[*Official Report, First Scottish Standing Committee;* 14 February 1989, c. 384-85.]

That is an unsatisfactory way to proceed. These valuable concessions have been enjoyed by custom and practice in the transport industry sinced the second world war. The Minister seems to be washing his hands of responsibility for ensuring that the concessions continue and is leaving the matter entirely to the private operators. He will speak to them and try to reach agreement on including concessions in the new private operations, but he will do nothing to make the private companies accept those concessions. In the end, it seems that he is prepared to back down.

I ask the Minister to remember what he said in Committee and to give now the answers that he did not give then.

9 pm

Lord James Douglas-Hamilton: Opposition Members have made several important points. I am not yet in a position to give a figure on the cost of concessions. It is probably difficult to calculate. The hon. Member for Cunninghame, North (Mr. Wilson) mentioned compensation. Whether it will be paid in respect of the loss of concessions will be decided once the extent of the continuing concessions is known. Such compensation will not necessarily be provided, although the Bill would enable payments to be made if appropriate.

The hon. Member for Dundee, East (Mr. McAllion) asked whether the lack of a concessionary scheme would veto a bid. It would not necessarily veto a bid, but it would be seriously taken into account in evaluating a bid.

Mr. Wilson: If the would-be private buyers of those companies buy their copies of *Hansard* tomorrow and see that the Government will take such matters into account and that it might lead to a veto, instead of telling the Government what they plan to do when making the bid might they not simply do it a fortnight later?

Lord James Douglas-Hamilton: We shall give special consideration to the future arrangements for concessionary travel for retired STG employees. I would expect those matters to be covered fully in the disposal programme and, if necessary, for provision to be made in sale agreements. However, the arrangements may not provide for the full extent of existing provisions covering the STG network.

The hon. Member for Dundee, East used the National Bus Company as a precedent. I understand that in that privatisation not all the existing concessions were continued, but that the sale agreements provided for some concessions for retired employees.

The STG grants its employees and retired employees travel concessions on STG services for themselves and members of their families. Employees enjoy free travel on STG and Caledonian MacBrayne services within Scotland. Half-fare concessions are given to employees' spouses and children under 16. Employees also receive half-fare concessions on services such as Citylink cross-border services that are not covered by full-fare concessions. Retired employees and their spouses, widows or widowers are entitled to free travel.

As the hon. Member for Dundee, East pointed out, I said that the concessions are not a right but a privilege. But I make it clear to the House that they are of long standing and that it is customary to provide such concessions in the transport industry. The provision of concessions for employees and their families by the privatised companies will be a matter for those companies, but we would expect them to provide concessions. When they submit bids, prospective purchasers will be asked what their intentions are with respect to travel concessions, and that information will be taken into account when assessing bids.

Dr. Godman: Concessions, benefits and privileges enjoyed by employees would come under the rubric of terms and conditions of employment. If that is the case, will employees be allowed—as with the privatisation of British shipbuilding yards—the right to exercise a veto by way of secret ballot over any bid other than that of a preferred bidder? That is what happened at Kvaerner, and it has happened at all the other British shipbuilding yard privatisations for the past few years. It happened most recently at Clark Kincaid——

Mr. Deputy Speaker (Mr. Harold Walker): I do not see how that can arise under this amendment.

Lord James Douglas-Hamilton: The position is clearly different when there are a number of different subsidiaries. It would not be appropriate to make it a condition of sale that all existing concessions should continue. I expect that privatised companies at least will wish to offer some concessions to their own employees for travel on their own services. If privatised companies are willing to go further and to make reciprocal arrangements for concessions on their services for employees of other bus companies, that will be for them to arrange.

We shall consider with the STG what provisions, if any, should be made in sale agreements with regard to concessions for employees and their families, but I do not anticipate that any such provision will go as far as the amendment would require. To do that would be very complicated and would impose conditions on sale that might inhibit bids, including bids from management-employee buy-out teams.

Dr. Godman: My question relates to concessions and privileges. Will negotiations for acquisition follow a similar pattern to that established by the present Government for the sale of British shipyards?

Lord James Douglas-Hamilton: As I have told the hon. Gentleman, the circumstances are entirely different.

Dr. Godman: No, they are not.

Lord James Douglas-Hamilton: It is different when there is a single employer. It is likely, indeed inevitable, in this instance that a series of different companies will emerge. I should also point out that travel concessions do not form part of STG contracts of employment, although it will be open to any company to offer concessionary schemes within the area in which employees and pensioners live. Companies will be at liberty to work out reciprocal arrangements if they wish.

Mr. Wilson: I would not say that the Minister had explained the position clearly; I would say that he had explained it with his usual clarity. Certainly my question went unanswered. I remember that in Committee someone suggested that our proceedings should be called "Carry On Buses", but in the Minister's case they should be called "Carry On Reading", because no matter what he is asked he simply goes on with his brief without pausing to attempt an answer if the question is at all tricky.

I asked the $64,000 question: what if the bidders for the subsidiary companies do not declare at the time that they are going to abandon employees' rights, but subsequently do so? What sanction does the Minister retain in the Bill? If he does not retain a sanction, will he tell us honestly that there is nothing in the Bill to safeguard the concessionary travel rights of the present Scottish Bus Group employees? That is the truth of the matter.

I find it despicable that rights which, although the Minister may consider them a privilege, are clearly understood to be built into the remuneration of transport workers are to be put up for auction along with everything else.

Amendment negatived.

[Mr. Wilson]

Order for Third Reading read.

9.8 pm

Lord James Douglas-Hamilton: I beg to move, That the Bill be now read the Third time.

We have had a full and interesting series of debates today. In those debates and in Committee we have discussed thoroughly the issues raised by the Bill and have clarified many points.

At the start of the Committee stage the hon. Member for Cunninghame, North (Mr. Wilson) said:

"we want to make the best of the Bill, particularly by encouraging the idea of worker-management buy-outs."—[*Official Report, First Scottish Standing Committee,* 17 January 1989; c. 10]

I am glad that the hon. Gentleman expressed himself in such terms at an early stage, as it is the Government's objective also to ensure that the Bill is entirely satisfactory and to encourage management-employee buy-outs.

The Bill falls into two main parts. The first deals with the privatisation of the Scottish Bus Group, and the second with the transfer of Caledonian MacBrayne to the ownership of the Secretary of State.

In privatising the Scottish Bus Group we have a number of important objectives. First, we want to increase the amount of competition in the bus industry. Competition increases efficiency and choice: the busy bus routes which have attracted extra services since deregulation, holding the fares down and increasing choice, are evidence of its benefits. Secondly, we want to widen share ownership and encourage management and employees to participate in the ownership of the firms in which they work. That objective has received widespread support. Thirdly, we want to replace a large dominant provider of bus services, which is centrally controlled, with locally based Scottish companies in touch with their local markets. I am sure that the Opposition subscribe to those objectives.

The second part of the Bill transfers the ownership of Caledonian MacBrayne to the Secretary of State. That is an essential consequence of the dissolution of the Scottish Transport Group. Our objective in doing so is to ensure the continuance of lifeline services to the islands off the west coast of Scotland, given the unprofitable nature of the majority of those services. Our first priority with CalMac is always to guarantee the lifeline services which it provides to the islands. The Government's commitment to the services is plain. Since 1979 we have approved £22 million for new vessels and £6 million for new piers. In a fortnight's time a further new vessel will be launched at Port Glasgow, making it the fourth major new vessel to be launched in the past five years. Roll-on roll-off facilities are now available across a great part of the network. The transfer of CalMac to the Secretary of State will allow that commitment to the services to continue. The Secretary of State will be appointing a new board for the company, and I have given a clear undertaking that, although we want a wide spread of experience of commercial and shipping matters on the board, we would look for such persons among those who are resident in the islands.

We are anxious to ensure that CalMac is responsive to its customers. As part of this process the Secretary of State has said that he would like the new board to look at the possibility of moving the headquarters of CalMac nearer to the centre of the area which it serves. He has suggested that Oban would prove a suitable place for this purpose. I am aware from the substantial discussion in Committee and in the House that this suggestion is strongly opposed, particularly by Members whose constituencies would be affected by the transfer of jobs. However, as I have made clear, I am sure that when considering the best arrangements for its headquarters, the new board of CalMac will take careful account of the views of management and employees and will consult them fully before deciding what solution is best in terms of CalMac's overall responsibilities to provide shipping services to the Western Isles.

The Bill offers the prospect of exciting new developments in the organisation of a major part of Scotland's public transport system. It offers the prospect of new bus companies which are locally based and locally responsive. It offers the prospect of CalMac, with its own board, taking a fresh look at how it can continue to serve the islands in a more cost effective way.

I commend the Bill to the House.

9.12 pm

Mr. Wilson: I thank my colleagues for their support. Without exception, the Opposition Members who served on the Committee have also been present today. The contrast with the turnout and contributions from the Conservative Benches is even more striking than usual. What we are faced with is government by decree, not by discussion or debate, and certainly not by amendment. At this stage in our proceedings the sum total of our achievement has been to turn one "may" into "shall". That is the only amendment that the Minister has accepted.

It is clearly understood that one result of the Bill will be that the STG will be done away with. Therefore, in the past few days I was surprised to read that two new members of the STG board have been appointed for two years. I should be grateful if the Minister could explain what they will do for two years. I hope, in particular, that the Minister will assure us that they are not being appointed now to be transferred to the board of CalMac when it is the successor company. As far as I can tell, neither individual has had any dealings with the operation of ferries. I find it extremely odd that, at this juncture, two new appointments to the board for two years have been announced by the Government.

The Bill is unnecessary, unasked for and unwanted. It is not the stuff from which great political excitement is made. For most people it is fairly mundane and for most hon. Members it is one of the less spectacular pieces of legislation that will be considered in the lifetime of this Parliament. But for the people who work for the Scottish Transport Group it is a major piece of legislation because it disturbs their lives, upsets their security and puts their jobs at risk. For those reasons it is important to those people even if it is not important to Conservative Members who have shown their disinterest by their conspicuous absence from the debate.

To an extent to which many people do not yet realise the Bill is also important to the travelling public, because the level of service will be affected. The incantations by the Minister are insufficient to persuade anyone that services will be affected in a beneficial way. I am reminded of the adolescent Maoists of the late 1960s, who went round with little red books chanting slogans. The equivalent chants

from the Minister are, "Competition increases efficiency and choice. We want to widen share ownership. These are exciting new developments." Those are empty slogans and bear no relationship to the consequences of deregulation or privatisation in England and Wales.

As the Minister rightly said at the start of our deliberations on the details of the Bill, I said that I wanted to make the best of it—especially in relation to the disposal of the individual companies in the Scottish Bus Group. I wanted to write into the Bill amendments that would make likely the success of buy-outs. I was not doctrinaire about the form of buy-outs because they are many and varied. As a decentralist, I believe that it is up to the people who work in the group to make their own arrangements and to compete if necessary to establish the best of these arrangements in their own interests and in the interests of the service that they provide. After that has been done my approach would be, "May the best scheme win."

On that issue and as the Minister is aware, I am puzzled and disappointed that he has precluded the possibility of competition in the advancement of buy-out options by a quite absurd adherence to his determination that there will be only one buy-out option eligible for Government support. Therefore, in a completely unjust way, other attempts at buy-outs from within the work force will be disqualified. They will not be allowed to get past first base or to develop to a stage at which they can be judged on their merits. That is the antithesis of competition and choice and all the other wonders that the Minister sought to attribute to the Bill.

It is a quite unnecessary and unreasonable element in the Bill that only one of these buy-out bids will have the opportunity even to be considered. There will be few prizes for guessing that the bids that will be disqualified will be those that have most participation by those who work on the shop floor of the bus industry. The Minister is on record as saying that the only bids that will attract support are management-employee bids. That is disappointing and I still hope that the Government will think again about it.

When I said that we sought to make the best of the Bill I meant that we wanted something in writing setting out the terms on which buy-outs would be encouraged and made to succeed. Not one word of the Bill makes it likely that buy-outs will succeed, whatever format they may take. The Minister has resisted every attempt to strengthen the Bill in support of buy-outs by the existing employees of the bus companies. At the end of the day all that we are left with is his assurance of good will towards them. He tells us that that is what the Government want. We will not have any idea for some months about whether that will become reality, but we know that the private sector does not see it that way. It is not convinced that the Minister will support buy-outs or that this is a matter of transferring the bus holdings to the two buy-outs consisting of management and workers. The private sector knows very well that it is in at least as good a position to succeed with its bids. That is why the private sector—in some cases the exploitive and asset-stripping private sector—will be queuing at St. Andrew's house to put in its bids as well.

I find it extraordinary that at this particular juncture the Scottish Development Agency should have chosen to invest £500,000 in Stagecoach for the specific purpose of strengthening its ability to compete against the buy-out bids to which the Government pay lip service. Until now there has been nothing to strengthen the likelihood of buy-outs succeeding, and everyone who works within Scottish Bus Group, everyone who has followed the Committee's deliberations, and everyone who is interested in a reasonable solution being found to the ownership of bus services in Scotland will watch carefully in the months ahead to see whether the Government's words are turned into action. If they are not, that will be another stick with which to beat the Tories in Scotland.

I am interested, as, I am sure, is the hon. Member for Dumfries (Sir H. Monro), in what happens to the attempted buy-out in the Western and Clydeside areas which are to be merged into one big company. Three Tory Members represent the Western area, and if the buy-out bid is treated with contempt and one of the big private operators is favoured in the disposal, I have no doubt that that will inflict a political cost on the Government in that part of Scotland.

Another matter that I have mentioned today and that dominated our debate in Committee is the attempt in the Bill to protect the assets and the interests of the public purse. I am appalled that the Bill contains nothing to protect the interests of the public purse. I place on record again the experience of Hampshire Bus as an illustration of what can and will happen unless protective steps are taken. Hampshire Bus was sold to Stagecoach for £2 million. Two bus stations were then sold, leaving the travelling public in Southampton with no bus stations. One of those bus stations was sold relatively uncontroversially for an undisclosed price, the other was sold for £4·1 million. Part of the bus operation of Hampshire Bus was then sold by Stagecoach for a further £1 million producing for Stagecoach a net profit of at least £3·1 million on those transactions, and left it still owning the remaining half of the operation. It beats me how anyone in any corner of the House can claim that the public purse did anything other than extremely badly, as the price of disposal clearly did not reflect the value of the asset being sold. It did not take account of the potential profit through the realisation of the assets if they were transferred from the purpose for which they were sold to another purpose—development.

As I pointed out, the public purse in another form—the ratepayers of Southampton—was left to pick up the tab to build a new bus station at a cost of £138,000. That is an illustration of the relative values that can be placed on the same piece of property if the use is different. It costs £138,000 to build a bus station in Southampton, yet another bus station can be sold for £4·1 million. Which value will be reflected in the calculations on which the assets of the Scottish Bus Group are sold? Will it be the value of the bus station or the development value? All the Minister can say is that experts are advising on the matter. But there was expert advice in Southampton and in every other part of England and Wales where similar rip-offs have occurred.

I make it clear that my criticism is not of Stagecoach. If Stagecoach can make £2·1 million, then another £1 million and then another few hundred thousand pounds by selling the assets that it brought cheaply, that is business, from the point of view of Stagecoach. But I am interested to know who advised the Government to sell for £2 million and whether similar people are advising them on this sale. The Minister must tell us that.

In Scotland, we are dealing with capital property assets at least as valuable as—if not more valuable than—those in Southampton and other parts of England where similar asset stripping has occurred. I am advised that the Buchanan street bus station in Glasgow has a capital value

[Mr. Wilson]

for development purposes of at least £4 million and the St. Andrews square bus station in Edinburgh has a development value of at least £15 million. Are they to be sold at their asset value as bus stations or for their development value?

If the buyers of these companies say that the want to use the properties as bus stations and then—as happened in Southampton—a fortnight later sell them at their development value, will there be any redress for the public interest and the public purse? From what we have heard so far from the Minister tonight, the answer appears to be that there will be no protection and the Bill will be an asset-stripper's charter. If the Minister has any other thoughts on that he should tell us now. He must recognise that his pathetic answer that professional advice is being taken is wholly inadequate.

I turn briefly to the major part of the Bill which deals with Caledonian MacBrayne. I shall not go over all the arguments again, but when the Minister talks about the new board deciding this and that, he merely highlights and confirms what we have said, which is that the composition of the new board is all-important. I should like an answer to the question that I asked at the outset—is there any connection between the new members of the Scottish Transport Group board and the proposed new board of Caledonian MacBrayne? If the Minister can bring himself to do so, let him speak the words and say that posts on the Caledonian MacBrayne board will not be politically motivated appointments of out-of-work Tories, but will genuinely reflect the interests and values of the communities that Caledonian MacBrayne uniquely serves.

The Bill's main feature is unnecessary: nobody demonstrated in the streets of Scotland for a Scottish transport Bill to privatise the bus services. By and large, the Scottish people are reasonably satisfied with the services provided by the Scottish Bus Group. As every survey since deregulation has shown, people are in the main less satisfied with bus services now than they were pre-deregulation. I know that that will be denied by those who choose to believe in the myth that competition increases efficiency and choice.

In many parts of Scotland the Bill could result not in greater competition and choice, but in more monopoly and lack of choice. However, I do not think the Government are concerned about that, because they are really interested in a doctrinaire determination to hand public assets to the private sector without regard to the interests of the public purse, the employees of the public sector or the public who are served by it.

9.23 pm

Sir Hector Monro (Dumfries): I warmly congratulate my right hon. and learned Friend the Secretary of State for Scotland on bringing the Bill to the House, and my hon. Friend the Member for Edinburgh, West (Lord James Douglas-Hamilton) on taking it through Committee so effectively and efficiently. I should add that the hon. Member for Cunninghame, North (Mr. Wilson) also played a constructive part in getting the Bill through Committee. The passage of the Bill shows that with good will from hon. Members on both sides it is possible to complete a Committee stage without having to impose a timetable, so that all parts of the Bill receive adequate scrutiny, which is what should happen.

I am a great believer in voluntarily timetabling legislation beforehand to avoid the guillotine, which results in the latter parts of Bills never receiving proper discussion. I felt that the Bill proceeded through Committee properly and there was plenty of time for all of it to receive proper discussion.

The principal objective of the Bill is to achieve better bus services in Scotland and we shall achieve that. I know that the Opposition dislike any form of change, but I think that the Bill brings a change for the better. We shall have better bus services and more buses of varying sizes, including the minibus services that are so effective. There will be just as much, if not more, employment, with bus services being run effectively for the public and for school children in rural constituencies.

The bus operators and staff of Western in south-west Scotland are looking forward to the opportunity to participate in management buy-outs. That is exactly what my right hon. and learned Friend hopes will happen. I take the point that in buy-outs, of whatever kind, great value is placed on the capital assets and that vast profits are sometimes made, due to the arrangements for the original sale. I hope, however, that lessons have been learnt from other disposals. I agree with the hon. Member for Cunninghame, North that the capital value of the bus stations in Edinburgh and Glasgow is enormous. At a more humble level, so, too, is the capital value of garages in Dumfries and elsewhere in Scotland.

The bus services that are about to be deregulated enjoy the use of valuable capital assets. I am sure that those who advise my right hon. and learned Friend about the sale of capital assets will bear their value in mind. City centre developments are very big business. It would be unacceptable if bus companies sold their capital assets for redevelopment as shopping centres or office accommodation. Their capital value ought to be borne in mind when they are sold.

I am disappointed that the Opposition have not welcomed entrepreneurs such as Stagecoach which has been highly successful. The services that it has provided in both the south and the north of England and in Scotland demonstrate that it is able to provide excellent services at reasonable fares. We are after good bus services and cheap fares.

Despite the Opposition's arguments, the Bill provides that the pensions of those who work for the Scottish Transport Group will be protected. The employees have nothing to fear from the Bill.

The Government's attitude towards CalMac and the islands is right. The islands need better services. Most Scottish Members have visited the islands, and we want to be able to visit them in future from time to time. The ferry services leave much to be desired, especially in their frequency. Those who wish to visit Rhum because they are interested in nature conservancy—the service also serves Eigg and Canna as well—find that it is difficult to make the round trip during the tourist season. They have insufficient time on the island if they want to return to Mallaig the same day, or even the next day. The better the services that we can provide for the islands, the better the opportunity that we shall have to develop the tourist industry.

All in all, I certainly welcome the Bill. As I have said before, I congratulate my hon. Friend the Minister on the way in which he has taken it through this House, and I wish it well in another place.

9.35 pm

Mr. Robert Hughes: I shall be brief because I know that many of hon. Friends wish to speak, but it would be uncivil of me if I did not thank the Minister for having acceped my amendment to delete "may" and "insert" shall". It is the only amendment that has been accepted. Indeed, in Committee I spent hours trying to persuade the Minister. Lo and behold, in my absence, without my having offered a word, he accepted it. That must say something about the power of my advocacy. Perhaps I had better not set out to seek my living in the law.

I hope that when the Bill goes to another place the Minister will reflect on some things we have argued about —the need to protect property rights; the need for consumer protection; and the right of workers to some say in the control of their own destiny, which, patently, the Bill, as it leaves this place, does not provide. I hope that the Amendment Paper in another place will not be flooded with amendments that might properly have been tabled for discussion here.

One of the difficulties that we have had with the Bill is that it is an enabling measure. There is little of substance in it—very little detail by which we can judge how it is going to work. It seems to me that the absolute, prime points of inconsistency occur in clause 4, subsection (1) of which says:

> "Without prejudice to any powers conferred on them by or under any other enactment, the Group shall have power to do, in such manner as they think fit, any thing required in pursuance of the disposal programme."—

blanket power for the Scottish Transport Group to do as it likes. Then we look with some astonishment at clause 4(2):

> "The Group shall not exercise their powers under subsection (1) above in relation to any disposal required in pursuance of the disposal programme except with the consent of the Secretary of State"——

exactly the opposite. It is worth repeating what I quoted in Committee:

> "The Lord gave, and the Lord hath taken away".

This shows the difficulty we have, so far as the future is concerned, in trying to deal with this legislation.

We are very seriously concerned about the issue of property stripping. My hon. Friend the Member for Cunninghame, North (Mr. Wilson) voiced our concerns very eloquently and in some detail. The Minister gave a hint that he might seriously think again. He said that there was an option available to the Government that would have to be considered. The option is to have in the contract a clause to the effect that if money were made as a result of the sale of property for development—for speculative purposes—a proportion of it would accrue to the Secretary of State. That is not entirely satisfactory. It would be much better if any development moneys made in that way were to go to the people who work in the industry. If the Minister is looking at options, he should consider making a proportion of any speculative gain available, in the form of a bonus payment, to those who have worked in the industry all their lives. That would not satisfy us entirely, but it would at least be a move in the right direction and would be a means of giving some credence to the people who built up these companies and created the possibility of their becoming viable concerns.

No Opposition Member likes the idea of privatisation. We do not think that the Bill will succeed in its aims and intentions. We think that the service will suffer as a result. But I certainly hope that the employee buy-outs—the different employee participation schemes—will succeed, and I hope that they will be widespread. That would be some saving grace. I would certainly give those a fair wind. A lot rests on them—the interests of the employees, and the interests of the consumers—and I hope that the Minister will look very seriously before the Bill proceeds further at the very strong points that we have made and that he will accept more than one amendment.

9.39 pm

Dr. Godman: It seems from part I that employee buy-outs will get short shrift, and that we will have a choice between a management buy-out and a company which has been encouraged to buy out a bus company. In other spheres of privatisation, employees of public utilities or state-owned organisations have been given an opportunity to negotiate with the potential buyer. The Norwegian firm, Kvaerner, was encouraged to negotiate with the work force at Govan before it acquired that yard. The Government encouraged it to negotiate. The work force decided democratically to accept the Norwegian bid, and it went ahead.

With the sale of Clark Kincaid by British Shipbuilders at East Hamilton street, Greenock, the work force, following negotiations with the would-be purchaser—Mr. Bill Scott—voted overwhelmingly to accept the terms and conditions of employment offered by the new owner. I am simply asking that a similar pattern of negotiation be adopted in part I. Following negotiations, which were led on the employees' side by Councillor Robert Jackson and John Quigley, the work force at Clark Kincaid accepted, with few dissentients, the deal that they negotiated with the new owners.

At the moment, there are negotiations involving the privatisation of Fergusons at Port Glasgow. The would-be purchaser is Ailsa-Perth of Troon. When put to the work force, the initial offer was overwhelmingly rejected in a most democratic way—by a secret ballot which conformed in every way to the Government's legislative provisions. Almost 400 men and women voted on the initial offer, and only five voted to accept it. The would-be buyer has been told by British Shipbuilders to make a fresh offer which presumably must include an improved package of terms and conditions of employment.

Before bus companies such as that in my constituency are sold, employees should be consulted. Employees should be treated as employees of British Shipbuilders in Scotland and south of the border have been treated.

I sincerely hope that the new board of Caledonian MacBrayne will place orders with Scottish shipyards. I am pleased to see the Secretary of State in his place. I said earlier that a CalMac ferry is to be launched from the Ferguson yard in Port Glasgow in about two weeks' time by a member of the right hon. and learned Gentleman's family. I hope to be at the launch and that the right hon. and learned Gentleman will be there, too. I have no doubt that there will be employees at the yard who are anxious to say a thing or two to him—in a most courteous way

[Dr. Godman]

—about the sale of CalMac. They are a very courteous lot on the lower Clyde, as the right hon. and learned Gentleman knows.

I look forward to the day when the Secretary of State orders and launches a series of ships built for Caledonian MacBrayne by the work force in Port Glasgow and the equally skilled work force in Aberdeen.

9.44 pm

Mr. Tony Worthington (Clydebank and Milngavie): The theme behind the Bill was uttered by the Minister earlier. It is the belief that competition, which is what the Bill is said to be about, leads to efficiency. That is sometimes true. Opposition Members recognise that there are occasions when competition leads to efficiency. However, it does not inevitably do so. This weekend, Mr. Frank Bruno and Mr. Mike Tyson will be joined in competition but it will certainly not lead to efficiency. It will lead to one or the other being in a comatose state. In fact, some Conservative Members seem to be previewing the Tyson-Bruno fight.

As I said in Committee, the weakness of the Government's argument is that in order to stimulate competition they bring into play actors whose sole aim is to eliminate competition and to ensure a monopoly for themselves. By and large, that is what has occurred. The consequence of bus deregulation is that there is less competition this year than last year and there will be less competition next year than this year.

The method by which those who are involved in the alleged competition seek to achieve profits is by eliminating competition. There may be economy or efficiency for a while, but the aim is to eliminate competition, particularly in large parts of Scotland where the traffic on the routes is not such as to be able to sustain competition and where there is enough business only for one supplier. It would be far better for that supplier to be a public provider than a private one.

Mrs. Teresa Gorman (Billericay) *rose*——

Mr. Worthington: My words have reached Billericay.

Mrs. Gorman: Does the hon. Gentleman agree that, although competition might not breed efficiency, monopoly, particularly state monopoly, almost inevitably breeds inefficiency?

Mr. Worthington: I am delighted to hear the assurance from the hon. Lady that competition does not automatically lead to efficiency. Those wise words have been signally absent from the Minister's contribution. It is something we have to take into account.

The hon. Member for Dumfries (Sir H. Monro) and other hon. Members have pointed to the contribution that has been made by minibuses since deregulation. I am sorry that the hon. Member for Dumfries has acquired a minibus only in the past couple of years. Under the regionally provided services in Strathclyde, all the innovations that have been attributed to deregulation have been present for a number of years. I cannot think of any innovation that has occurred within the region since deregulation.

Competition is often followed by a neglect of those things that are crucial to the public provision of transport, such as safety. We should have perhaps spent more time on the consequences of deregulation in terms of the standard of buses, which has visibly declined. There is no longer the same commitment to a modern fleet and one wonders what the breakdown rates are. Therefore, as I have said, competition does not inevitably lead to efficiency.

What has been missing from the Government's perception is that transport is not simply a means of travelling from A to B. Transport is a means by which communities are linked, families are linked and friendships are allowed to occur. That consideration has been missing and the Government have shown collectively over the past few years a great dishonesty about transport. They have said that it is always open to regional councils to provide transport where it is socially necessary.

There are two problems about that. The Government say that it is up to the regional council to provide the subsidy but the Government also say that regional councils are spending too much on all their services, including transport. The Minister should acknowledge that it is the view of the Scottish Office that far too much money is spent by regional authorities on the maintenance of concessionary fares. It would be honest of the Government if the Minister said that it is their intention and hope that regional councils will lessen their commitment to concessionary fares. We hope for such honesty. The Government have been saying dishonestly that regional councils should support socially necessary fares. In recent years, the Government have introduced the poll tax and in doing so they have taken control of 80 per cent. of local government expenditure. That will make it increasingly more difficult for regional councils to sustain socially necessary services.

I hope that, although so many powers will be given to the Secretary of State by this enabling legislation, a means will be found by which we can keep an eye on what happens. I do not share the Minister's optimism that employee-management buy-outs will figure commonly. I do not share the Minister's optimism that locally based companies will be formed and will survive. What will occur over the next 10 years is a process whereby private monopoly establishes an inefficient stranglehold on route after route in Scotland.

9.53 pm

Mr. Calum Macdonald (Western Isles): First, I must apologise for not being here earlier. I was at a funeral in my constituency. I understand that earlier the hon. Member for Argyll and Bute (Mrs. Michie) said that I might be in favour of moving the headquarters of CalMac from Gourock to Stornoway. As I made clear in Committee, I would not be in favour of such a move if it led to the removal of jobs and to upheaval of the community in Gourock, in the constituency of my hon. Friend the Member for Renfrew, West and Inverclyde (Mr. Graham). I want to put that on record.

I realise that time is marching on, but I want to pick up one point from the Minister's remarks. He described the Government as being absolutely committed to the lifeline services to the islands. I recall in Committee the Minister extolling the proud and historic name of Caledonian MacBrayne. I asked then why, in that case, it was ever in the Government's mind to change the historic name to that of Sealink or P and O. There is no doubt that that was the Government's intention earlier this year. They

intended to privatise Caledonian MacBrayne. Opposition Members pointed out something that the Government had not yet realised—that to privatise Caledonian MacBrayne would be to lose vast sums of investment and subsidies coming from the EEC. When the Opposition pointed that out, the Government had to go back and look again at their plans. Although they had been trying for some months to find a way round the obstacle of most of the money coming from the EEC, they could not do so. That is why Caledonian MacBrayne has not been privatised under the Bill. It is not because of the Government's commitment to those lifeline services but simply because they could not find a way around the problem of the potential loss of money from the EEC.

The great danger presented by the Bill is that it still holds the potential for further—creeping—privatisation of Caledonian MacBrayne services. We fear that, should the EEC become less generous to the lifeline services to the islands, the Government will take that as a cue to proceed with their preferred option of privatisation. Any such move would be fiercely resisted, not just by myself but by local councils and communities throughout the highlands and islands which rely on those ferry services.

My hon. Friend the Member for Cunninghame, North (Mr. Wilson) said that there had been no demonstrations in the streets demanding a Scottish transport Bill, and indeed there were not. However, there were demonstrations in the islands against any potential privatisations and there would be again if the threat of the privatisation of Caledonian MacBrayne recurred. The Minister should take heed of that and abandon now any intention of reintroducing the privatisation of the ferry services.

9.56 pm

Sir Nicholas Fairbairn: I shall comment briefly on some of the comments made by Opposition Members. First, however, I congratulate my hon. Friend the Minister on his masterly conduct of the Bill.

The Opposition have said that the present system of nationalised bus routes is a source of community spirit and a method of sustaining friendship. A variety of other phrases were also used. If there is one thing of which we are certain in the rural communities of Scotland, it is that the bus routes as organised by the regional authorities under their present structure do the opposite.

It has been interesting that the Opposition have consistently had to shift their ground because they could not accommodate the desires of those who work in organisations such as Strathtay. Those people have been actively pursuing a policy of attempting to take over and run the organisations themselves to the extent that they have been shedding their wages and putting them into an account in order to bid for and take over the services which they are anxious to see serving people and which at present they recognise are not serving people. What could be a better litmus test of public feeling than that?

Opposition Members have had to retreat from what they would like to call the "workers'" interest to the consumers' interest. Those who want to take over the buses and who presently drive the buses or run the service are interested in the passengers. I assume that in Labour terms passengers are consumers, but I call them passengers because I do not know anybody who consumes buses. It is important that the people who work on the buses, who run the buses and who know the people who travel on them want to take over the buses in private organisations for the benefit of those who travel on them. That seems an argument on which the Opposition have been completely defeated. Now that the people of Scotland are to be able to take over their own buses, the Opposition's argument is thoroughly defeated.

Mr. Wilson: Before the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) works himself up into a too satanic and demonic condition, in view of his certainty about the wishes of the people who work in the bus industry in Scotland, would he advise the Government to conduct a ballot of workers within the Scottish Bus Group on whether they want to retain the status quo or opt for the Bill?

It being Ten o'clock, the debate stood adjourned.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Transport (Scotland) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Dorrell.]*

Transport (Scotland) Bill

Question again proposed, That the Bill be now read the Third time.

10.1 pm

Mr. Andrew Welsh: I am disappointed by the Bill and the Government's handling of it. Even the most arrogant and self-assured Government must surely concede that somewhere, sometime, something that the Opposition have said must be of some relevance to the Government's operations—but not this Government. They and they alone decide what they want and push through their measures. They have listened to nothing that Opposition Members have said, apart from on one tiny amendment. In so doing, the Government have rejected a series of amendments designed to protect consumers and transport users, ensure employee-management buy-outs with guaranteed rights for employees and passengers, create an integrated transport system, ensure that services are maintained, protect the needs of individuals and groups, including the handicapped and women, and protect people in remoter parts of Scotland. All the amendments have been swept to one side by the Government. Without exception, all those amendments, which were fair and desirable, were turned down. That is disappointing.

The Government have always used their English majority, whether in Committee or on the Floor of the House, to force legislation on Scotland. If we had any choice about it, the Scots would never accept it. Scotland has rejected the Government's measures. The Government have no mandate to put them forward. If this measure were discussed in a purely Scottish forum, it would be rejected.

The Government have shown a closed mind in promoting the legislation. They are lumping English legislation—matters which are designed purely for England—on to Scotland without any real thought. We have had yuppie education, yuppie health and now we are getting yuppie transport. *[Interruption.]* Some of the yuppies have just arrived. The legislation was not designed with Scotland in mind.

I am glad to see some English Members present. They have not been present for any part of the debate, but they

[Mr. Andrew Welsh]

have turned up at the last minute to vote. That proves the point that I am trying to make. The Government are using their English majority to force the legislation through. They have again refused to understand the needs of Scottish transport users. We expect no better from the Government. We have received various reassurances from the Minister. I hope that the future does not prove him wrong, but I suspect that it will prove him and the legislation to be misguided.

10.4 pm

Mr. Bill Walker: I welcome the Bill and the Third Reading debate, and I do so on a special day for me. This is my 60th birthday. I will long remember the Third Reading debate, having had the opportunity to serve on two Standing Committees at the same time and the challenges that that presents, particularly when one has moved amendments and wishes to speak in both Committees. It is quite challenging.

That is why I welcome this opportunity to say to my hon. Friend the Under-Secretary that, contrary to some of the views expressed by the Opposition, there is no question but that employees of Strathtay are keen to become shareholders in the company where they work. I have no doubt that they represent a changing view. It is one of the Government's successes that we have made ordinary working people realise the value of having shares in the company where they work. That has been made possible by the sort of legislation that the Government have been putting through. Employee-management buy-outs are popular, and even the trade unions have had to accept that.

In addition, the Bill provides the opportunity for the control and ownership of the SBG to be transferred to Scotland. I am optimistic that not only will management-employee buy-outs be successful, but that other Scottish companies in the bus and coach industry will have the opportunities to acquire parts of it.

All that means that Scotland can look forward to owning and running the buses that we have, knowing full well that the people working on them are probably shareholders and will have the interests of the passengers at heart. That is what this is all about.

10.6 pm

Lord James Douglas-Hamilton: I welcome the strong representations from my hon. Friend the Member for Tayside, North (Mr. Walker) on behalf of employees working for Strathtay.

I wish to answer the hon. Member for Cunninghame, North (Mr. Wilson), who said that one point has not been answered. He asked what the position was of a company which says in its bid that it will operate a concessionary fares scheme, but fails to do so in practice. While there is no statutory sanction, there could well be a contractual obligation and commitment in the sale agreement. I shall certainly look into that point further.

My hon. Friend the Member for Dumfries (Sir. H. Monro) spoke about better bus services and the Bill being a change for the better. He stressed the importance and value of bus stations, and we shall bear that in mind.

The hon. Member for Cunninghame, North asked whether Kenneth Ryden was involved in Southampton. To the best of our knowledge, it was not, but we shall check up on that. He asked who the two new appointees were to the board. One is David Erdal who is chairman of Tullis Russell, the paper makers in Fife. He has introduced an employee share ownership plan to his company. It is the first in Scotland and his contribution to the board will be invaluable, especially on the issue of employee participation. The second appointee is Mr. Robert Temple, formerly finance director of Distillers.

It has been pointed out that only one amendment has been granted.

Mr. Wilson: Before the Minister moves on, we should have more information about those appointments. The first sounds reasonable, but the second is mysterious to say the least. One hopes that the connection between Distillers and bus operating is limited. Since the STG will probably disappear well within two years, why were those gentlemen appointed for two years? Will there be any follow-on into the membership of the CalMac board?

Lord James Douglas-Hamilton: Names have not yet been considered, so I cannot say who will be appointed to the CalMac board. The former finance director of Distillers will have expert knowledge on what bids and mergers are about. That and his financial expertise will be useful.

A considerable number of commitments——

Mr. Wilson: Will the Minister give way?

Lord James Douglas-Hamilton: No. I have answered the hon. Gentleman.

Mr. Wilson *rose*——

Mr. Speaker: Order.

Lord James Douglas-Hamilton: I have told the hon. Gentleman that names for the CalMac board have not yet been considered.

Commitments have been given to consult the Scottish Consumer Council and the Rural Forum. That has been arranged and there will be a meeting with them on 27 February. There have been comments about further meetings with the Scottish Trades Union Congress, and I have offered to meet Mr. Stevenson of the Transport and General Workers Union. I said that I would try to obtain information about the action taken by bus operators to implement the recommended bus specifications, and I reported to the Committee on the information that I had obtained. I made it clear that I had followed up with the Scottish Development Agency the need for management-employee buy-out teams to receive the same treatment as any other applicant for assistance from the SDA.

We gave an undertaking to the hon. Member for Western Isles (Mr. Macdonald) to look for candidates for the CalMac board among residents of the islands, and we shall of course do that.

The Bill offers significant opportunities to those involved in the bus industry in Scotland. It will provide the opportunity for more competition. It will offer the opportunity for management-employee buy-outs, for management and employees to own the companies in which they work. It will offer the chance of greater local responsiveness. There will be a new board for CalMac and a fresh look at the company's operations against the background of our continuing commitment to the present quality of services to the islands.

I commend the Bill to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 192, Noes 113.

Division No. 106] **[10.10 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Buck, Sir Antony
Burns, Simon
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Gale, Roger
Gill, Christopher
Glyn, Dr Alan
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Knight, Greg *(Derby North)*
Knowles, Michael
Lang, Ian
Lawrence, Ivan
Lightbown, David
Lloyd, Peter *(Fareham)*
Lord, Michael
Mans, Keith
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Rathbone, Tim
Redwood, John
Renton, Tim
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Sackville, Hon Tom
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Stern, Michael
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Wells, Bowen
Wheeler, John
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Maclean and
Mr. Tony Durant.

NOES

Adams, Allen *(Paisley N)*
Alton, David
Barnes, Harry *(Derbyshire NE)*
Beckett, Margaret
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cox, Tom
Crowther, Stan
Cummings, John
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Haynes, Frank
Home Robertson, John
Hood, Jimmy
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Lamond, James
Leadbitter, Ted
Lewis, Terry
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Mullin, Chris
Murphy, Paul
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Reid, Dr John
Robertson, George
Short, Clare
Skinner, Dennis
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wall, Pat

Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Wilson, Brian
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Ken Eastham and
Mr. Jimmy Dunnachie.

Question accordingly agreed to.
Bill read the Third time, and passed.

Blind Persons (Pelican Crossings)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Alan Howarth.]*

10.21 pm

Mr. Nigel Griffiths (Edinburgh, South): I am pleased to have the opportunity to raise a matter that is serious and grave not just to my constituents and the people of Edinburgh and Scotland, but to blind, visually handicapped and disabled people the length and breadth of the country. It is the failure of the Department of Transport to approve a system that will enable blind people to have much better and freer mobility. That system has been available in Scotland for nine years, but for obstinate reasons that I shall enlarge upon later, the Minister and the Secretary of State for Transport have refused to endorse it in England and Wales.

The debate is about the attempt by blind people in Britain to persuade the Secretary of State for Transport and the Minister to provide safe pelican crossings for blind and disabled pedestrians. It reveals how the Department has dragged its feet on providing any system and how the Minister has saved millions of pounds at the expense of disabled people. It is about a catalogue of misinformation and untrue statements worthy of an Orwellian novel that have been deployed by the Minister to prevent blind people from obtaining a crossing because it is not the one that he wanted them to have.

Fifteen years ago investigations began into a "sweep-and-beep" pelican crossing that would solve the problem facing blind people trying to cross a busy road where the traffic is stopped in only one direction at any one time. Standard audible crossings that can be heard from both sides of a road can unwittingly lure a blind or partially sighted person out in front of a moving vehicle because he does not know which side the beep indicates is clear.

For 15 years the Department of Transport in England has been trying to find an audible crossing with a beep that can be heard from one side of the road only. Nine years ago a Scottish company invented a crossing with a tape that advised pedestrians when the traffic had been instructed to stop in one direction. That crossing was installed at the west end of one of the busiest streets in Britain—the main shopping street below Edinburgh castle on the main Glasgow road. It is just next to the headquarters of the Society for the Welfare and Teaching of the Blind in Scotland. I attended a meeting there this morning and Mr. Bob Mackie, the secretary, Mr. Jim McCafferty of the National League of the Blind and Disabled and Mr. Denis Wilson of the Royal National Institute for the Blind confirmed how much they as blind people, and everyone they represent, value the talking crossing. Provisional approval for this system was given by the Department of Transport in Scotland and some talking pelican crossings were installed. In February 1987 the Department of Transport in Scotland gave the crossing full approval and 14 of these crossings have been ordered by highways departments in Scotland.

In England there has been no such progress. The Minister's Department has sunk taxpayers' money into a different system, the "sweep-and-beep" or "cone-of-sound" system which he told the Royal National Institute for the Blind in June would be available now. This morning the RNIB again checked on delivery in London

and told me that the system is not yet available and nor is any date of expected delivery known. Organisations comprising and representing blind people have been pressing the Minister for two years to approve the talking crossing for use in England and Wales. All that is needed is for the Government to say that the testing and certification procedures of the Department of Transport in Scotland, which have proved satisfactory in Scotland, should be accepted in England and Wales.

The Secretary of State for Scotland wrote dismissing the three reservations that the Department of Transport had about the talking crossing. On 15 June 1988 he wrote to me saying:

"we in Scotland do not share the reservations held by the Department of Transport and that is why we have authorised the use of speaking pelican equipment at several sites in Scotland.

The Minister put his three objections to the RNIB at a meeting on 16 June last year, but the deputation led by Mr. Tom Parker OBE countered the Minister's criticisms and reiterated the record of the talking crossing—a record of faultless and safe operation since 1980 of a system that was approved by the Department in Scotland. Following that meeting, the Minister spoke to the BBC and his account was so strange to the truth that the RNIB executive member who attended the meeting complained about it. After the meeting the Minister said:

"Generally in the discussion people recognised that ours"—

that is the Department's

"is probably a better way."

That is simply untrue. That was not the first time that the Minister resorted to these tactics. A catalogue of lies, mistakes, distorted information and contempt for the wishes of blind people emanating from the Minister and his Department——

Mr. Speaker: Order. I hope that the hon. Gentleman is not alleging that the Minister lied.

Mr. Griffiths: The Minister's Department.

The Minister for Roads and Traffic (Mr. Peter Bottomley): On a point of order, Mr. Speaker. I should be grateful to the hon. Gentleman if he would spell out what he believes I or the Department may have said that is factually incorrect.

Mr. Griffiths: I am pleased to spell that out. I have a verbatim transcript of the BBC "In-touch" programme that followed our meeeting. In that programme the Minister said:

"Generally in the discussion people recognised that ours is probably a better way."

There was no such recognition and if the Minister cares to check with the RNIB member who attended, Mr. Tom Parker, or with Mr. Jim McCafferty, an RNIB executive member who is also a member of the National League of the Blind and Disabled, he will see that his statement is thoroughly and completely repudiated. He made other misleading statements and I am prepared to quote them as well. I invite the Minister to reply to what I have just said.

Mr. Peter Bottomley: I think that it might be more helpful if the hon. Gentleman finished what he believes to be his catalogue and then perhaps we could get on to the positive points. If the hon. Gentleman makes accusations he needs to substantiate them.

Mr. Griffiths: I have substantiated them and I will substantiate the next item. David Tarrant of Hampshire county council asked the Department of Transport for permission to install a talking crossing to help blind pedestrians in the county. He was told that the manufacturers had not sought the Department's approval for the product. That was a lie.

Mr. Peter Bottomley: On a point of order, Mr. Speaker. The hon. Gentleman makes constant accusations about lies. Who said what to whom and when? Was it oral or was it on paper? That would be easy to check. The hon. Gentleman should try to avoid using the word "lie", although he may want to use that word. He should put forward issues on which he thinks we have been wrong or misleading or point to things that we have said which turned out not to be true. It would be helpful if he would do that directly.

Mr. Speaker: Order. Before the hon. Gentleman responds, may I say to him that he should not impute any dishonour to the Minister—or, of course, to any other hon. Member.

Mr. Griffiths: I note that, Mr. Speaker. I think that I have been factually accurate; and if the Minister cares to ask his civil servants to contact Mr. Tarrant on 0962 841841, extension 7179, he can verify what I say.

I know that the Minister realises that I feel strongly about the issue. In the eight years before I came to the House I worked closely with disabled people, and I also know from my meetings over the past year with the RNIB —culminating in a meeting in Edinburgh this morning —how strongly that organisation feels about it, and how strongly blind people wish me to communicate to the Minister their dissatisfaction about how the matter has been handled.

The Minister's Department has sought throughout to discredit the talking crossing. On 31 January I received a letter from Mr. Hugo Sprinz, who lives in Hull. He wrote:

"I understand that you too are interested in achieving safer crossings for pedestrians. I am registered as a blind person and have the same objective in mind."

Mr. Sprinz enclosed letters from the Department of Transport. Like many blind people, he had expressed support for the talking crossing. The Department, however, wrote back on 17 November:

"Unfortunately none of these are available for use by the Local Highway Authorities at present."

The talking crossing is certainly available, and the Department knows that. It has simply refused to give the approval that is available in England and Wales.

The letter—on the Department's headed paper—went on to say:

"there has also been a recent fatality at one of these talking crossings and the Scottish Office are reviewing their use of the equipment."

That is quite untrue, and I have the correspondence to back up what I have said. There have been no such fatalities—yet for the past three months organisations representing the blind have been subject to hundreds of inquiries about the safety of the talking crossing, all as a result of the misinformation emanating from the Minister's Department. To date, neither the manufacturers nor the inventor of the crossing—nor, more important, organisations representing the blind—have received an apology for the Department's actions.

[Mr. Griffiths]

The irony is that, while there has been no fatality in nine years related to the talking crossing, the Department has discovered a fault in the audible crossing which it approved and has switched 1,000 of them off. Those concerned with the welfare of the blind will know that the crossings are often a lifeline enabling visually handicapped people to get about. Yet, although the malfunction of his approved crossing was detected on 26 September, the Minister—who professes to be so concerned about the disabled—did not inform the RNIB about this vital problem during September, October, November, December or January.

The RNIB's head office in London told me this morning that it heard about the problem only when the press alerted it on 27 January. Eventually on 3 February a fax arrived from the Minister—after 1,000 crossings had been disconnected. He must explain to the House why he failed to ensure that the RNIB and other organisations representing disabled people were not alerted at the earliest opportunity to a dangerous problem and to the shutdown of 1,000 of his Department's crossings.

The Department has said that blind people do not want the talking crossing, but in December 1987 the European Blind Union unanimously endorsed it. Item 4 of the minutes dated 4 December 1987 records:

"Pedestrian crossings should give an audible signal and, where there is a double crossing involved, it is better for such a signal to be the spoken voice".

In January 1988 the RNIB decided that talking crossings were its preferred choice for staggered crossings. On 25 May 1988 the institute wrote to me. The letter said:

"May I on behalf of RNIB express our appreciation of your help and interest in what we believe to be a very important aspect of safety and mobility for blind people in the increasingly difficult traffic conditions which prevail".

The Bristol Royal Society for the Blind has endorsed the crossing; the Guide Dogs for the Blind Association wrote that this

"excellent device . . . could contribute to the safe travel of blind people in England and Wales as well as in Scotland."

Notwithstanding all the support that I have already quoted, I know that the Minister will claim tonight that the RNIB has now fallen in with his "sweep-and-beep" system —but for one reason only. He has told the RNIB that any attempts to obtain Ministry support for the Scottish talking pelican crossing would be futile.

Lastly, I want to read from a letter that I received this morning:

"I, along with a number of other Blind people am firmly of the belief that the Department is holding a pistol to the heads of blind People . . . in order that they accept their system."

That letter comes from a blind man who is an executive of the RNIB. His grave charge, substantiated by the facts, is one which the Minister must answer.

10.36 pm

Mr. Greville Janner (Leicester, West): I congratulate my hon. Friend the Member for Edinburgh, South (Mr. Griffiths) on expressing his deep concern for the problems of blind and disabled people and on raising the subject of the absence of pelican crossings.

In August last year, the Leicestershire county council approved the installation of a pelican crossing on New Parks way, New Parks estate, in my constituency. It said that it did not have the money to put in the crossing. I warned the council that there would be a tragedy. Two weeks ago, there was a tragedy, and Kelly Allen, aged eight, was killed. Had there been a pelican crossing at the spot, as had been provided for, that child would be alive today.

The county council says that it has no money to put in the 19 or so crossings that have been approved on spots at which it acknowledges there is great danger. The *Leicester Mercury* is pressing the council as part of its campaign, and I have been pressing it for years. Now the council says that it has almost £600,000 in the gritting fund because of the benevolent winter. It says that it cannot use that money for crossings because it is in the revenue account, and crossings can be paid for only from the capital account.

The Government have the power to stop this monumental bureaucratic wickedness. They must insist on pelican crossings being installed where they are needed to save lives. They must not preside over the unnecessary deaths of blind, disabled or elderly people, or of children such as Kelly Allen.

10.38 pm

The Minister for Roads and Traffic (Mr. Peter Bottomley): The hon. and learned Member for Leicester, West (Mr. Janner) has again raised a point that he brought up in transport questions.

It is worth acknowledging that, even with the 10 per cent. of pelican crossings that might conceivably have suffered from the fault experienced in Scotland, the hon. Member for Edinburgh, South (Mr. Griffiths) should first have thought of asking for information about the one failure from the Scottish highway authorities, rather than throwing accusations at me. Even with the 10 per cent. we are talking about—1,000 out of up to 10,000—if most of those pelican crossings have gone in since 1983, the rate of installation has been accelerating. I hope that it will accelerate still more and that all highway authorities will make funds available. If we can help in general terms we shall, and although we do not make decisions for the 107 highway authorities in England—there are more in Scotland—we hope that they will reach high priority sites and make decisions to go on providing better safety for the vulnerable road users, the pedestrians. I know that the family concerned appreciate the concern shown by their Member of Parliament, the hon. and learned Member for Leicester, West.

The hon. Member for Edinburgh, South asked a question on 8 February about the number of injuries at bleeping pelican crossings in the past 12 months. I answered:

"The total of 37 casualties should be compared with total pedestrian casualties in 1987 of 57,453. Of these 2,170 occurred on pelican crossings, and a further 2,470 occurred within 50 m of such a crossing. More than 7,000 pelican crossings were in operation during 1987."—[*Official Report*, 8 February 1989; Vol. 146, c. *705*.]

People—not only the blind—may be concerned about malfunctions from listening to the debate. There are few recorded cases of pedestrian casualties at malfunctioning pelican crossings. In such cases, we do not know whether the accidents were caused by the defective crossings as we do not collect the causes of road accidents.

Over the past week or so the hon. Member for Edinburgh, South has asked a fair number of questions about these crossings. I am sorry that he has not chosen in this debate to give out much of the information that he has received. He has argued his case rather badly.

The hon. Gentleman made some accusations about the Department. A letter was written by one of the Department's regional offices that mistakenly referred to a fatality. Within four weeks the Department had written again to correct the mistake. Nobody who reads the report of the hon. Gentleman's speech will realise that. He said that people laboured under a misapprehension for three months.

Mr. Nigel Griffiths: Will the Minister give way?

Mr. Bottomley: The hon. Gentleman took up a fair amount of time, and time was also allowed to his hon. and learned Friend the Member for Leicester, West.

Mr. Griffiths: I gave way earlier to the Minister.

Mr. Bottomley: If the hon. Gentleman will withdraw his remark, I shall be happy to give way to him.

Mr Griffiths: The switchboard of the office for blind people that I visited this morning was jammed with calls from people who were inquiring about a fatality on a talking crossing. Why did the Minister not make sure that that statement was repudiated, not in four weeks, but in four days?

Mr. Bottomley: Partly because I was not aware of it. I should have done; I am one of those people who find it quite easy to apologise. The hon. Gentleman clearly does not. He has given the impression that the Department did not correct the mistake. I did. I am perfectly willing to apologise again on behalf of the Department and to take responsibility for it.

The hon. Gentleman needs to take responsibility for his own remarks. I intend to quote from the transcript of the radio interview that I gave after the meeting. I said:

"It's not England versus Scotland, although obviously the talking Pelican got approved in Scotland, and I accept that the blind people were happy with it."

When the hon. Gentleman suggested that I said the reverse, he got it wrong. It was a mistake on his part. I said that I accepted that blind people were happy with it. I went on to say:

"They'd be just as happy with the cone of noise, and the cone of noise has a number of advantages over using speech."

I refer the hon. Gentleman to an article in the *Oxford Mail* of Tuesday 31 January and to an article in *Auto Express* of 10 February. The article in the *Oxford Mail* is headed

"Residents' fury over talking pelican crossing."

The article in *Auto Express* is headed

"Cross words over talking pelican."

When I said in the radio interview that the cone of noise had a number of advantages over using speech and that

"I think most people accept that—not everyone—but most people will accept that"

I was not claiming unanimity. Then I said:

"Certainly the physics are in its favour. What is the best way of providing guidance at divided crossings in Great Britain, and also what will help blind people abroad, and quite frankly if you've got a hundred and seven highway authorities in England, it's rather better to ask people to hang on for a few more months to get it right, when the best is not the enemy of the good, if you've got a better product that's going to be available, and more people will benefit."

I think that the hon. Gentleman referred to 14 installations of what we might refer to in shorthand as the Scottish crossing with the tape-recorded voice. I went on to say in that radio interview:

"In a year or so's time people will be saying 'We were happy with the talking Pelican, but we think that what we're getting now is better, is going to be spread more widely, and provide more advantage, more safely'".

The interviewer asked:

"And is that the time scale do you think, about a year for seeing some solution to the problem?"

I said: "I hope so."

Some of that is inconsistent with what the hon. Gentleman said, but as presumably we are working from the same transcript I think that he will accept that as I have read out all my quoted remarks in that transcript I have provided more illumination than he did.

The Department has received recently a letter from the joint committee on mobility of blind and partially sighted people. It tries to act—and it succeeds—as a co-ordinating body. It believes that "bleep-and-sweep" audible signals at staggered dual carriageway pedestrian crossings are better. That is not disputed.

The hon. Gentleman has raised a number of issues with me. It might be thought from what he has said—probably inadvertently—that the Department's new sound unit is dangerous and has had to be withdrawn. It is worth saying that the fault was not in the new sound units; it was in the controllers that were made between 1977 and the early 1980s. A talking pelican is equally at risk if it is connected to one of the faulty controllers.

It might be suggested that the Department was slow to act when a pelican fault condition occurred. That is not so. One crossing out of 7,000 pelican crossings was faulty and it was dealt with quickly. The fault was found on 26 September and the Department was notified on 27 September. The Department wrote to the manufacturer on 30 September. On 19 October the manufacturer replied that the fault had been rectified. On 24 November the Department received a formal request to approve a design modification. It was approved on 21 December. On 3 January regional officers were asked to switch off audible units, and 1,000 out of the 7,000 were affected.

The hon. Gentleman raised the question of notification. With hindsight, I think that it would have been better to say that 1,000 out of 7,000 were likely to be switched off. I think that my willingness to say so indicates that much of the rest of what the hon. Gentleman was saying was not up to scratch. The purpose of the press notice was to clarify the situation rather than actually to announce that action was being taken.

The hon. Gentleman referred to an incorrect letter sent on 17 November. It dealt with the question of the fatality. The writer of the letter had been misinformed, and he sent the letter in good faith. But that was corrected—on December 12, I think. It would have been more helpful if the hon. Gentleman had been able to say so in his speech —on the assumption that he knew about it.

The issue that we are facing is really whether, in the long term, it is better to have an audible voice than to have the cone of sound.

I have indicated to the House and to the hon. Gentleman that the cross words and the residents' fury over the talking pelican crossing suggest that there is a difficulty.

As to the disadvantages of the talking pelican, I am not saying that it should not have been approved in Scotland. Where there are separate jurisdictions it is obviously up to each to make its own decisions. That is one of the advantages, or one of the disadvantages if one were to look at it in a very rigorous way—but I prefer not to.

[Mr. Bottomley]

It annoys local residents—and I have given examples from the *Oxford Mail* and the *Auto Express*. It wastes green time while people listen to the message. Obviously, people could say that the three-and-half seconds that it may take for the tape-recorded message to be broadcast is wasted only to a stranger, and not to a local, who may set off as he hears the voice, let alone the bleep. If people do not wait to hear the message, that indicates that the spoken message is not necessary.

A spoken message also presupposes local knowledge, that a stranger coming to the pelican crossing and hearing a voice refer to traffic, to the town hall or away from the town hall, or to Oxford or away from Oxford, or to Edinburgh or away from Edinburgh, has some local knowledge already. Almost by definition, if someone is using a crossing for the first time he may not have that detailed local knowledge. Pedestrians, other than the blind, could be misled if they were not local.

The male and female voices units interlocked cannot talk together. This would limit its use in computer-controlled schemes, where full flexibility might be required. I would accept—if the hon. Gentleman had made this point—that the talking pelican crossing does not meet the pelican crossing regulations. However, the hon. Gentleman may regard that as a legalistic matter and beside the point.

I turn to the advantages of the Department's new sound unit—if I may refer to it in that way. It overcomes all the problems that I have referred to. The new sound has been selected to be distinctive in relation to traffic noise. The level of sound is varied, depending on the level of the traffic noise. The distinctive nature of the sound allows it to be operated at a relatively low volume compared with the talking pelican, and it does not cause annoyance to local residents.

To put this in perspective, I should say that there are approximately 7,000 pelican crossings in England. About 6,000 are single crossings with bleeper sound units, and about 1,000 are staggered crossings. There are six trial sites with tactile knobs and six trial sites with the new sound units, and 25 trunk road sites will be equipped later this year with the new sound unit.

Let me turn again to the hon. Member's speech, which, on reflection, I hope he will regard as one that he should have modified before he made it or when he was making it. I hope that he feels—I was going to say "ashamed of it" but I will not put it that way—that he got it wrong.

The hon. Gentleman referred to the Department as wasting, or not spending, millions of pounds. We did not hear much justification for that remark. He said that taxpayers' money had been sunk.

I regard expenditure on meeting the needs of people with disabilities as an investment. We are spending money on the provision of textured pavements, dropped kerbs, conventional sound units at single crossings, tactile devices and devices for the deaf at dual-carriageway roads, and the new sound units at dual carriageway roads.

All that we are doing for the disabled is an investment, not sinking taxpayers' money. The hon. Gentleman will probably want to withdraw or explain away what he said when he talks to groups which represent people with disabilities.

The hon. Gentleman talked of things which are strange to the truth, and of tactics, as though I, the Department, its disability unit, the Baldwin committee, which is a statutory committee that represents the needs of the disabled, or the joint committee on the mobility of blind or partially sighted people, are in some way to be disparaged because he, the hon. Gentleman, is the only one who has got it right.

I shall pass over the hon. Gentleman's reference to lies. He said that I said that blind people do not want the crossing, but the transcript says the exact opposite.

He said that I have told the RNIB this, that or the other. It is not so. It was not so—and the hon. Gentleman knew it. We want to get the cone-of-sound system into operation.

I, the hon. Gentleman and the hon. and learned Member for Leicester, West want more pelican crossings which are useful to the blind and partially sighted. If the hon. Member for Edinburgh, South would like to work with us, we would welcome that, and we will put behind us his intemperate and often inaccurate remarks.

Question put and agreed to.

Adjourned accordingly at ten minutes to Eleven o'clock.

House of Commons

Tuesday 21 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

GPs (Practice Budgets)

1. **Mr. Ashley:** To ask the Secretary of State for Health whether it is proposed that general practitioners who opt for a practice budget will be entitled to keep any savings that there may be for their own personal use.

The Secretary of State for Health (Mr. Kenneth Clarke): No, Sir. The Government intend that savings generated within practice budgets should be spent on practice improvements and on offering more and better services to patients.

Mr. Ashley: What would be the criteria for practice improvement expenses? If doctors improve their lifestyles with better suits, cars or holidays, will not patients be tempted to think that that may be taking the place of proper medical treatment? It is not the doctors' fault, but the fault of the Secretary of State for creating a system that replaces trust between patient and doctor with mistrust.

Mr. Clarke: If doctors acquire better cars and suits it will be only because of the generosity of the pay awards that the Government have been implementing following the review body's recommendations. If savings are made on practice budgets we shall expect them to be ploughed back into improvements to the premises or new facilities so that services to patients can be made better. Financial and medical audits will ensure that that is done.

Mr. Sims: Is my right hon. and learned Friend aware that the reaction of some general practitioners suggests that they have either misunderstood or misinterpreted the proposals? First, will he confirm that this is a voluntary matter—that it is up to a group practice to choose whether it takes on the budget system? Secondly, would he care to spell out for their benefit the advantages of the scheme?

Mr. Clarke: We are sending all GPs the working paper on the subject. I agree with my hon. Friend that the proposal is at first sight rather complicated, and I think that the working paper will improve understanding of it considerably.

Certainly, only practices wishing to participate will have a practice budget, but I find that doctors are being tempted to consider the scheme seriously because they see that large quantities of NHS resources will be placed in their hands for part of the treatment that they provide, and that they will have much more say in where and how their patients are served. That will enhance the role of the GP in a practice that has such a budget, and I believe that the more go-ahead GPs will be very interested indeed.

Mr. Fearn: Section 16 of the Health and Medicines Act 1988 provides for funds to be given to certain practices through the family practitioner committees, especially in deprived areas. Will that still happen or will the budget knock it on the head? Will GPs still receive the cash to improve their properties?

Mr. Clarke: The practice budgets will be set to reflect the social nature of the practice being served. The proposals in the Health and Medicines Act still stand, with the undertakings given by my hon. Friend the Minister when it was implemented. We shall soon be putting to the profession our proposals for a package on GP remuneration, and that will show how we intend to reflect the extra work that can be imposed on GPs in deprived urban areas.

Mr. John Greenway: Is not the implication behind the original question that money spent on the Health Service can be spent more efficiently? Will my right hon. and learned Friend take this opportunity to confirm that any GPs taking practice budgets will not have any difficulty if they overspend, and that chronically sick and geriatric patients will not be turned away?

Mr. Clarke: I can certainly confirm that. It is another misunderstanding that we should quash straight away. There is no question of a GP not being able to provide proper medicine or care for an elderly or chronically sick patient, or for anyone else. Nothing in our proposals gives rise to any such danger.

Mr. Galbraith: Does the Secretary of State agree that his proposals for practice budgets and, indeed, for general practice overall, reduce both patient and GP choice? Has he read the Coopers and Lybrand health and management update report No. 22, section 8, which says that the Government's proposals will reduce choice for patients and GPs? Will he come clean and admit that, rather than increasing choice, the proposals will simply increase bureaucracy?

Mr. Clarke: I do not agree with the hon. Gentleman's assertion, or with Coopers and Lybrand, if the report supports what the hon. Gentleman says. General practitioners who do not elect to have practice budgets will still have freedom of choice on referrals although they will have to work more closely with their district health authorities than hitherto in deciding on referral patterns from their areas. As I explained to my hon. Friend the Member for Chislehurst (Mr. Sims), a GP practice that elects to have a practice budget will have much greater choice for itself and the patients and much greater control than GPs have had in the past over quite large amounts of NHS resources.

Abortion

2. **Miss Widdecombe:** To ask the Secretary of State for Health what percentage of abortions at 25 weeks, 26 weeks and 27 weeks was performed during 1987 because the child was likely to be born handicapped.

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman): The figures are eight out of 11, six out of nine and all three at 27 weeks, respectively. For the convenience of the House I shall publish in the *Official Report* a table which presents this information more fully.

Miss Widdecombe: In view of the fact that even at the late ages of 25 and 26 weeks' gestation there are still some social abortions is my hon. Friend satisfied that his Department is complying with the spirit and the letter of the Infant Life (Preservation) Act 1929?

Mr. Freeman: My hon. Friend is certainly right that based upon the figures that I have just given, six of the abortions in 1987 where the gestation period was above 24 weeks were for reasons other than the potential handicap of the child. If the Infant Life (Preservation) Act 1929 were amended to insert "24 weeks" instead of 28 weeks, all 23 abortions would be called into question except where the life of the mother was endangered. My hon. Friend's Bill would call into question only six of the abortions.

Mr. Frank Field: The pro-abortionists claims that there is no majority in the House to amend the Abortion Act 1967. Will the Minister speculate as to why that self-same group spends so much time adopting procedural devices to prevent us from reaching a conclusion on the matter?

Mr. Freeman: As the hon. Gentleman knows, that is not a matter for me.

Mr. Andrew MacKay: Will my hon. Friend confirm that the answer that he has just given to my hon. Friend the Member for Maidstone (Miss Widdecombe) confirms that, quite rightly, there are very few late abortions——

Miss Widdecombe: Too many.

Mr. MacKay: —and secondly, that nearly all of those take place when there is a very clear indication that the baby is likely to be grossly handicapped?

Mr. Freeman: My hon. Friend is right. I repeat the figure of six late abortions—using my hon. Friend's definition of late as being over 24 weeks' gestation—where the reasons were other than for the potential handicap of the child.

Mr. Alton: Does the Minister really believe that the possibility of something as trivial as a non-inherited skin disease represents a gross handicap? Does he not agree that amniocentesis and chorionic vilius sampling are increasingly used as the first part of a search and destroy mission, that far too much pressure is put on people to abort away handicap and disability and that that becomes a quality control on life and what is really needed is help for both the mother and the child?

Mr. Freeman: The hon. Gentleman will realise that the certification of the cause involving the potential handicap of a child is not a matter for me but for clinical judgment.

The information is as follows:

Notification of abortions which took place with a gestation period of 25, 26 and 27 weeks showing the number with a mention of ground 4 which states "there is a substantial risk that if the child is born it would suffer such physical or mental abnormalities as to be seriously handicapped"

England and Wales 1987

	(a) All grounds	(b) Ground 4	(c) (b) as a percentage of (a)
25 weeks	11	8	72·7
26 weeks	9	6	66·7
27 weeks	3	3	100·0
Total	23	17	73·9

Hospital Matrons

3. **Mr. Lord:** To ask the Secretary of State for Health if he proposes to examine the role of the hospital matron in the National Health Service.

The Minister of State, Department of Health (Mr. David Mellor): Health authorities are already free to use the title of matron for the senior nurse manager in a hospital, and some do so. One of the key aims of the Government's new proposals is to give hospitals much more control over the running of their own affairs, and decisions on the roles and titles of senior nursing staff will continue to be made locally.

Mr. Lord: Is my hon. and learned Friend aware that there is widespread disappointment that the traditional role of matron does not feature more widely in the current review of the Health Service? Is he further aware that the role of matron was unique in that she could deal with consultants and doctors, understood nurses and patients well, yet at the same time as was able to control very carefully items such as bed linen and bandages and had a good overall view of the whole system? Bearing in mind that people rather than structures make organisations run smoothly will he reconsider reinstituting the traditional role of matron in our hospitals?

Mr. Mellor: I recall that that paragon was usually played by Peggy Mount in the films. However, there is nothing to prevent a hospital that is seduced by my hon. Friend's arguments from calling its senior nurse manager a matron, as some hospitals do.

Dame Jill Knight: I suggest to my hon. and learned Friend that it does not matter a row of beans who played the part of the matron in a film. Many people think that almost the biggest mistake ever made in the National Health Service was to get rid of the matron. If we had that particular figurehead, there is little doubt that she would be able to cope with the flood of thefts that is endemic in the NHS, that she would make the wards cleaner—many of them badly need to be made cleaner—and that she would manage the hospital with great efficiency, as she always used to do. Does my hon. and learned Friend acknowledge that apart from the fact that hospitals can bring back matrons, they ought to be positively encouraged to bring them back?

Mr. Mellor: As I understand the argument in 1966, the feeling was that there were so many different sizes of hospital that one needed a more sophisticated profile for senior nurse managers to reflect the different sizes of units

that were being managed. It is important that senior nursing offices should be invested with all the powers that are required to do the various jobs to which my hon. Friend refers. If a hospital chooses to call that senior nursing manager a matron, so be it. We have no objection.

Cervical Cancer

Mr. Wray: To ask the Secretary of State for Health what are the latest figures for women affected by cervical cancer aged *(a)* 25 years or less and *(b)* over 25 years.

Mr. Freeman: The latest information available is for 1984. In England and Wales there were 41 registered, newly diagnosed cases of malignant neoplasm of the cervix in women aged under 25. There were 4,002 cases in women aged 25 and over.

Mr. Wray: Does the Minister agree that over 2,000 women a year are dying from cervical cancer? Why do the Government not spend the additional £20 million that would provide a 90 per cent. coverage? The hospitalisation bill is £15,000 per patient. That is equivalent to £30 million. The project to screen women once every five years costs £30 million. All the Minister needs to do is to spend £20 million and he would be £10 million in pocket.

Mr. Freeman: I confirm that there are 2,000 avoidable deaths each year. If the policy of introducing screening for all women between the ages of 20 and 54 at least once every five years were introduced and if it covered all women between those ages, it would cut deaths by about 85 per cent. Our policy of screening women at least once every five years will enable us to reach more women and therefore to save more lives. To concentrate on a shorter frequency in the long run is, I agree, the ideal, but if we went for a shorter cycle we should inevitably reach fewer women.

Dame Elaine Kellett-Bowman: Will my hon. Friend remember those who die of breast cancer? The numbers are now quite horrendous. Will he therefore expedite the provision of mammography for all women in the particularly vulnerable age group of 50 and older?

Mr. Freeman: I am grateful to my hon. Friend. She is absolutely right that the breast screening programme—which is new, unlike screening for cancer of the cervix, which commenced in 1966—is most valuable and saves the lives of many women. We are keeping that programme under close review, and I shall bear in mind what my hon. Friend has said.

Dr. Moonie: Does the Minister agree that the latest date for which information is available is 1984 and that that is appalling? When will that be improved?

Mr. Freeman: I share some of the hon. Gentleman's concern, but he ought to appreciate that the information that is collected by the Office of Population Censuses and Surveys depends in part on figures that come from voluntary organisations. It is not, therefore, within my power to ensure that comprehensive figures are available for the most recent years, much though I should like to do so.

NHS (White Paper)

5. **Mr. Ian Bruce:** To ask the Secretary of State for Health what representations he has received on the recent White Paper on the review of the National Health Service.

15. **Mr. Dykes:** To ask the Secretary of State for Health if he will make a statement on the response from members of the public and the various interest groups to his White Paper proposals on the future of the National Health Service, published on 31 January.

17. **Mr. Hunter:** To ask the Secretary of State for Health if he will make a statement on his assessment of immediate reactions to the proposals contained in the White Paper entitled "Working for Patients".

Mr. Kenneth Clarke: Reaction to the White Paper "Working for Patients" has been extremely positive. We have published a series of working papers outlining some of our key proposals in greater detail, and we shall be discussing the implementation of these proposals with interested parties in the coming weeks.

Mr. Bruce: I thank my right hon. and learned Friend for his answer. In acknowledging that we have received a warm response from most members of the public and the medical profession, does he believe that the introduction of the White Paper's proposals ought to be fairly flexible? Does he agree that consultations with the medical profession and the consultative committees should take place so that we can provide the absolutely best possible deal for the National Health Service?

Mr. Clarke: The proposals are complicated and go into details about how the service is managed and financed, which normally, as a patient, the average member of the public would not encounter, so understandably there is some public reserve about the proposals. A great deal of discussion is needed, particularly with those who are intimately involved with the way in which the service is run and financed. That is what we propose to embark on in the next few weeks—having published the working papers yesterday—and we are open to all constructive suggestions about how these proposals can best be implemented for the benefit of patients.

Mr. Dykes: Is my right hon. and learned Friend aware that many of his ideas in the White Paper have been received warmly and positively? Does he agree that in principle it is possible for specialist national hospitals to consider opting out while remaining within the NHS system if they are threatened with closure or removal or both, provided that the scheme is viable and the funding properly organised?

Mr. Clarke: I agree with my hon. Friend about reaction to the proposals, and I am surprised that we have not had the bitter outpouring of opposition that sometimes comes automatically on any health service subject from a whole range of people. Only the Labour party and a few trade unions have responded in that way.

I confirm that any hospital is potentially a candidate for being self-governing, if it can demonstrate the ability to be so. Some specialist hospitals could certainly be prime candidates. I put in a reservation about whether they are threatened with closure. If there is a place for that part of the service in the NHS—if doctors want to refer to that unit in that hospital—and if there is a continuous need for

that service, they are ideal candidates for self-governing status. Obviously, a hospital that is facing closure because its services are redundant or because they have been replaced by something better would find difficulty in establishing such a case.

Mr. Hunter: With regard to general practitioners managing their own budgets, will my right hon. and learned Friend take this opportunity to clarify the precise mechanism by which practitioners will have spending power once their indicative budgets are used?

Mr. Clarke: I am not sure whether my hon. Friend is questioning me about the practice budgets, about which we had an exchange a few moments ago, or about the indicative drug budgets which all practices will have.

As for practice budgets, general practitioners will not be obliged to close down or to refuse medicine if they go over the budget that they have negotiated and had set for them, but if they overspend without good clinical reasons that they can demonstrate, they will be expected to recover the overspend. They can always apply for a budgetary review if it turns out that there are good clinical reasons for enlarging the budget.

As for the indicative drug budget, that will be an indication of what a practice of that kind should incur by way of prescribing costs. If any practice overspends by a significant amount over that indicative budget, it will be exposed to advice from other doctors and some questioning from the family practitioner committee and will be expected to take some collective measures to make sure that it gets down to a reasonable level of prescribing costs.

Mrs. Mahon: Will the Minister explain precisely who will be allowed to decide whether a hospital opts out? It is difficult to understand from the discussion documents just what the position will be. Indeed, the discussion papers are bizarre. May we be told in simple terms who will make the decision?

Mr. Clarke: The hon. Lady refers to opting out. She may have been misled by her hon. Friend the Member for Kirkcaldy (Dr. Moonie) into thinking that we are talking about opting out of the NHS, which we most certainly are not.

Mr. Campbell-Savours: Not yet.

Mr. Clarke: We are talking about NHS hospitals which will be run by their own managers, doctors and nurses and not be so subject to the district, region and Secretary of State in their day-to-day affairs. The decision as to whether a hospital which wants to become self-governing shall become self-governing will in the end be taken by the Secretary of State for Health after he has received a report and advice from the regional health authority.

Mr. Loyden: The right hon. and learned Gentleman should speak and listen to the consumers of the NHS. Most people see this as the first steps towards privatisation. In that sense, are not the Government abrogating their responsibility for the health of the people of the nation?

Mr. Clarke: If a significant proportion of the population believe that this is a step towards privatisation, they have been absurdly misled by the Labour party. There is not a word in the White Paper which makes it any easier, or any more difficult, for any Government to privatise the NHS. It is obvious to anyone who reads the White Paper that its proposals have nothing to do with privatising the NHS, on which the Government have turned their back.

Rev. Martin Smyth: Does the Secretary of State acknowledge that although there are already reservations, greater reservations may arise when the discussion documents are examined? What place will be given to consumers in local committees, especially with the abolition of participation by councillors?

Mr. Clarke: The various bodies in question—family practitioner committees, district health authorities, regional health authorities, and the boards of NHS hospital trusts—will have a majority of non-executive members; lay people as opposed to professional people. Obviously, we expect to find on all committees people drawn from the local community to represent the consumer interest in its widest sense. They will also be able to make a personal contribution to the management and development of the Health Service.

Mr. Jacques Arnold: Does my right hon. and learned Friend agree that rather than take into account the present situation in attempting to preserve the cumbersome bureaucracy of the Health Service—as the Opposition wish to do—one of the Government's most beneficial proposals is to allow hospitals to opt out of cumbersome district health authorities and into the hands of local management? Will he give an assurance that the determinant of opting out will not be the convenience of consultants but local popular demand?

Mr. Clarke: I share my hon. Friend's dismay over the Opposition. I have been a Member of the House and in health politics long enough to recall that, over the past 20 years, the Labour party has opposed every proposed change to the Health Service. They vigorously fought the proposal to establish district health authorities in the form that they now have, and now oppose changes to reform them further. The Opposition opposed Griffiths and every advance in the Health Service, as long as anyone can remember. The acid test of a self-governing hospital, as of any of the reforms, must be whether it improves the service to the nation and makes it stronger and more effective in delivering care to the community. That must be the test which, above all, we apply to suggestions for implementing reforms.

Mr. Robin Cook: Does the Secretary of State include among the positive responses to the White Paper last week's poll showing that of those members of the public who know of the right hon. and learned Gentleman's proposals, only 14 per cent. approve of them and 71 per cent. disapprove? Is that why the working paper published yesterday makes it clear that the Secretary of State will not risk a ballot on any proposal to opt out? If opting out is about local self-government, why is it that only the right hon. and learned Gentleman will make the decision on every single opt-out? If response to the White Paper is positive and favourable, why is the Secretary of State so reluctant to put opting out to the vote?

Mr. Clarke: As I said a moment ago to my hon. Friend the Member for Harrow, East (Mr. Dykes), the reason for current public reaction is because the public does not yet

altogether understand the proposals' details. They are complicated proposals, and the average member of the public does not understand what is done by a family practitioner committee, for example, and how the Health Service is managed and financed. While discussing matters with staff, we must at the same time explain to the public how the proposals will work in strengthening the service. I have no idea who the hon. Member for Livingston (Mr. Cook) thinks we should ballot. I presume that he asks for a ballot of trade union members in the hospital in question to determine the matter. We expect that when the proposals for self-governing hospitals are publicised and fully discussed locally, the decision will be made on the basis of whether that change will improve the ability of the Health Service to deliver care to its patients.

Dentists

6. **Mr. Moss:** To ask the Secretary of State for Health what was the number of dentists in the National Health Service in 1979 and in the latest available year.

Mr. Mellor: There were 15,293 dentists in the National Health Service in England in 1979 and in 1987, the number was 17,761—an increase of 16 per cent.

Mr. Moss: I thank my hon. and learned Friend for those figures. Does he agree that they hide substantial local variations, and that it is especially welcome that the Government are introducing, on a trial basis, arrangements to encourage dentists to set up in shortage areas by providing financial incentives?

Mr. Mellor: My hon. Friend is right. The sharp increase in the number of dentists working in the NHS is welcome news to everybody, but it disguises considerable variations. For instance, there are twice as many dentists per head of population in North East Thames as in the Trent region. Plainly, we must do something to make the spread more even.

Mr. Key: Will my hon. and learned Friend take another look at his Department's policy of discussing dental issues with only just over half the dentists, who are members of the British Dental Association, and ignoring all the others who are members of the General Dental Practitioners Association, because I, for one, find that confusing?

Mr. Mellor: Our aim is to work with the grain of the profession and I shall bear in mind what my hon. Friend has said.

National Health Service (Review)

7. **Mr. Wareing:** To ask the Secretary of State for Health what consultations he has had with representatives of the medical profession in respect of the Government's review of the National Health Service; and what their response has been.

Mr. Kenneth Clarke: I have had a number of useful discussions with representatives of the medical profession. I look forward to hearing their views on the implementation of the Government's proposals when they have had time to consider the detailed working papers that I published yesterday.

Mr. Wareing: Is not the medical profession up in arms about those proposals because it realises that patient care is being sacrificed on the altar of a preparatory stage on the road to privatisation? Can the Minister confirm that one hospital that had opted out could concentrate on diabetics, another could concentrate on obstetrics and another on hip operations, creating a Health Service in which care was fragmented? Is it not true that whereas after the war the Labour Government created a comprehensive NHS, this Government are proposing a fragmented one?

Mr. Clarke: Many doctors have many different opinions. The most common reaction that I have encountered from doctors and their representatives is a requirement for more detail in order to discuss the matter further. They now have the working papers and I await their reaction. No doctor has so far taken up with me the privatisation argument. I do not think that any doctor takes that seriously. They regard it as knockabout political nonsense put about by the Labour party. I have heard of fears about self-governing hospitals suddenly electing to go for some narrow specialty. Apart from those that are specialist hospitals already, such as the royal national orthopaedic, which my hon. Friend the Member for Harrow, East (Mr. Dykes) may have had in mind, I cannot see any sensible reason why any hospital trust and its doctors and managers should decide to start abandoning particular specialties in serving their town, and nothing in the proposals gives them any incentive to do so.

Mr. Favell: As the medical profession is there to serve patients, if a patient is not satisfied with the treatment that he receives or with the length of wait, will he be able to take his business elsewhere?

Mr. Clarke: Certainly. We should make sure that the patient is completely free to do so. The rules that inhibit that freedom which are occasionally respected at the moment, will be removed by the Government.

Mr. Heffer: Is the Minister aware that my constituents are very much opposed to the idea of the Walton or Fazakerly hospitals opting out? Is he also aware that we are very much opposed to the closure of the Walton hospital and the concentration of all services at the Fazakerly hospital? Therefore, will he give us an assurance that the Walton hospital will not be closed and that the ideas and high concepts of the people of the area will be accepted?

Mr. Clarke: I am interested to hear that the hon. Gentleman wishes both hospitals to be subject to the direct control of the district and regional health authorities, but then expresses his strong opposition to a policy that those authorities might adopt. The closure of Walton hospital and the concentration of services at Fazakerly hospital will have to be decided first by the health authorities that are responsible for both hospitals at the moment; there will then have to be public consultation, and, if the community health councils disagree, my hon. and learned Friend the Minister of State will have to make the final ministerial decision. That is the present system and will remain the system after the White Paper has been implemented.

Mr. Ralph Howell: May I tell my right hon. and learned Friend how pleased I am to hear that all hospitals will be eligible to opt out, not just the large ones? Will he consider the opting out of Wells and district cottage hospital in my constituency, which would be a most excellent step to take?

Mr. Clarke: Any hospital contemplating becoming an NHS hospital trust will have to draw up its business plan and proposals for serving patients in the area. It will then have to be examined to ensure that the hospital is capable of taking such control over its own affairs and that there is a satisfactory level of demand for its services in the area with an expected level of referrals to justify its existence as an NHS hospital trust. All that is set out in the working paper and I have no doubt that people in Wells and elsewhere will be studying it carefully to see whether it fits the circumstances of their hospital.

Ms. Harman: Has the right hon. and learned Gentleman consulted GPs about referring patients to hospitals? What will happen under his proposals where the patient and the GP choose a hospital with which the DHA does not have a contract and the DHA refuses to use its contingency reserve? Will the patient get treatment where he or she chooses and who will pick up the bill?

Mr. Clarke: In the precise situation set out by the hon. Lady the same situation could arise as arises now. A GP is free to refer his or her patients if he wishes, but the hospital is not obliged to accept all referrals. Increasingly, in recent years, referrals have not been accepted because there have been no funds for treatment for an out-of-district patient. All our changes in the White Paper will make it easier for money to cross administrative boundaries, and it will be up to the GP to consult his own district health authority about referral patterns. If he wants to be free of the DHA he will have to contemplate having his own practice budget.

Abortion

9. **Mrs. Ann Winterton:** To ask the Secretary of State for Health how many abortions at 18 weeks and over were carried out in 1987 in clinics run by charities; and if he will distinguish between United Kingdom residents and non-residents.

Mr. Freeman: Two thousand seven hundred and twenty eight in charitable, as opposed to non-charitable private clinics. Of these, 2,214 were performed on women resident in the United Kingdom and 514 on non-resident women.

Mrs. Winterton: When will my hon. Friend implement the recommendations of the 1973 Select Committee on abortion, which proposed that links between doctors and agencies referring women for abortions and the clinics in which they were carried out should be broken and that there should be after-care and follow-up facilities for women who come to this country from abroad for abortions?

Mr. Freeman: We have these matters under consideration, but I can tell my hon. Friend that the majority of abortions performed in 1987 on women after a gestation period greater than 18 weeks were in private clinics. The proportion of non-resident women was just under one half and that proportion has fallen by about one half since 1983.

Mr. Fearn: Is the Minister aware that the 60 per cent. of abortions carried out in private clinics bring in £2 million to the private doctors concerned? Does he not think that those doctors should be defenders of life not destroyers?

Mr. Freeman: The private clinics and the doctors who work in them have an important role to play in the health care of the nation. Whether the abortions performed in those clinics or in NHS clinics are ethically correct is a matter for the hon. Gentleman's conscience and for mine.

NHS (Staff Statistics)

10. **Mr. David Evans:** To ask the Secretary of State for Health what is the present ratio of administrators and ancillary staff to doctors and nurses in the National Health Service; and what was the ratio in 1979.

Mr. Mellor: In 1979, for every 100 administrators and ancillary staff there were 140 doctors and nurses. In 1987, for every 100 administrators and ancillary staff there were 190 doctors and nurses.

Mr. Evans: Does not my hon. and learned Friend's answer reiterate the Government's commitment to the Health Service and in particular to those at the sharp end? Does it not also illustrate that the Government are moving away from bureaucracy to patient care?

Mr. Mellor: It absolutely does, because that figure—which I am glad that the House has welcomed—shows not only the increase in medical staff but a very major change in administrative, clerical and ancillary staff: a sharp reduction in ancillary staff but an increase of over 63 per cent. in administrative and clerical staff working in clinically related posts. That is a major change and a fundamental reason why the NHS is serving patients better today than it ever did when the Labour party was in power.

Mr. Bell: Will the Minister note that there was nothing wrong with the ratio of administrators to doctors in Middlesbrough general hospital during the time of the child abuse crisis, when 121 children were taken into care and 98 were returned by the courts? Given that state of affairs, what does the Minister make of the doctors' statement at the weekend that 90 per cent. of the children were abused then and are abused now?

Mr. Mellor: I have every confidence in the Northern regional health authority and I support the decision it has taken to bring disciplinary action against Dr. Higgs. I cannot say more now, because the matter is sub judice. However, I can say that I read with considerable surprise the letter, signed by the 11 clinicians, that appeared in *The Guardian*. Neither I nor my Department can see any basis for the assertion that more than 90 per cent. of those children had been abused.

Sir Anthony Grant: Is my hon. and learned Friend aware that the Government are to be congratulated on their policy of encouraging ancillary services to be put out to tender, which has enabled millions of pounds throughout the Health Service to be applied to patient care and has put an end to the nasty NUPE and COHSE cartel?

Mr. Mellor: My hon. Friend is absolutely right. Competitive tendering has been a significant factor in enabling the National Health Service to treat a greatly expanded number of patients more efficiently. Once again, it is a sign of the double-talk of the Opposition that, although claiming to represent the interests of patients,

they actually uphold the stranglehold of the cartel that NUPE and COHSE used to exercise over the NHS, but do no longer.

"Working for Patients"

11. **Mr. Beith:** To ask the Secretary of State for Health how much has been spent on publicising the proposals in the recent health White Paper, 'Working for Patients'.

Mr. Kenneth Clarke: The sum of £1,250,000 has been allocated and spent on the launch of the White Paper.

Mr. Beith: Is that not an outrageous sum to have been diverted from patient care to give the Secretary of State greater publicity opportunities? Will that diversion of funds from patient care not be a characteristic of the reforms that he is setting out, not least if they involve a massive amount of invoicing, charging and recharging, all of which will add to the bureaucratic costs of the Health Service without helping patients?

Mr. Clarke: I regard it as a bargain at the price when one considers that we were explaining complicated proposals to a service that employs more than 1 million people and consumes £26 billion of taxpayers' money each year. In the past, the Health Service has not communicated well with its staff and, at times, has been reminiscent of the worst features of the car industry in the 1960s and 1970s, by its complete failure to communicate with its own staff. We embarked on a modest attempt to explain to people the implications of our proposals for their careers and their patients. The costs, incidentally, include things such as the popular leaflet and short communications pack, which I know that many in the House are using, let alone people outside.

Mr. Hayes: In welcoming the way in which my right hon. and learned Friend has taken time and effort to sell his policies and the way in which he has used money to do so, may I ask him to encourage some of his Cabinet colleagues to do the same?

Mr. Clarke: I know that at least one of my Cabinet colleagues has been interested in my experience of teleconferencing, and the same method will be used again. Given that the Government explain their policies in White Papers and other ways, it is absurd that we are not allowed to explain them to those mostly directly affected, using the most modern methods of communication. The cost is modest. The literature, videos and everything else contain no hint of party political material and we adhere extremely strictly to the conventions that surround these matters.

12. **Mr. Andrew Smith:** To ask the Secretary of State for Health what estimates he has made of the additional administrative costs of National Health Service hospital trusts, general practitioner budgets and other proposals in the White Paper, "Working for Patients".

Mr. Kenneth Clarke: No overall assessment of costs can be made in advance of decisions about the details and pace of implementation. I have no doubt that the NHS needs to invest in modern management methods.

Mr. Smith: It is not irresponsible of the Secretary of State to bring forward these proposals without having estimated the administrative costs? Does he not accept that his proposals will absorb, in the administration of wasteful competition, resources that should go into patient care? Will he give the House a straight answer to a straight question? Will administrative costs fall or rise? If the latter, who will pay?

Mr. Clarke: We made some provision for administrative costs in last year's autumn settlement when we allocated £2 billion. Money will certainly need to be put up front for investment in modern management techniques to achieve savings thereafter and to make better use of that money for patients.

As I said in my main reply, the Health Service needs to invest in that sort of modern management information. In any event, it is absurd that a huge service that spends £26,000 million each year cannot say with certainty where any individual sums of money go or what any facility costs or requires to be spent on it. All our investment in modern management techniques is essential to produce a stronger and better run National Health Service.

PRIME MINISTER

Civil Service

Q1. **Mr. Dalyell:** To ask the Prime Minister what arrangements exist to ensure that the Civil Service is not politicised in circumstances where a single party has been in power for a decade or more.

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): I have been asked to reply.

The Civil Service is a non-political and professional career service, subject to a code of rules and disciplines. It is an express condition of that code that civil servants should discharge loyally the duties assigned to them by the Government of the day, whatever the political persuasion of that Government.

Mr. Dalyell: Pursuant to the Prime Minister's oral answer of 2 February, column 425, on the circumstances of Sir Leon Brittan's appointment, what is the House of Commons to think other than that Mr. Ingham and Mr. Powell have become so highly politicised that they connived at the Prime Minister's corrupt and—*[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman must withdraw the word "corrupt".

Mr. Skinner: Ted Heath said it.

Mr. Speaker: Order.

Mr. Dalyell: I borrow the word of the former Conservative Prime Minister.

Mr. Speaker: Order. The hon. Gentleman should resume his seat when I am on my feet. I do not care who else may have said that, but I ask the hon. Gentleman to withdraw that word.

Mr. Dalyell: Is there one rule for Back Benchers and another for former Prime Ministers?—*[Interruption.]*

Mr. Speaker: Order. I have studied the *Hansard* of that exchange and it is my understanding that the former Prime

Minister referred to the machinery at No. 10, not to the Prime Minister personally. I am asking the hon. Gentleman to withdraw the word "corrupt". I advise him that he will be taking time out of questions if he refuses to do so.

Mr. Dalyell: The last thing that I want to do is to get thrown out of the House of Commons. However, in view of column 657 on 27 January 1986, could we say specifically the Prime Minister's "misbehaviour"? Did they connive at that?

Mr. Speaker: Order. Will the hon. Gentleman please withdraw the word "corrupt"?

Mr. Dalyell: Is is an important day for the House and the last thing—[HON. MEMBERS: "Withdraw."] Mr. Speaker asked me to withdraw; I will.

Mr. Wakeham: That was a long time acoming.

Whatever the hon. Gentleman's views, today's Civil Service is as impartial and professional as ever. If the hon. Gentleman wants any evidence of that, the Select Committee on the Treasury and Civil Service concluded in 1986 that it had received

"No convincing evidence that the British Civil Service is being politicised."

A working party of the Royal Institute of Public Administration has also recently concluded:

"There has not been an overt or systematic politicisation of the top ranks of the civil service."

I prefer their evidence to that of the hon. Gentleman.

Engagements

Q2. **Mr. French:** To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Wakeham: I have been asked to reply.

This morning my right hon. Friend the Prime Minister was in Germany for an Anglo-German summit. This afternoon she is attending the memorial service in Belfast for those who died in the air crash at Kegworth.

Mr. French: Will my right hon. Friend find time to consider the greater degree of choice that the Government's housing policies afford to council tenants? Does he agree that allowing tenants to choose their landlord is the best way of raising standards? Is he aware that Gloucester city council is providing such a choice by offering its tenants the opportunity to opt for one of the best housing associations?

Mr. Wakeham: I wholeheartedly agree with my hon. Friend that the best way of raising council tenants' standards is to give them a choice of landlord. The Housing Act 1988 achieves that through the tenants' choice provisions and I am sure that council tenants will welcome those new rights. I am also aware of Gloucester city council's proposals for transferring its housing, but I must resist the temptation to comment on them, because the council may wish to apply to my right hon. Friend the Secretary of State for the Environment for a consent to dispose of that housing and I would not want to prejudice his consideration of the application.

Mr. Kinnock: May I inform the right hon. Gentleman —[HON. MEMBERS: "Question."] Mr. Speaker, may I inform—*[Interruption.]*

Mr. Speaker: Order. Come on, please.

Mr. Kinnock: May I inform the right hon. Gentleman that the Opposition fully support the firmest international action against the threats that have been made on Salman Rushdie's life? The great majority of Moslems, although devout in their faith and offended by what they have been told that Mr. Rushdie has written, are nevertheless law-abiding citizens who are opposed to any illegal act. I also repeat my conviction that Mr. Rushdie is free, under the law of this free country, to publish, and no power has the right to menace or oppress his liberty to do so.

Mr. Wakeham: I am grateful to the right hon. Gentleman and I am sure that his sentiments are shared by all hon. Members. I am sure that he will also be grateful that my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs will make a statement at the end of Question Time.

Q3. **Mr. Boswell:** To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Wakeham: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Boswell: Will my right hon. Friend find time to look into the compensation arrangements that follow compulsory purchase? Does he accept that they are often felt to be unfair and resentment of them contributes to further delays in infrastructure projects?

Mr. Wakeham: My hon. Friend knows that we keep these matters under review and he will be pleased that we have substantially increased home loss payments to a minimum of £1,200.

Q4. **Mr. Blunkett:** To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Wakeham: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Blunkett: In view of yesterday's events at Shrewsbury, does the Leader of the House first accept that Opposition Members do not wish yesterday's events to be seen as a way of resolving the problems of a unified Ireland?

Secondly, does the right hon. Gentleman accept that very grave concern is felt by those who use service camps about the way in which privatisation has resulted in a plethora of contractors not using proper screening methods? When I recently visited accommodation outside Catterick camp I was informed that, although service and Civil Service personnel were vetted and supplied with proper passes, contractors' employees who provide catering and other services were not. Will he investigate that matter?

Mr. Wakeham: I know of no evidence to support what the hon. Gentleman has said, but I shall take note of it and see that it is examined by the appropriate authorities. The attack on Clive barracks was another callous attempt to kill and maim soliders as they lay asleep. It was thwarted by the vigilance of the guards, and their courage and presence of mind prevented a serious loss of life. I am sure the hon. Gentleman would not expect me to comment on security arrangements or any details of them.

Mr. Conway: Notwithstanding the supplementary question, which was a far from accurate reflection on the state of security on British forces bases, will my right hon. Friend take time during his busy day to ensure that the Secretary of State for Defence communicates to the commanding officer of the 2nd Parachute battalion the congratulations of the House on the vigilance of that battalion in having secured a large base? Will he also commend the courage of Private Norris, who fought off the attackers?

Will my right hon. Friend ensure that a review is carried out into whether sentries guarding military bases should have their weapons loaded? The fact that they were not on this occasion is not the fault of the individual private or of his commanding officer—it is current MOD policy.

Mr. Wakeham: I shall certainly pass on what my hon. Friend says. I am sure the whole House would want to pay a warm tribute to the young men who, asleep or on duty, are at grave risk for our safety.

With regard to the safety arrangements at the camp, the appropriate measures are taken in the light of the changing threats. Measures are constantly reviewed. At Clive barracks the soliders were armed with weapons and had immediate access to ammunition. I would not want to comment on any other speculation.

Q5. **Mr. George Howarth:** To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Wakeham: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Howarth: Is the Leader of the House aware of recent reports that have suggested that contact with certain bleached paper products, particularly women's sanitary wear and children's nappies, could lead to the users being infected with dioxin? Does he agree that the manufacturers' response to that has been inadequate and in some respects patronising, and what will he do about that?

Mr. Wakeham: The hon. Gentleman is correct to say that there has been some trouble in this area, but it is of small proportions. It is being examined to check what can be done to relieve the problem.

Mr. Raffan: Does my right hon. Friend agree that the valleys initiative, together with the 67 per cent. increase in this year's urban programme allocation, shows the Government's determination that all areas should benefit from the economic transformation that is taking place? Does he also agree that the Opposition's clear embarrassment by the initiative is simply because this Government are doing for their traditional heartland what they lamentably failed to do when in office?

Mr. Wakeham: My hon. Friend is right. I was present in the Chamber yesterday when the Opposition gave a great deal of publicity to the speech made by my right hon. Friend the Secretary of State for Wales this morning, in which he pointed out that in 1988 there was new inward investment in the valleys every two weeks, and more than half those projects were for more than £1 million. In total those investments will provide several thousand new jobs, and unemployment in the Welsh valleys has fallen by 38 per cent. over the past three years.

Mr. Steel: Will the Lord President make it clear to the Prime Minister that not even the best efforts of her publicity machine will persuade us that the German Government are out of step in NATO on the issue of premature modernisation of short-range nucler weapons? A fortnight ago she told the House that Norway was a loyal NATO ally. The Lord President may know that Norway and Denmark have joined the Germans in resisting this move. Does he accept that we believe that this country should spend the next two years seeking further reductions in nuclear and conventional weaponry on the Warsaw pact side, and that it is the British Government who are out of step?

Mr. Wakeham: My right hon. Friend had a successful meeting in Germany with the Chancellor. I believe that they had good discussions, and I hope that our positions are coming closer together.

Mr. John Marshall: During his busy day will my right hon. Friend consider the results of the ballots held under the Education Reform Act 1988? Does he agree that they show that the parents of this country prefer Conservative choice to a Socialist straitjacket?

Mr. Wakeham: My hon. Friend makes his point well; I certainly shall.

Q6. **Mr. Rooker:** To ask the Prime Minister if she will list her official engagements for Thursday 21 February.

Mr. Wakeham: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Rooker: When the Leader of the House considers with the Prime Minister, as he must do from time to time, the legislative programme of the House, will they take on board the supreme difficulty, indeed the impossibility, of a British jury deciding on blasphemy in respect of Christianity, let alone other religions, and accept the reality of life in this country, that in effect our national religion is one of freedom, and take the considered report of the Law Commission and bring forward legislation to abolish the law on blasphemy and replace it with public order offences?

Mr. Wakeham: I will certainly take the first part of the hon. Gentleman's question and discuss it with my right hon. Friend, but the hon. Gentleman would not expect me to answer him here now.

Q7. **Mr. Key:** To ask the Prime Minister if she will list her official engagements for Thursday 21 February.

Mr. Wakeham: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Key: Many hon. Members and all Conservative Members will welcome the downward trend in long-term unemployment. Will my right hon. Friend accept the congratulations of the House on that and also express the thanks of the House to all those, often lowly paid, civil servants in jobcentres who made this trend come about?

Mr. Wakeham: My hon. Friend is absolutely right to draw the attention of the House to the excellent figures

released today, showing that long-term unemployment is down by about 280,000. It has fallen in all regions, which is excellent news, and total employment is at its highest ever.

Mr. Dalyell: On a point of order right now, Mr. Speaker.

Mr. Speaker: No. Statement by the Foreign Secretary, Sir Geoffrey Howe.

Iran

3.30 pm

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): With permission, Mr. Speaker, I shall make a statement about Britain's relations with Iran. As the House knows, it has been our purpose to try to restore a normal relationship with the Government of Iran. I have no doubt that that was right. Iran is an important country in the region. Britain has significant interests there; and Britain is a permanent member of the Security Council which has responsibility for international peace and security.

Even so, the decision to reopen our embassy in Tehran last December was taken in full knowledge of the difficulties involved, including the continued imprisonment of British citizens, Nicholas Nicola and Roger Cooper, and the detention of British hostages in the Lebanon. On our side, we conducted matters prudently and carefully. There were signs, not least in the two meetings I have had with the Iranian Foreign Minister, that the Iranian Government also wished to re-establish a stable relationship. On 26 December, one British subject detained in Iran, Nicholas Nicola, was set free. More recently, however, matters have taken a serious turn for the worse.

On 14 February, Ayatollah Khomeini made a statement inciting Moslems to violence against Mr. Salman Rushdie, the author, and the publishers of "The Satanic Verses". That was totally incompatible with Iran's obligations under the United Nations charter, and with respect for our sovereignty and the rule of law. We protested in the strongest terms and put an immediate freeze on the intended gradual build-up of our staff in Tehran.

Following Ayatollah Khomeini's original statement, there were clear signs that some in the Iranian Government wished to distance themselves from the threat of violence. On 17 February President Khamenei said that if Mr. Rushdie apologised the threat to his life might be withdrawn. As the House knows, Mr. Rushdie issued a statement at the weekend apologising for any distress caused to Moslems by his book.

However, on Sunday last, Ayatollah Khomeini made a further statement, renewing most explicitly the threat to Mr. Rushdie's life. The whole House will realise that that statement put paid to the prospect of maintaining normal dealings with Iran. It was an attack, not only on the author and publishers of the book, but on the fundamental freedoms for which our society stands: the freedom of expression, religious tolerance and the rule of law.

In Brussels yesterday, I discussed these death threats with Foreign Ministers of the European Community. All the Governments of the Twelve fully shared our sense of outrage at the incitement to murder. The Twelve Foreign Ministers issued a statement, whose text has been placed in the Library of the House, in which they rejected Khomeini's threats as an affront to international standards of behaviour which could not be tolerated. We all reaffirmed our commitment to ensure the protection of the life and property of our citizens. We agreed and announced two immediate steps: suspension of any exchanges of high-level official visits between Iran and our countries and the recall of heads of mission from Tehran. At the same time, the Interior Ministers of the Twelve have been asked to consider urgently the practical steps necessary to restrict the freedom of movement of Iranian diplomats in Community countries.

In those circumstances, the Government have concluded that, in our own particular case, it is neither possible nor sensible to conduct a normal relationship with Iran. We have therefore decided to withdraw all the United Kingdom-based staff from our embassy in Tehran. The Iranian Government have been asked to withdraw their charge d'affaires and the one other Iranian-based member of his staff from London. I realise of course, that this decision inevitably reduces our ability to intervene directly on behalf of Roger Cooper and the hostages in Lebanon. The whole House will share my sympathy with their families at this moment. We have asked the Swedish Government once again to undertake the protection of British interests, and are grateful for their prompt agreement to do so.

Britain is able to have normal relations with many countries that do not share our ideals or democratic way of life. We were ready to do the same with Iran. But we can do so only if Iran respects accepted standards of international behaviour—in particular, respect for the sovereignty and law of other states as laid down in the charter of the United Nations. Iran has disregarded those standards in the most flagrant and menacing way. The response of the Government and of the other member countries of the European Community is firm and clear. Before normal relations can be restored, Iran must meet her international obligations—in particular, by renouncing the use or threat of violence against citizens of other countries.

Mr. Gerald Kaufman (Manchester, Gorton): Her Majesty's Opposition fully support the action taken by the Government in freezing relations with Iran. We welcome the prompt and positive supporting action taken by our partners in the European Community, and now by Sweden, as a demonstration that the utterances of the ayatollah are rightly regarded not simply as an unacceptable threat to the life of one man but as a menace to all civilised nations.

In this free democracy, authors must have the right, within the law, to write and publish freely. In this free democracy, Moslems offended and affronted by what has been published have the right, within the law, to give full expression to their concern, their distress and their sense of serious affront to their religious convictions. I welcome the statements made by the leaders of the Moslem community in Britain urging adherents of their faith to voice their feelings in a responsible and law-abiding fashion. Dr. Zaki Badawi, the chairman of the Imams amd Moslems Council, has stated:

"Any incitement to violence would be contrary to our faith."

It would be slander to imply that Ayatollah Khomeini is an accepted and recognised voice of Moslem opinion. Throughout wide areas of the Islamic world he and his regime are regarded with fear and loathing. It is essential that the world community stands up against threats and terror from that regime. We recognise the apprehension that must be felt about these latest developments by the family of Roger Cooper, held on trumped-up charges in Iran, and by the families of the British hostages held in Lebanon. We urge the Government to continue to do all they can in these exceptionally difficult circumstances to

[Mr. Gerald Kaufman]

secure their release, but at the same time we recognise that the Government had no alternative to taking the action that they have taken.

Iran should know that she cannot hold the freeing of these prisoners as some kind of bait to obtain improved relations with Britain. Rather, her readiness to secure their release must be regarded as a test of her fitness for such improved relations. The House of Commons must make it clear that Iran's violation of the fabric of world order is utterly unacceptable. She will have to earn the right to be received back into the comity of civilised nations.

Sir Geoffrey Howe: The whole House will be extremely grateful to the right hon. Gentleman for his unqualified support for the position of the Government. It is important for those in Iran to recognise the unity with which this House speaks on this matter and, beyond that, to recognise the prompt unity with which the European Community has spoken on it. It is our intention to seek as widely as we can support for that position from other groups of nations around the world. I am grateful to the right hon. Gentleman for explaining that there are many Moslem countries that regard the statements of Khomeini with as much distaste as we do. We shall be seeking support from them as well.

It was entirely correct for the right hon. Gentleman to reaffirm the right, within the law—he emphasised twice the phrase "within the law"—to publish, and the right, within the law, to express affront and dismay, in whatever way one may please, at publications that one dislikes. But he was right also to underline the necessity for all people in this country, of the Moslem faith and of others, to respect the rule of law—to respect its value to them, as to others—and we welcome the statements made by Moslem leaders in this country to that effect.

Mr. Peter Temple-Morris (Leominster): Will my right hon. Friend accept again that he had no alternative but to take the measures that he has against Iran in the present intolerable situation? Will he further agree that the most important thing about the measures is that they are concerted? Finally, will he agree that if they are to succeed—and they can succeed here—continued international unity and combined strength of action are absolutely essential?

Sir Geoffrey Howe: I am grateful to my hon. Friend for his support. I underline absolutely what he said. One topic which we discussed further with our German colleagues in Frankfurt today was the need to secure the widest possible support from the international community for the action that we have taken.

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): Will the Foreign Secretary accept that we join in complete support of the action that he has felt it necessary to take in respect of the statements from Iran? Will he also accept that we welcome the swift united action by the 12 members of the European Community? This is the swiftest action that we have seen on an international matter for some time. We hope that it is a trend for the future. Will the Foreign Secretary also accept that the public will be greatly relieved that the Moslem leaders in this country have been so explicit in their statements, which deserve wider coverage, and their disassociation from the views of Ayatollah Khomeini?

Sir Geoffrey Howe: I am grateful to the right hon. Gentleman for his support. As he says, the swift united response of the European Community—swifter and more united than on earlier occasions—demonstrates the growing ability of the Community to take effective united action on political matters. Like the right hon. Gentleman, I also welcome the statements made by Moslem leaders in this country. All protests and activities in this country must be conducted within the framework of the law.

Sir Eldon Griffiths (Bury St. Edmunds): While joining absolutely in the united condemnation of the ayatollah's threats to British lives, may I remind my right hon. and learned Friend that many of us continue to admire the Persian people, as distinct from their leader, and believe that Iran has a role to play in the stability and peace of the middle east? Will my right hon. and learned Friend therefore send Mr. Basti out of the country with a message that we are ready to assist Iran in recovering from the damage of war, but only when its leader returns to civilised standards and abandons his threats to British people?

Sir Geoffrey Howe: I am grateful to my hon. Friend for making plain both parts of the argument. His last sentence underlines the view of the whole House about the need for a return to compliance with accepted international standards. He is also right to remind the House that there are within Iran and within the Iranian Government people who have been striving hard to bring Iran back to the path of normal behaviour. That is the evidence of my conversations with Mr. Velayati over the past few months. It is for that reason that we have all been hoping that there would be a settlement on that more stable course. It has not proved to be the case. I am grateful for my hon. Friend's support for the action that we have had to take.

Mr. Chris Smith (Islington, South and Finsbury): The Foreign Secretary will know that his statement and the actions taken yesterday are most welcome to all of us who have been deeply concerned about the life and safety of my constituent, Salman Rushdie. However, will he take the opportunity to confirm that the decision was made not simply on grounds of international law and independent sovereignty but because we uphold in this country the fundamental principle that there is a freedom to write and to speak peacefully, and that that freedom is not only one of the elements of a democratic society but is the best guarantee that we have of the free and full development of individual cultures and religions, including the Moslem community in this country?

Sir Geoffrey Howe: The hon. Gentleman is right to make both points. The offence against which the action is being taken was incitement to murder, which is contrary to every law, national and international. The action is also taken in plain defence, in the words of the right hon. Member for Gorton, of the right within the law of freedom of speech and the right within the law of freedom of protest.

Mr. Jonathan Aitken (Thanet, South): Has my right hon. and learned Friend noted the sharp contrast between the venomous and inflammatory outpourings of the ayatollah and the responsible caution of most other

Islamic leaders, some of whom may well find parts of the Rushdie book objectionable? Will he conclude from this distinction that Iran is isolated in the Islamic as well as the international community and that it will remain a pariah among nations until it stops its evil habit of issuing incitements to violence?

Sir Geoffrey Howe: Again, my hon. Friend makes the right point. He is correct to draw attention to the fact that there are many leaders in the Islamic world who would not dream of associating themselves with the violence and language used by the ayatollah and who share our sense of distress at that while nevertheless feeling some dismay about the book itself. We very much value the support of that moderation among Moslem leaders.

Mr. Bob Cryer (Bradford, South): Does the Secretary of State accept that religious groups are entitled to argue against publications but are not entitled to impose censorship on the rest of the nation? Will he also make clear that the Government will not renew relations with Iran until an apology is forthcoming from the Iranian Government and it is made absolutely clear that they accept that they cannot intimidate and interfere in the affairs of another sovereign state?

Sir Geoffrey Howe: The hon. Gentleman is right on both points, and I do not often have the opportunity of saying that. In particular, he is right in believing that, before normal relations can be restored, Iran must meet her international obligations by renouncing the use or threat of violence against citizens of other countries.

Mr. Robert Hicks (Cornwall, South-East): I understand the reasons for this decision, but is my right hon. and learned Friend aware that there will be some sadness about the decision of the United Kingdom Government not to leave a nominal presence in Tehran if only to give encouragement to the pragmatists and moderates within the Iranian Government and also, of course, to help the case of Roger Cooper and the three British hostages held in Beirut?

Sir Geoffrey Howe: One had to take into account the points raised by my hon. Friend in balancing the right position throughout one's management of this affair, but I have no doubt in concluding—and I think the whole House will agree with me—that at this stage, in the face of this latest, wholly unjustified threat, we had to take the steps that we have taken.

Mr. Keith Vaz (Leicester, East): Will the Foreign Secretary join me in acknowledging the positive and important contribution that the Moslem community has made to the development of good community relations in Britain? Will he take great care in the statements that he makes, in this House and outside, to ensure that none of the hostility and aggression that is directed against a foreign power can be seen to be directed against British citizens who happen to be Moslems, and who have lived here peacefully and happily for many centuries, mindful of the fact that good community relations is a fragile flower that needs to be protected?

Will the right hon. and learned Gentleman therefore join me in condemning an article which appeared in the *News of the World* this Sunday, written by a Mr. Woodrow Wyatt, who I understand is a close confidant of the Prime Minister, which in my view is an incitement to racial hatred? Will he undertake to refer the matter to his right hon. and learned Friend the Attorney-General with a view to prosecuting Mr. Wyatt? I do not ask for him to be burnt or sentenced to death—just prosecuted within the law in the interests of good community relations.

Sir Geoffrey Howe: No doubt those responsible for enforcing the law will take such action as they think appropriate in the light of the hon. Gentleman's remarks, but I think he will agree with me that this is hardly the day on which I should start condemning publications without having read them. He is right to emphasise the legitimate worries of the Moslem community in this country. The whole House will join me in emphasising their right to enjoy the freedoms of this country with tolerance from the rest of the community. It is also right, as he will understand, for those who lead Britain's Moslems to respond, as they have, with tolerance and authority to prevent the risk of violence from either side.

Mr. Nicholas Baker (Dorset, North): Although this House regards terrorist threats issued by the ayatollah as totally unacceptable, many of us will regret that they should have been occasioned by publication of a work which is clearly and understandably offensive to our Moslem friends. Will my right hon. and learned Friend continue, by every means available to him, to seek the early release of Roger Cooper, a British citizen who has been detained for more than three years without charge and without trial, and will he indicate to the Iranian Government that, if they wish to resume normal relations with other countries, the early release of Roger Cooper will be an essential and good demonstration of that wish?

Sir Geoffrey Howe: I entirely understand my hon. Friend's concern with that case. He has represented the interests of his constituent and his family very clearly, and he is right to remind us of the need to continue to do all that we can to secure Mr. Cooper's release and to emphasise to the Iranian Government the points that he has emphasised. The fact that we no longer have direct relations with Iran will not prevent us from pressing that case as vigorously as ever.

Several Hon. Members *rose*——

Mr. Speaker: Order. I must have regard to the fact that today is an Opposition day. I will allow questions to go on for a further five minutes. We then have a ten-minute Bill motion, followed by the main debate.

Mr. Tom Clarke (Monklands, West): Does the Foreign Secretary accept that the fair and honourable statement that he has just made increases concern about wider issues involving relations with Iran, including the proliferation of chemical weapons? Will he assure the House that that remains a major priority for Britain—for instance, at the Security Council?

Sir Geoffrey Howe: Yes. The hon. Gentleman's interest in that important topic is well known. We shall continue to press the case for a worldwide ban on chemical weapons. The hon. Gentleman will have noticed that the other decision made by the European Community Foreign Affairs Council yesterday was to agree on the proscription of export of eight chemical precursors, and on the need for further action by the Community along those lines.

Mr. Teddy Taylor (Southend, East): Did the Council consider the implications for trade relations of the closures of embassies and diplomatic outposts? In particular, does my right hon. and learned Friend agree that the closure of embassies will mean that no Iranian business man or Government representative can visit any Community country without obtaining a visa from a third country? Did my right hon. and learned Friend obtain the agreement of the Council to operate in that way, and in particular did he obtain the agreement of the German representatives?

Sir Geoffrey Howe: I think that my hon. Friend has misunderstood the precise position. The other Community countries are not closing their embassies, but are recalling their heads of mission. The German ambassador is already in his country. The Germans are recalling their chargé as well, but it will still be possible for visas to be granted to countries with representative missions in Iran.

Mr. Max Madden (Bradford, West): We all condemn the odious threat issued by the ayatollah, and appreciate that the vast majority of British Moslems do not recognise that call. Will the Foreign Secretary confirm that decisions likely to be made by Islamic Foreign Ministers meeting in Riyadh in early March could escalate a difficult and dangerous situation? Will he, with the Home Secretary, urgently seek a basis for agreement whereby protests and demonstrations by British Moslems can be brought to an end? That would influence Moslems overseas and, hopefully, isolate the ayatollah and those around him, leading him to withdraw his odious call for Mr. Rushdie's execution.

Sir Geoffrey Howe: The hon. Gentleman makes a reasonable point when he says that the Moslem community in this country, while free to exercise their right to protest, should do so with the utmost restraint, coupling that action—as their leaders have done—with a repudiation of threats of violence in cases of this kind. I hope that they will make representations to that effect to the countries that will be represented at the Riyadh conference. We shall certainly urge Moslem leaders, at that conference and elsewhere, to repudiate the ayatollah's threats and to support the cause of moderation.

Mr. Ian Taylor (Esher): Will my right hon. and learned Friend note that, in my view, he is quite right to make a complete break in diplomatic relations with Tehran, as it is impossible for us to have dealings with an abhorrent regime as long as the Ayatollah Khomeini's view seems to hold sway there? Will he also note that during the Iran-Iraq war Moslems in countries other than Iran did not rise up, as the ayatollah urged them to do, and that that gives some indication of how little weight his word appears to carry among sensible Moslems throughout the world?

Finally, will my right hon. and learned Friend try to take advantage of the feeling among Moslem countries in the United Nations, where our permanent representative did so much to bring about the ending of the Iran-Iraq war?

Sir Geoffrey Howe: I am grateful to my hon. Friend for paying tribute to the work done by our representative in the United Nations which made it sensible for us to try to establish normal relations with Iran. He is also right to emphasise the fact that many Moslem leaders and followers in Iran and elsewhere do not subscribe to the odious threats that have been uttered, and for that reason we look to the encouragement of all such moderate leaders.

Mr. David Winnick (Walsall, North): Should not we be grateful to other Governments and people in the Community who understand that the appeasement of evil and tyranny is not the answer and who yesterday gave their backing to what has now been done? Is it not the case that diplomatic relations have not yet been broken formally, and that if there are repeated calls for a British citizen to be murdered there are other reserve weapons which Britain, in concert with other countries in the EEC and possibly other western powers, including the United States of America and Japan, can use? Will the Home Secretary at some stage make a statement to the House so that we can be perfectly satisfied that everything possible is being done within the rule of law to give full protection to the person in question and make sure his life is safe from those who would be willing to carry out the criminal orders of the rulers of Iran?

Sir Geoffrey Howe: The House will be glad to welcome the hon. Gentleman's tribute to the important work done by the police. He can be sure that the author in question is receiving protection from the Metropolitan police and that the publishers have received full advice about their own security. It is very important for it to be known that the law will be upheld in Britain. The hon. Gentleman can ask my right hon. Friend the Home Secretary any further questions when he has the opportunity to do so.

Diplomatic relations have not been broken off formally, but the effect of the decisions I have announced is to deprive them of any substance, which is the right conclusion. The hon. Gentleman is also right to underline the fact that if any further action were to be taken, the international community would want to consider whether more severe action was appropriate.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am sorry not to have been able to call all the right hon. and hon. Gentlemen who wished to ask questions, but I shall certainly bear them in mind on future occasions when we return to the matter.

Points of Order

3.57 pm

Mr. Edward Leigh (Gainsborough and Horncastle): On a point of order, Mr. Speaker. Earlier this afternoon the hon. Member for Linlithgow (Mr. Dalyell) made yet another attack on Mr. Charles Powell. We value our right to fearless, free speech in the Chamber, but does not free speech depend also on responsibility? What kind of political skunk attacks a man who cannot answer back——

Mr. Speaker: Order. As the hon. Gentleman well knows, we do not refer to each other in this Chamber by epithets of that kind. Will the hon. Gentleman withdraw that phrase about the hon. Member for Linlithgow?

Mr. Leigh: I am happy to withdraw that statement and to say that the hon. Member for Linlithgow is deluded by his own fantasies.

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker.

Mr. Speaker: I do not think that it will help, but I shall take it.

Mr. Heffer: You, Mr. Speaker, must be aware that since the commencement of the matter, many Opposition Members have been very clear as to our position, while both Front Benches have not. Therefore, is it not clear that the comments of those of us who have raised the matter consistently should have been heard on a statement for which we have been asking from the day on which the matter began?

Mr. Speaker: I take it that the hon. Gentleman is referring to the statement on Iran. The hon. Gentleman may say that, but it is always tempting to ask for longer on the statement on which one has not been called, to the detriment of one's colleagues who wish to participate in the important Opposition day debate. I am sorry, but the Chair has to be absolutely fair about these matters.

Mr. Tim Devlin (Stockton, South): On a point of order, Mr. Speaker. Yesterday, my hon. Friend the Member for Langbaurgh (Mr. Holt), as reported in column 716 in *Hansard,* raised a point of order about recent developments in Cleveland. It arose out of the action of 11 paediatricians who wrote to *The Guardian* claiming that as many as 90 per cent. of children diagnosed by Dr. Marietta Higgs as having been sexually abused were correctly diagnosed. However, 98 of the 121 children were returned home, following the judicial inquiry and the various wardship cases.

In this morning's press some of the doctors are quoted as having said that they never signed the substantial letter, only one calling for Dr. Higgs to return to Cleveland to work in neo-natology——

Mr. Speaker: Order. What is the point of order for me?

Mr. Devlin: The point of order is that if the figure of 90 per cent. is to be bandied about and not withdrawn by these doctors, the matter should be discussed by the House. Therefore, would you be prepared to ask the Leader of the House to find time next week for a debate on this urgent and important matter?

Mr. Speaker: This is not the appropriate occasion to ask the Chair to find time for the matter. I am not responsible for what members of the public outside the House may say. There are other ways for the hon. Gentleman to raise the subject.

CIVIL AVIATION (AIR NAVIGATION CHARGES) BILL *[LORDS]*

Ordered,

That the Civil Aviation (Air Navigation Charges) Bill *[Lords]* be referred to a Second Reading Committee.—*[Mr. Sackville.]*

NATIONAL MARITIME MUSEUM BILL *[LORDS]*

Ordered,

That the National Maritime Museum Bill *[Lords]* be referred to a Second Reading Committee.—*[Mr. Sackville.]*

Net Book Agreement (Abolition)

4 pm

Mr. David Shaw (Dover): I beg to move,

That leave be given to bring in a Bill to increase competition in the sale of books.

The market for books in this country has been described as a bilateral oligopoly, with about 20 major publishers and only about 20 major retailers who control most of it. They are cemented in an anti-competitive relationship by the net book agreement, which my Bill seeks to abolish. The net book agreement, or NBA as it is commonly referred to, prevents booksellers from discounting the price of about 90 per cent. of the books sold in Britain. At present, every time that a bookseller discounts or expresses a wish to discount books, he is threatened with legal action by the Publishers Association. That legal action prevents the consumer from paying a lower price for books by shopping around.

I am sure that the whole House will be concerned that not just the housewife, the pensioner and the nation's children have to pay more than they need for many books. The public sector cannot negotiate its own discounts. They are fixed by the publishers' net book agreement. Local authorities—their libraries and schools—the Ministry of Defence, with its military libraries, and doctors, dentists and nurses have to pay more than they need because of the net book agreement. One supplier of medical books is trying to sell books at a discount at the moment, but it is under threat of prosecution by the Publishers Association.

However, the principle of the agreement is broken by the publishers in such a way as to cause disadvantage to the small stockholding bookseller. That is done by direct supplies to local authorities that bypass the local booksellers; large retail chains are given special extra discounts by publishers which the small local bookseller cannot get; and poor service means that it often takes three weeks for the small bookseller to be supplied with books. Discounts are also given to book clubs. Last weekend one book club was offering in the newspapers the best selling non-fiction book, as part of a special offer, at £1. However, if my local bookshop in my constituency had attempted to make the same offer, it would have contravened the publishers' net book agreement. That agreement results in one rule for the large book club and another for the small local bookseller.

All hon. Members will be aware of the privileged position of the booksellers. First, they have the price maintenance agreement that my Bill would abolish. Secondly, there is no value added tax on books.

The ability of book publishers to control the price of books dates back to the 1800s when one Alexander Macmillan, a relation of someone who is well known to this House, helped to put together an agreement to control book prices. Over the years, that agreement was changed many times until the present one came into being in 1957. The net book agreement of 1957 was approved in a most curious and strange judgment by the restrictive practices court in 1962. The court's judgment stood economics on its head. It was carried away in a romantic world where "books are different". The judgment supported the publishers' case and argued that if the net book agreement was abolished and competition resulted, prices would rise and that the small stockholding bookseller would go out of business. That is exactly what has happened under the net book agreement. *[Interruption.]*

Mr. Speaker: Order.

Mr. Shaw: Prices have risen by more than inflation. The small bookseller has lost business to the large retail chains and to the book clubs. Last year the Monopolies and Mergers Commission said that the market conditions on which that judgment was made no longer apply. In other words, the judgment is out of date.

Hon. Members may wonder why the restrictive practices court came to such a strange judgment. It is clear that the judges were very influenced, among other evidence, by the statements of a wonderful spinster lady who is mentioned twice in the judgment. Her name was Miss Babbidge. Miss Babbidge owned her own bookshop in Havant. Sadly, Miss Babbidge died some six years ago and I am informed that her bookshop has closed and that the shop has now become a kitchen shop. The net book agreement did not, as the judges thought it would, prevent Miss Babbidge's bookshop from succumbing to market pressures. As another lady, for whom I have immense respect, once said, "You can't buck the market." The judges attempted to buck the market in 1962. I, and many others, believe that their judgment did not consider the economic facts of life.

Hon. Members may ask why a Bill is necessary and why the Office of Fair Trading cannot take action. *[Interruption.]*

Mr. Speaker: Order.

Mr. Shaw: The answer is that the 1962 court decision is very nearly unchallengeable. The Office of Fair Trading has an almost impossible legal task. Unfortunately, when Parliament passed legislation on restrictive practices, no provision was made to empower the Office of Fair Trading to review such agreements without returning to the restrictive practices court. The fact that the NBA has not been reviewed by any authority acting on behalf of the consumer in nearly 30 years is, I believe, against the public interest. *[Interruption.]*

Mr. Speaker: Order. I must ask the hon. Members to listen to what the hon. Gentleman is saying and not to engage in private conversations.

Mr. Shaw: The fact that there is also a private and exclusive drinking club called the Possum club, which discusses the net book agreement and other publishing agreements, suggests that the publishing industry is operating a price-fixing cartel that takes advantage of the consumer and the taxpayer.

The book publishers do not and have not been able to argue that competition would reduce the number of books sold. Retail consultants have estimated that abolition of the net book agreement would increase sales by 11 per cent. In the United Kingdom, people buy fewer books than in the United States and Australia where there is no price maintenance. In both of those countries there is a healthy, unrestricted market in the sale of books, with good volume sales and exciting and interesting bookshops that stock about the same number of titles as are published in the United Kingdom. In the United Kingdom, however, book sales volume has been relatively static, and retail consultants have estimated that price increases have been

up to 50 per cent. more than inflation, as measured by the retail prices index. I should mention that the publishers deny that, but I have checked prices for certain books over a 10-year period and have found it to be true.

The conclusion is that the United Kingdom book market needs more competition in it. By passing my Bill, the consumer—the housewife, the pensioner, the child and the taxpayer—will be better served at better prices. I hope that the House will give me permission to introduce my Bill today.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Shaw, Miss Ann Widdecombe, Mr. Keith Mans, Mr. Phillip Oppenheim, Mr. Nicholas Bennett and Mr. David Martin.

NET BOOK AGREEMENT (ABOLITION)

Mr. David Shaw accordingly presented a Bill to increase competition in the sale of books: And the same was read the First time; and ordered to be read a Second time upon Friday 3 March and to be printed. [Bill 80.].

Opposition Day

[5TH ALLOTTED DAY]

Food and Water (Safety)

4.9 pm

Mr. Neil Kinnock (Islwyn): I beg to move,

That this House condemns Her Majesty's Government for its failure to fulfil its duty of care and safeguard the safety and quality of food and water in Britain, for its failure adequately to protect the health of the consumer and particularly the health and welfare of the children of this country, and for the failure to ensure the clear, consistent and co-ordinated action of Ministers needed in the public interest; and calls upon Her Majesty's Government to accept its proper responsibility for the protection of the consumer, commencing with the introduction of effective and up-to-date regulation, the restoration and development of research in food and agricultural science, and the provision of clear information and advice to the consumer.

Mr. Speaker: I must announce to the House that I have selected the amendment standing in the name of the Prime Minister. In view of the number of hon. Members who wish to participate in the debate, I propose to put a limit on speeches of 10 minutes between 7 pm and 9 pm.

Mr. Kinnock: I begin this debate with what I believe to be feelings that are common to both sides of the House. First, there is no hon. Member on either side who does not consider that the rise in the numbers of people affected by food poisoning is serious and, in some cases, tragic. Secondly, there can be few, if any, in the House who do not believe that a modern Government in a complex society have a duty of care for the health and welfare of the citizenry. Thirdly, there is no hon. Member who does not believe that consumers have a responsibility to themselves and to others to be fastidious in their personal habits, especially in the handling and preparation of food. Fourthly, there cannot be any hon. Member who believes that the British people are over-reacting to the problems that have come to their attention, and indeed been experienced by several hundred thousand or even millions of them.

Whatever the headlines say, the British people have not been hysterical. But they have been quizzical. They have watched the comings and goings in the Government; they have heard the inconsistent statements; they have seen complacency become confusion and contradiction and, in the words of Mr. Simon Gourlay, cock-up. The British people ask, just what do the Government think they are playing at?

It is not that the British people believe that Government could or should do everything to make life perfect in every sphere of human interest and activity. But they do believe that there are areas of human affairs in which the Government must set and maintain standards of protection, and one of those most important areas is obviously food hygiene. They believe that the Government have been negligent and, in the most confused way, are trying to cover up.

Mr. Jerry Hayes (Harlow) *rose*——

Mr. Kinnock: I will give way to the hon. Gentleman shortly.

[Mr. Kinnock]

They believe that the Government have been trying to protect producers more than they have been fulfilling their duty to protect consumers. The British people believe that the Government should be anticipating, planning and providing for change, instead of standing aside and intervening only when great alarm is sounded.

Mr. Hayes: The right hon. Gentleman accuses the Government of being negligent. He must be aware that the Opposition spokesman on agriculture, the hon. Member for South Shields (Dr. Clark), wrote an article three months ago in *Tribune* in which he described the issue as "a huge field we have neglected."
Considering that this is the second debate on the subject that the Labour party has initiated in 10 years, who is being negligent?

Mr. Kinnock: If the hon. Gentleman will show the same eagerness for effective action as that which unifies completely Opposition hon. Members, I will welcome the comments that he makes. I recall him professing great confidence the week before last that all would now be all right. I saw him interviewed and reported in the newspapers saying, "It is all right now. The Prime Minister is coming in."

The British people want a consistent and cogent food policy from the Government. That must be right. That is why we say that the Government should now discharge that duty of care by seeing that research is not restrained by lack of funds, up to and past the point where the product of research is applied in the market place.

The Government should ensure that resources are adequate to provide the 430 environmental health officers who are now needed to fill the gaps of much-needed qualified people. The Government should commit themselves to providing the education, the information and the health services necessary for the promotion of good health, including food hygiene, dietary advice and the prevention of ill health. They should now establish an independent food standards agency with tough regulatory powers to restore public confidence, to provide better standards of production and to give information and advice to consumers on all aspects of food policy and food hygiene.

To discharge their duty of care in this modern society, the Government should introduce modern comprehensive food hygiene legislation to protect the interests of the consumers, to raise the standards of producers and sellers and to assist in universalising the best standards that are achieved by producers and sellers.

Mr. Peter Thurnham (Bolton, North-East): Is the right hon. Gentleman aware that British firms lead the world in cook-chill foods *[Interruption.]*—and is he further aware that they have dismissed his proposals as naive, imprecise, inadequate and unenforceable? Does that not just about sum up the leadership of the Labour party?

Mr. Kinnock: I take that intervention in the spirit in which I am sure it was intended. It must be said, however, that if we lead the world in cook-chill food, and we are watching an enormous increase—a doubling over six years—in listeriosis, and if our regulations are so inadequate as to enable any observer to go to stores large and small and pick up from the shelves inadequately and improperly stored goods, then obviously we do not have much of a lead in handling cook-chill foods.

In asking the Government to set their hand to a programme of comprehensive and up-to-date legislation, I am conscious of the fact that the Government can plead that they do not have the legislative time. I give them the undertaking that if they go ahead with introducing effective legislation, we will assist them. More than that, they could provide themselves with oodles of time in this Session by scrapping the Water Bill that nobody wants.

Everyone outside the Government can see the need for action on food hygiene. For 10 years the Government have presided over a large and accelerating increase in food poisoning. The number of cases of listeriosis has more than doubled, from 115 in 1983 to 259 in 1987. Officials forecast that the figure for 1988 will be more than 300. In the six years from 1982 to 1987 inclusive, the central public health laboratory registered a six-fold increase in the number of identified cases of salmonella enteritidis. In 1988, the number had doubled again, to 13,000 people, to make it 12 times the 1982 figure.

That trend must be reversed, and reversed quickly. But the Government will not do it by allowing a national shortage of environmental health officers. They will not reverse the rise in food poisoning cases by continuing to cut research into agriculture and food. They will not improve food hygiene by demoting the subject, as they have done, with their centrally-imposed core curriculum in the schools that virtually wipes out food hygiene as a subject for teaching.

Each of those actions in respect of all of those matters has been a product of Government policy to cut and to centralise. None of those actions is accidental. None of those actions is the product of carelessness. They are the result of the Government's conviction that there should be less funding for local government, less funding for higher education and research, less discretion and less breadth in education in the schools.

Nobody can call that non-intervention. It is Government interference of the most destructive and deliberate kind, and it contrasts starkly with their refusal to intervene properly to protect consumers. In that they have been at their most zealous in non-intervention, obeying to the letter the creed of today's Conservatism that business is not to be regulated, even when it is clear that, left to themselves, there are interests in the market who will exploit the consumer and cut corners on safety.

Mr. Michael Shersby (Uxbridge): Is the right hon. Gentleman aware that during the 10-year period to which he refers the Opposition did not allocate a single day to a debate on food? Is that because they were content with the Government's policies, or because they had no interest in the subject?

Mr. Kinnock: This is the second such debate in three weeks. If the hon. Gentleman, with his power on the Back Benches, will give me an undertaking that the Government will respond to the public demand that is articulated by this side of the House, we shall debate the subject every week. Perhaps the Prime Minister will even turn up for one of them.

The Government observe their creed of non-interference in respect of consumer protection, and convincing evidence of that is provided by no less an

authority than the head of MAFF's standards (food, fertilisers and feeding stuffs) division. In a candid address, to the Institution of Environmental Health Officers last September, Mr. Charles Cockbill, explaining the Government's view, said:

"The concept of consumer protection . . . has to be balanced against business considerations."

Mr. Cockbill was doing no more than his duty as a civil servant, and made clear to his audience of environmental health officers why they, and the public, cannot look to the Government for tighter regulations. Mr. Cockbill reported, for example, that the Government vetoed a proposal to refuse to license food premises where standards of food hygiene or design are not met, because

"Such a concept of prior licensing approval runs contrary to the policies of the Government on deregulation and lifting the burdens on business, and it is therefore not possible to pursue the original idea."

Mr. Cockbill added that, for the same reason, there was difficulty in imposing a duty of due diligence on food retailers, because

"retailers and especially the multiple retailers can claim with some justification that the change will increase their costs substantially. And with such a claim comes a conflict with the Government's policy on lifting burdens on business."

Mr. Cockbill cannot be blamed for those policies and was merely explaining the Government's view. The content and tone of his full speech shows that to be so—it completely exposes the Government, who are reviewing food legislation with the objective of introducing more relaxed regulations, not tighter standards to protect the consumers. His speech exposed the Government as not being positively against consumer protection, provided that it can be achieved at nil cost to the producer or seller.

The Secretary of State for Health knows that it is Government policy to lift the burdens on producers, no matter what burdens are placed on the shoulders of the consumers—for the right hon. and learned Gentleman, in his former post as Paymaster General, was responsible for that policy. It was he who, in May 1986, presented to the House his White Paper "Building Businesses, Not Barriers", which presented a glowing report of the progress that the right hon. and learned Gentleman said had been achieved in lifting the burdens from business. As the Secretary of State must be proud of that magnum opus, I am sure that he will recall the entries that appeared under the heading "Ministry of Agriculture". The first measure was the abolition of the eggs authority, so that "costs to egg producers will be reduced."

The Secretary of State for Health (Mr. Kenneth Clarke): Would a Labour Government reintroduce it?

Mr. Kinnock: I shall give the right hon. and learned Gentleman an answer to his question shortly.

Three years after that White Paper—just a couple of weeks ago—Mr. Keith Pulman of the Egg Producers Association offered a plaintive postscript. Mr. Pulman, who is a man of considerable experience, stated:

"I think those who were responsible"—

for the disbanding of the authority

"have a lot to answer for. If we still had a properly funded authority with research facilities, the whole business could have been dealt with fully and professionally."

The Secretary of State asked me whether Labour will restore the eggs authority. We might not call it that, but call it the Kenneth Clarke Memorial Institute. We shall certainly have a properly funded, professionally staffed research body—especially in an area where, because of their failures, the Government have had to sign a cheque for £20 million. When Mr. Pulman asks for

"a properly funded authority with research facilities"

he must surely realise that he is asking the impossible of the present Government.

The Secretary of State may recall the second measure in his White Paper under the heading "Ministry of Agriculture", where he commented on a subject that has become very topical in the past fortnight:

"The restrictions on the sale of untreated (that is, unpasteurised) 'green top' milk which were introduced in 1985 caused difficulty for farmhouse caterers."

He proudly announced:

"Following representations from the industry the regulations have been amended."

That was in 1986. Two weeks ago, the arrangements were changed again, when the Department of Agriculture, Fisheries and Food banned the sale of all green top milk. Small wonder that even the Prime Minister commented: "there appears to be some confusion."—[*Official Report*, 14 February 1989; Vol. 147, c. 146].

Mr. Barry Field (Isle of Wight): Every morning in the Tea Room, the hon. Member for Stockton, North (Mr. Cook) orders five boiled eggs. If the situation is as dangerous as it has been portrayed throughout the controversy about salmonella, why has the hon. Member for Stockton, North not stopped eating boiled eggs?

Mr. Kinnock: I hope that it will be realised that I am not bound by this answer. My hon. Friend the Member for Stockton, North (Mr. Cook) is known as a man of many parts—not least among them being his ability to juggle eggs. It becomes really exciting when he has not even boiled them—much like the food policy of Her Majesty's Government.

Dame Elaine Kellett-Bowman (Lancaster): Is the right hon. Gentleman aware that a great many of my constituents like drinking green top milk and have no wish to see it withdrawn? They prefer to make their own decisions. Incidentally, cheese made from unpasteurised, green top milk is no more liable to cause disease than any other.

Mr. Kinnock: I appreciate both points, and certainly there is some contention surrounding the subject of green top milk, both in respect of personal taste and scientific evidence. However, as Professor Livsey has testified——

Mr. Kenneth Clarke: The right hon. Gentleman means Professor Lacey.

Mr. Kinnock: I apologise. I should only have to look at the hon. Lady who has just intervened to think of lace. As she will know, there is less contention over the use of unpasteurised milk in cheeses. It is to be hoped that the Government can be more coherent on that subject. The hon. Lady will recall a dramatic weekend, not very long ago, when not only did the Ministry say one thing one day, and something else the next, but along came the helpful Secretary of State for Health to say something entirely different again.

Mr. Paul Marland (Gloucestershire, West): The right hon. Gentleman's slip concerning Professor Lacey was his second error so far. He said that the Government have signed a cheque for £20 million, but they have not. The Government have signed a cheque for only £3 million.

[Mr. Paul Marland]

Many people outside the House are anxious to hear the truth, and I hope that the right hon. Gentleman will concentrate on getting his facts right, for which we shall all be most grateful.

Mr. Kinnock: The hon. Gentleman and I had the distinction of fighting each other in 1970 at our first parliamentary contest. When, during that election, he was asked how, as a working farmer, he managed to get three weeks off to fight an election, he said that he had left his hands in charge. That provoked my uncle Cliff into saying, "It's no good him looking for the sympathy vote."

However, I am more than happy to correct the record. The figure is not £20 million. I am more than happy to receive that information from the hon. Gentleman, whom I shall cherish in my memory for many reasons, not the least of which is that in the late affair of the Under-Secretary of State for Health he played the part of Stalin to her Trotsky.

The Prime Minister said that it appeared that there was some confusion. So there is. But there can be no confusion about the fact that the present cause for consumers' concern is rooted in the conditions resulting in large part from the attitude and actions of the Government, who so favour producers and sellers and so neglect the interests of consumers.

Mrs. Teresa Gorman (Billericay): Will the right hon. Gentleman given way.

Mr. Kinnock: No, I am anxious to get on.

That neglect is not confined to food. Indeed, it intensifies when we address the subject of water privatisation. The Government will insist that privatisation will bring new regulations to safeguard the consumer. They will insist that massive increases in charges are justified by the need to fund investment in the improvement of water treatment and supply. But that is not the true purpose. That is obvious to everyone. But perhaps it was put most graphically by *The Daily Telegraph,* which says:

"Mr. Howard's declarations that the consumer will have to foot the environmental bill are providing the reassurance industry leaders want to increase the investment attractions."

The message is obvious. The water price explosion, fostered by the Government, is not to raise standards but to raise profits. That is also why they have been so resistant to accepting the EC directives and regulations on the subject. The reason for their delays and evasions is obvious. To comply with those regulations will cost a great deal of money. As *The Times* put it:

"It is going to be hard to combine this with selling shares to millions of consumers."

Perhaps the most direct and authoritative comment on the implications of what the Government are doing comes from an expert in private water supply, Mr. Michael Swallow, the director of the Water Companies Association. Explaining the week before last why the private water companies felt it necessary to make huge increases in charges before privatisation, he said:

"At the moment we operate under profit control, which puts the customer first. This very simple form of regulation goes back to the middle of the last century and it has been very effective. The Government's proposals will put the companies under price control, which puts the shareholders first."

Mr. Robin Squire (Hornchurch): The right hon. Gentleman has now reached the important subject of water safety, about which he spoke at the weekend. Far from the Government not providing investment, as I understand it investment in water sewerage controls is at its highest ever point, and the Select Committee on the Environment said that the major fall in investment of 50 per cent. took place under the previous Labour Government.

Mr. Kinnock: I respect the hon. Gentleman, not least because of his strong support for freedom of information. The information that he is seeking is available if he looks at the consistent record, year on year, of investment in the water industry and sewerage. He will find that after a dip under the previous Labour Government investment rose and continued to rise, so much so that if this Government had sustained that trend they would have spent a great deal more money in the development of our water supplies.

It also has to be said that such expenditure is necessary since the Government have been in power for 10 years and must be the first Government this century to mark a decade in office by an increase in rodent infestation in the major cities. I noticed on Sunday that *The Sunday Telegraph* reported a rise in rat infestation in nowhere other than the Prime Minister's constituency. The rat officer—there is a job for him in the Government Whips Office—in an interview with the *Sunday Telegraph* said that the rats are becoming very cunning; they have a nibble at the poison and then see if it goes bad in a day. I thought when I read that that was basically the strategy that guides the Government publicity policy.

Putting the shareholders first, as Mr. Swallow so aptly and accurately put it, is another canon of the Government's creed.

If the Secretary of State for the Environment is the shareholders' chum, the Minister of Agriculture, Fisheries and Food takes the prize as the producers' friend at court. In 1987 his Ministry found salmonella infection at 21 of the animal feedstuff processing plants which supply Britain's poultry industry—one quarter of the total. In 1988, the Ministry found salmonella at 17 plants, some of them the very same plants which had been found to be infested a year before. None of those plants was prosecuted. None of the feedstuff was impounded. Incredibly, it was not until a few weeks ago that the Ministry of Agriculture, Fisheries and Food halted processing at plants where salmonella had been found and stopped the sale of eggs from farms where flocks were infected.

The Minister told the Select Committee a fortnight ago that he had not dared to impose such a ban before for fear that the egg producers would stop telling him when their flocks were infected. If he knows that there is such resistance, why does he not promise 100 per cent. compensation for the killing of animals infected by bovine spongiform encephalopathy, since that would not only protect producers but is an essential protection for consumers?

It is not that the Minister of Agriculture, Fisheries and Food is reluctant to help producers. The first people outside the Government who were told of the evidence linking salmonella with eggs were the egg producers. They were told on 13 June 1988, almost two months before the public were told at 4 pm on the Friday afternoon of

August Bank holiday weekend. I bet that Mr. Bernard Ingham was not handling that particular piece of publicity —or perhaps he was.

Even when a salmonella outbreak hit the other place in May, Mr. Speaker, as you will recall, the producers' representatives were told the contents of the ministerial statement on the outbreak a day earlier than either House of Parliament. The reason for that prior warning, as given in the minutes of that meeting, was that it was

"to reassure the industry representatives".

That concern to calm the industry's anxiety is touching. It is a pity that it was not matched by an equal measure of concern for consumers. Whether they be common or noble, they all have an interest at stake.

It would not be fair to suggest that the public were entirely forgotten at that meeting in the Ministry of Agriculture, Fisheries and Food. On the contrary, the meeting ended with Government officials and egg producers agreeing on what they called a common "defensive briefing statement". It was not the job of the Ministry of Agriculture, Fisheries and Food or of the Department of Health to help egg producers draft a defensive statement; it was the job of both Departments to make sure that egg producers were responsive to the need for action to remove the threat to public health. But to this date—we may hear differently this afternoon—neither Department has made compulsory the egg industry's voluntary code of practice. Perhaps that is because the Prime Minister would consider such controls to be what she calls "bureaucratic" and as

"imposing unnecessary burdens on the industry"

—to use the phrases that she used in her specious letter to me yesterday.

Perhaps that attitude also explains the reluctance of the Government to respond properly to the growing evidence of the link between listeriosis and the increased sale of cook-chill convenience foods. I touched upon this in answer to an intervention earlier on.

It has to be brought to the attention of the House that it is in this matter that the Secretary of State for Health is at his most languid. A fortnight ago he assured listeners to the "Today" programme:

"Most of those infected by salmonella have an upset stomach. They are not actually ill."

Coming from the Secretary of State for Health, that is a fairly novel revision of the boundary line between sickness and health. I just hope that it does not spread to the opted-out hospitals.

Last week the languor grew deeper. The Secretary of State informed Jimmy Young's listeners that listeria was not as frightening as it sounded. He said this about bacteria that have contributed to the death of 100 people in the last two years. In case that knowledge does not make the Secretary of State change his attitude, I draw his attention to a letter from a mother who lost her second child in the 28th week of her pregnancy because of listeriosis. The writer is a lucid and calm woman. I shall provide the Secretary of State with a copy of the letter, although, for obvious reasons, I am not disclosing the writer's identity. She wrote:

"In the last month since my child's death I have had to cope not only with the grief from the loss of my baby, but also with feeling alternately guilty and like a helpless victim. I feel guilty because he died as a result of contaminated food eaten by me. I feel like a victim because I did not have the necessary information on the risks of listeriosis in time to safeguard my unborn child.

Firstly, it seems unacceptable to us"—

that is, her and her husband—

"that we were not given any warning about the danger of listeriosis even though the Government has known about the increase in the number of diagnosed cases for well over a year.

Secondly, the advice issued by the Government on the 10th February focussing as it did on soft cheeses, seems partial to the extent of being misleading.

Thirdly, it is infuriating to witness Government Ministers contradicting one another on such a serious public health issue. The danger now is that 'public confusion' will be presented as an over-reaction and Government advice will be confined to reducing anxiety rather than presenting facts and issuing clear guidelines."

I believe that every hon. Member must share that concern and I would like the genuine reassurance of the Secretary of State in the course of this afternoon. I quote the letter in order to ensure that the Secretary of State, himself a loving father, will never again even begin to say that listeria is not as frightening as it sounds. That is not the way to put the issue into perspective.

Mr. Kenneth Clarke: Will the right hon. Gentleman concede that in the Jimmy Young interview—a typescript of which I have in front of me—I frequently referred to the danger of listeria to expectant mothers, which was indeed the burden of the advice that we had given? Secondly, can he give a single instance of any two Ministers having contradicted each other on the risk of listeria to expectant mothers or any other sector of the population?

Mr. Kinnock: I am not suggesting contradiction in the advice given on listeria, but, since the Secretary of State is so vigilant now, perhaps he could get his right hon. Friend to tell him, or to tell me, why it was that salmonella was connected with eggs in June and the public received a general announcement at the end of August, but it was December before the Ministry of Agriculture or the Ministry of Health drew specific attention to the risk to young children and old people of salmonella enteritidis.

So far as listeria is concerned, yes, the Secretary of State did draw attention to the danger to expectant mothers. What we are asking for, and what the mother who wrote to me asks for, is effective action and proper information to ensure against all the food possibly contaminated with listeria. That is the comprehensive action that is now required. I put it to the right hon. and learned Gentleman the Secretary of State for Health that a correction of his attitude and an updating of regulations and legislation are necessary as the real reassurance that I know that, as an individual and as a Minister, he would love to be able to give to people in the country, whether expectant mothers or not. I hope that he will do that.

The danger of listeria is well known, and yet every day, as I indicated earlier, 400,000 cook-chill convenience meals are sold without specific regulations to control the temperature at which they are displayed, the length of time for which they are on display or labelling advising consumers when they are safe to eat. The Government are still attempting to control modern food technology and retailing techniques with food regulations that are merely a consolidation of basic laws passed in the 1930s.

In addition, in their perplexity, the Government have now come up with a campaign "to urge wives", as the blurb says—as if females who are not married do not do any cooking—to return to the "rules of hygiene and good housekeeping" of yesteryear. But the solution is not to advise consumers to return to the shopping habits of the

[Mr. Kinnock]

1930s in order to conform with the laws of that time; it is to modernise, strengthen and enforce the law on consumer protection.

In any case, I am sure that if Ministers needed advice on shopping and cooking, they could get it from their resident modern housewife, the Prime Minister. As she reminds us, she has extensive experience in this field. In addition, of course, she has had a more than passing acquaintance with the retail food industry ever since childhood. To her credit, as she also reminds us from time to time, she was previously a food scientist. When we add to all that the fact that she has now, according to the newspapers, taken charge of the Government's food policy, I wonder why she has not taken the opportunity to debate this particular topic on any day this week. It has to be said that the announcement that she had taken charge somewhat underwhelmed her right hon. and hon. Friends. I saw a report in *The Independent* that one of the Cabinet Ministers supposed to be a member of the ad hoc committee denied knowledge of its existence. And from *The Times* we heard the story of the Back Bencher, necessarily anonymous, who said:

"We have seen it all before. It's 'Maggie steps in' yet again."

—*[Interruption.]* No, it was not the hon. Member for Harlow (Mr. Hayes). The hon. Member has gone. I suspected that it might be him, with the originality and exuberance for which he is so well known.

It is true that there is a certain aura of "Maggie steps in again", because this is another cause of great public concern on which the Prime Minister alights, as if by her very presence she can transform conditions, like some hyperactive fairy queen. At least we know who is the Titania of this Government. What we have yet to discover, as we look across the Chamber this afternoon, is which of the two Cabinet Ministers is Oberon and which will get the ass's head. Perhaps it will be both, because they are both main agents of policies which, the longer the Government press them, the greater the unpopularity they attract.

That is certainly true of electricity privatisation, the poll tax and the privatisation proposals for the NHS which she has imposed upon the Secretary of State for Health, to which there is huge majority opposition. It is certainly true of the privatisation of water, to which in every opinion poll 70 per cent. are opposed. It is also true in the case of food policy on which 70 per cent. say that the Government are doing too much to protect the industry and too little to protect the consumer, while 90 per cent. feel that the Government should introduce more controls on how food is produced—I swear that those polls with the 90 per cent. majority were not taken in Albania.

The feelings of the British people on all these issues are well known, widely recorded and very obvious. The Government, in persisting in these policies that are so profoundly against the interests of the nation, are not showing toughness; they are showing obedience to vested interests. The Government are not showing strength, but arrogance. Such arrogance breeds incompetence and such arrogance is incompatible with democracy in government. The British people understand that. As a result, they do not trust the Government and the consequences of that will be that they will punish the Government.

4.49 pm

The Secretary of State for Health (Mr. Kenneth Clarke): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"expresses complete confidence in the Government's policies for protecting the safety and quality of the nation's food and water supplies.".

My right hon. Friend the Prime Minister is at the memorial service for the victims of the crash on the M1.

I find this an extraodinary debate. It began on a tone with which we could all identify and, as Secretary of State for Health, I can agree with the right hon. Member for Islwyn (Mr. Kinnock) that we are dealing with a serious issue which has had tragic consequences for some people and one about which the public wish to be reassured, both in terms of the advice given and the action being taken to deal with what is obviously a worrying new risk in the food chain.

What I find extraordinary is that the Leader of the Opposition should choose to make a speech—I think it is his first major speech since the general election, apart from in the debate on the Queen's Speech—in a Supply day debate on a subject in which, as several of my hon. Friends have pointed out, his party has taken precious little interest for many years. Of course, we are talking about recent events, but I must say that as the worrying events have unfolded—and we have had two particular new features of food poisoning which have been identified steadily over the past 12 months—the Labour party has not taken any great interest, until today.

One feature of the background is the worrying increase in the incidence of one type of salmonella and of listeriosis, which may be connected with food throughout the developed world—*[Interruption.]* There has been a steadily unfolding amount of evidence over the past 12 months. By the middle of last year, there was concern about salmonella enteritidis phage type 4 in eggs in particular. In July last year, the Government took what I would have thought would be the worrying and significant step of warning people in the National Health Service to use liquid pasteurised egg and not raw egg products. The Opposition did not react to that and took it as a minor matter. *[Interruption.]* On 26 August last year, the Government took a step that had to be considered carefully because the evidence was still unfolding. We took the fairly startling step of advising the public to avoid eating raw eggs and we gave a public health warning. Again, there was no reaction from the Labour party. *[Interruption.]*

By November last year, the evidence was becoming clearer that lightly cooked eggs, as well as raw egg, might be involved in this outbreak and on 21 November 1988 yet another public health warning was given, bringing the matter up to date. Again, it produced no reaction. By that time, television programmes such as "Watchdog" and the "Food and Drink Programme" were often following what we had said. *Good Housekeeping* magazine was giving advice to housewives based on what the Government were saying. My hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food was having a difficult time with some people in the egg industry because he was explaining that a code of practice would have to be introduced and action would have to be taken. Yet no interest was taken by the Labour party.

Mr. Brian Wilson (Cunninghame, North): Will the Secretary of State give way?

Mr. Clarke: As we all know, the matter came into the political arena on 3 December 1988 when my hon. Friend the Member for Derbyshire, South (Mrs. Currie), who was then the Parliamentary Under-Secretary of State for Health, received a great deal of publicity for one of her weekend remarks.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Will the Secretary of State give way?

Mr. Clarke: For the first time, the Opposition came to life. They were in the vanguard, with some sections of the egg industry, in demanding the dismissal of my hon. Friend. They were not alone.

Mr. Foulkes: Will the Secretary of State give way?

Mr. Clarke: I shall give way in a moment.

The spokesman for the Social and Liberal Democrats attacked my hon. Friend for undermining confidence in the egg industry and the then spokesman for the Social Democrats compared the risk with the risk of being hit by a meteorite. That was the level of concern then being shown by Opposition Members.

Mr. Wilson *rose*——

Mr. Foulkes *rose*——

Mr. Speaker: Order. If the Secretary of State does not want to give way, hon. Members must not persist.

Mr. Clarke: The idea that the Opposition suddenly now scent the red meat of politics in the subject for an Opposition Supply day, traditionally a somewhat party political occasion, is quite extraordinary. It is two and a half months after all the political fuss, and endless events have taken place since then. They have missed the bus in exploiting the Currie affair.

Mr. Kinnock *rose*——

Mr. Clarke: I shall give way first to the right hon. Gentleman.

I waited to see what would be contributed by the amazing and prestigious speech of the Leader of the Opposition. His contribution was his new style in wit, a very good line in jokes, a rather inadequate understanding of the problems of food poisoning and a theory that it is all caused by the policies of the Government.

Mr. Kinnock: The Secretary of State is absolutely right about my wit. Everything else he has said about the Opposition is a travesty. That is the only reason I have intervened. Over the years, we have repeatedly drawn attention, in all the debates on local government, for example, to the effect that the Government's policies would have on public health. In even more recent times, we dedicated a whole day of the debate on the Queen's Speech to the environment. I, together with two of my hon. Friends in the course of that debate, drew attention from the Front Bench to what the British Medical Association was then calling an "epidemic" of salmonella. There have been many other occasions on which we have taken an effective and vigilant interest in the whole problem of food hygiene. I hope that the Secretary of State will get on with his speech and will stop fooling about with completely false reports.

Mr. Clarke: The Leader of the Opposition has been fooling about for most of the afternoon so far with his new-style wit on the subject.

Mr. Allan Roberts (Bootle): This debate is about water as well as food. Do I take it from the remarks of the Secretary of State that he disagrees with the Secretary of State for the Environment and that speeches and statements made by myself and my hon. Friends over the past three years about drinking water quality have not been scaremongering, of which he accused us?

Mr. Clarke: I have not accused the hon. Gentleman of scaremongering yet, but I shall. The whole point of the debate seems to be to arouse the alarm of the public and then to try to turn that to party political advantage. I shall, in due course, return to the extraordinary proposition that where there are worrying problems about water purity, somehow one is safe with public water but not with private water. That seems to be wholly irrelevant to the Water Bill and is only raised again by the hon. Gentleman because he wants to oppose the privatisation of water for other reasons.

Mr. Jack Ashley (Stoke-on-Trent, South): If the Secretary of State is giving us dates and explaining his interest in this subject, can he tell us why it took him from 15 December 1988 to 15 February this year to answer a simple question that I tabled about what was his responsibility for food safety? It took two months to answer a simple question. How many meetings did he have about that question? How many draft answers? How many nights' sleep did he lose? I suggest that that prevarication and delay showed a complete lack of interest or lack of confidence by the Secretary of State.

Mr. Clarke: My duties on food safety have been clear as were those of my predecessor. They are in the published details of the responsibilities of Government Ministers. I apologise, of course, that it took so long to answer the right hon. Gentleman's question. I fear—as is always the position when people first suspect a conspiracy and then think of the alternative—that his question, quite improperly, remained in the bottom drawer of some official over the Christmas recess. *[Interruption.]* There have certainly not been any changes in my responsibilities for food safety nor in those of my right hon. Friend the Minister of Agriculture, Fisheries and Food for many years. The present system has been working effectively for the past few months.

Dr. John Reid (Motherwell, North): Will the Secretary of State give way?

Mr. Clarke: I must be allowed to get on a little further, but I shall give way later.

Having dealt with the background to this debate and its contents so far, may I suggest that we are all agreed that those who are following the debate from outside the House wish to have clear advice and clear action and to know what is being done about a problem that is causing concern in this and every other developed country in the westerm world? The housewives of this country do not want party political exchanges across the Floor of the House, which are plainly dependent on the opportunist instincts of the Leader of the Opposition. They want to know exactly what advice we are now giving them so that they can protect themselves and their families. They want

[Mr. Clarke]

to know the background to the problem and why we are giving such surprising advice and they want to know what is going to be done about the problem. On all those counts, on which the Leader of the Opposition did not spend over-long, we have a duty to be clear and to demonstrate that we have been clear and consistent in the past few months.

I remind all hon. Members of the precise status of the warnings that we have given. We have had to give warnings to certain sections of the public about the way in which they should treat certain foods. If the Opposition are really sincere in their declaration that they wish to be responsible—I shall take that at its face value and in the way in which it was put to me—they should underline the advice that has been given and agree that it is the crux of the issue.

We have been consistent throughout in our advice about eggs. We went to the lengths of publicising the Chief Medical Officer's advice in full-page advertisements in the newspapers. I have a small offprint with me. The extent of that advice, which evolved as the evidence during the autumn, was that for healthy people there is very little risk from eating eggs which are cooked in whatever way one prefers them. For vulnerable people—the elderly, the sick, babies, toddlers and pregnant women—eggs should be thoroughly cooked until the white and the yoke are solid, but everyone should avoid eating raw eggs or uncooked foods made from them.

Mr. Wilson *rose*——

Ms. Mildred Gordon (Bow and Poplar) *rose*——

Mr. Clarke: I shall give way later.

That remains our advice on eggs. No one is suggesting that it is wrong or that it should be changed. No one is suggesting that at any stage any Minister has given any advice inconsistent with that which stems from the Chief Medical officer or from the course of public debates.

Mr. Wilson: Before the Secretary of State strays too far from his somewhat sketchy chronological account, is he categorically telling the House that his Department had no warnings of salmonella in the poultry flock before 1988?

Mr. Clarke: Salmonella in the poultry flock is a subject with which everybody who follows this issue has been familiar for many years. The new type of salmonella—salmonella enteritidis phage 4—and the discovery that it could be carried inside the egg, was first suspected and emerged towards the end of last year. To this day, we are still trying to discover exactly why and how it has emerged. We want to increase our scientific knowledge of it so that we can react to it.

Ms. Gordon: Does the Secretary of State agree that what old people, pregnant women and mothers with children require are not warnings about not eating eggs, but safe eggs that they can eat? They want an assurance that the producers have been inspected and they want lists of safe producers and retailers from whom they can buy eggs with confidence. The Government have not provided that.

Mr. Clarke: I agree with all that apart, of course, from the last phrase. We have given the warnings because we had to—because a new problem has emerged. I agree with the hon. Lady that it now falls to us and the industry to tackle that problem and to reduce the level of infection to the minimum practicable and eliminate it as quickly as possible. However, a new problem has emerged, and we must give warnings. We shall maintain those warnings until we are satisfied that it can be lifted—that is the essence of this subject. *[Interruption.]* I am explaining how the problem emerged, when we first became aware of its full extent and the warning that we have given.

Mr. Foulkes *rose*——

Mr. Clarke: I shall stick to this matter for the moment. I shall give way later.

The other worrying area is listeria and listeriosis. Again, there is no doubt about the warnings that we have been giving, which were last given in a full public press notice on 10 February 1989 and which received a lot of attention. It was aimed at pregnant women and particularly vulnerable people, especially patients who have had transplants, those on certain drugs that depress the immune system, and those with leukaemia or cancers of the lymphatic tissues. Those people were warned to avoid eating soft cheeses and to follow carefully instructions on how to handle precooked chilled food and precooked ready-to-eat chicken. They were advised to warm it until piping hot.

Mr. Robin Cook (Livingston) *rose*——

Mr. Clarke: I shall give way later to the hon. Gentleman because I do not think he wishes to intervene on that point.

Before we get back to the political hullabaloo, I want to ensure that the public understand the warnings and get them in proportion. It is not complacent to say that one needs to keep this matter in proportion. Indeed, I think that the public know that.

In supermarkets and kitchens, the public are behaving more sensibly than many politicians and journalists. That is the full extent of the health warnings that we have given. Nobody has said that we should extend them——

Mr. Cook *rose*——

Mr. Clarke: Well, I shall give a simple example first. Let us take someone like myself who, as far as I am aware, is healthy. It may not be my just deserts for my way of life, but I think that I am healthy—as are most hon. Members. I have not been warned to desist from eating any food on grounds of salmonella or listeria, except raw eggs. If one has an occasional raw egg, one knows that one is running a calculated risk.

Mrs. Gorman *rose*——

Mr. Clarke: Our advice has been aimed only at vulnerable groups. Average members of the public are not facing a risk that justifies hysteria or over-reaction. However, what it does justify is positive action, research and more scientific information to tackle the problem at its root before it gets any worse.

Mr. Cook *rose*——

Mr. Clarke I shall give way in a second.

To put this into proportion, during the 1980s deaths from food poisoning averaged about 50 per year. By comparison, deaths from accidents in the home were over 4,800 and for road accidents nearly 4,950. No one is

complacent about any of those figures, but they do put the comparative risks in context. The average person is nearly 100 times more likely to die from an accident at home or on the road than from food poisoning. Although the risk from food poisoning in this new form should be reduced, it does not justify the amazing alarm expressed about it in some places.

Mr. D. N. Campbell-Savours (Workington) *rose*——

Mr. Cook *rose*——

Mr. Clarke: I shall give way in a moment. As I shall show later, the risk does not justify the attacks on the Government for our reaction to the problem—to the worrying extent that it exists.

Mr. Cook: I thank the Secretary of State for giving way after that "second". He said several times that the problem emerged only last year. However, he will be aware that the figures that he has deposited in the Library show that between 1981 and 1987—not last year—the incidence of salmonella enteritidis increased sixfold. Is he aware that in 1987 the Ministry of Agriculture, Fisheries and Food discovered infection in one quarter of the poultry foodstuff processing plants but did not close a single one? Is he further aware that in September last year the *Lancet* was able to state that there had been an "uncontrolled" epidemic of salmonella poisoning "for about two years" in Britain? If the *Lancet* knew that in September 1988, why did his Department wake up to the problem only a couple of months earlier?

Mr. Clarke: The big increase in salmonella enteritidis was in 1987. Its connection with the whole egg became clear only in the summer of last year. Nothing that the hon. Gentleman has said has contradicted that. Indeed, I do not believe that it is possible to contradict that.

The big increase in listeria and listeriosis occurred two years ago, but we stil do not know why there has been a big increase in listeriosis. Only four cases have been positively traced back to food. In 1988 the World Health Organisation gave us its opinion of the problem—that probably the bulk of listeriosis was, in some way as yet unknown, foodborne as an illness.

As I shall explain in a moment, we are in the forefront of monitoring systems and research. In the advice that we are giving to the public and the steps that we have taken vis-a-vis the industry we are ahead of most other countries in western Europe and across the Atlantic.

Mr. Campbell-Savours: This debate must be about reassuring the public—*[Interruption.]* That is what the public demands of Parliament today. May we have an absolute, unconditional assurance today that all feedstock protein coming from these plants is salmonella-free? If we receive that assurance today, why could not we have had it in August of last year, when it would have meant so much more?

Mr. Clarke: I shall be coming to that in a moment. I shall leave most of the assurances to my right hon. Friend the Minister of Agriculture, Fisheries and Food, but I shall touch on the 17 measures that he has taken to check salmonella in our flocks.

Mr. Campbell-Savours: We want an assurance.

Mr. Clarke: Yes, I believe that I can give that. We have made orders controlling—*[Interruption.]*

Mr. Speaker: Order. The hon. Member for Workington (Mr. Campbell-Savours) asked a question and he is receiving a reply.

Mr. Campbell-Savours: I am not.

Mr. Speaker: The hon. Gentleman should not point at the Minister and demand the answers to other questions.

Mr. Clarke: We have created the necessary powers to be able to give that assurance. My right hon. Friend the Minister of Agriculture, Fisheries and Food will be able to bring the hon. Gentleman up to date with the enforcement of those powers when he replies.

As I shall explain in the appropriate part of my speech, we have taken much action and given ourselves many additional powers to control salmonella in egg-laying flocks.

Mr. Foulkes *rose*——

Mr. Tom Clarke (Monklands, West) *rose*——

Mr. Clarke: I shall give way in a second. It is a little rich for an Opposition Member to declare that the purpose of the debate is reassurance when the Opposition have so far spent their time misrepresenting both the date at which the problem first became known and the advice that the Government have given. With no scientific grounds on which to do so, they are challenging the action taken by the Government last year when the nature of the problem first became clear.

Dr. Reid: Does the Secretary of State realise that if anything in today's debate will cause wide public concern, it will be his refusal to give the categorical assurance asked for by my hon. Friend the Member for Workington (Mr. Campbell-Savours)? Does he think that comparing the statistics of people who died from food poisoning with those of people who died on roads is any consolation to the relatives of those who died from food poisoning?

Does the Secretary of State understand that advertisements in newspapers are no substitute for policy? Will he take the opportunity today to explain to the House and the country why the Government vetoed their own 1984 proposals to subject new food premises to Government regulation and approval? In doing so, did the Government put the health of the nation or the Prime Minister's dogma of deregulation first?

Mr. Clarke: I have already explained that I gave the figures, not to minimise the impact on the individuals affected, but to make it clear to everyone in the Chamber that it is still safer to eat any kind of British food than it is to cross the road. Quite demonstrably, that remains the case.

Mr. Foulkes *rose*——

Mr. Clarke: Secondly, I shall——

Mr. Foulkes: Will the Secretary of State give way?

Mr. Speaker: Order. As a Front Bench spokesman the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) should be the first to know that if a kMinister, or even an hon. Member, does not give way, he must not persist.

Mr. Clarke: I shall not give way before I have answered the last intervention because that would reduce the debate

[Mr. Clarke]

to a farce. I have given an assurance that the Government have the necessary powers to control the production of protein in this country. As part of the assurance that I shall give about the steps we have taken, I can say that the Government have the necessary powers to monitor the flocks and are checking protein as it comes from the producers.

The hon. Member for Motherwell, North (Dr. Reid) is doing what his right hon. Friend the Leader of the Opposition does by calmly changing the subject to talk about a regulation on new food premises that was introduced three years ago. He cannot demonstrate that any case of the food poisoning with which we are concerned this afternoon arose from the Government's decision about that regulation. The Opposition must stop thrashing about trying to find vaguely food-related topics to suggest that the risk is worse than it is or that, somehow, the Government are not tackling the problem.

Sir David Price (Eastleigh): In order to make some sense of assessing the degree of the problem, will my right hon. and learned Friend deal with the point raised about the alleged under-reporting of salmonella cases? Does he agree that academics who multiply the Department's figure by 100 do not add to our appreciation of the problem? Is he aware that applying that factor of 100 to the basic health figure—the mortality rate—would mean that all of us in the House and the nation would die 1·2 times every year?

Mr. Clarke: My hon. Friend helpfully takes me on to my next point, which concerns the exact extent of the infection and our assessment of what action should be taken to reduce it.

As I have explained several times, we are talking about a new form of salmonella. There are hundreds of different types of salmonella of varying seriousness, but we are dealing with a new type—salmonella enteritidis phage 4. Cases of that particular type associated with poultry and eggs have risen during the 1980s. In 1988, 12,553 cases of phage 4 were reported in this country. The latest score for 1988 of cases directly associated with eggs is 60 outbreaks, involving about 1,600 people.

It is true that all types of food poisoning are under-reported. Many people's symptoms are not severe enough for them to trouble their doctor, or if they do, he does not always submit his results for pathological examination. In America, where I suspect reporting systems are not as good as ours, by convention some academics multiply by 100 the number of reported cases to give a figure closer to the truth. By definition, no one knows exactly how much under-reporting takes place, but those involved in the matter in this country believe that a factor of 10 is more suitable for monitoring the conditions in Britain.

Mr. Foulkes: Will the Secretary of State give way?

Mr. Clarke: Let me again give some factual information about listeria. I do not think that any hon. Member in this debate can challenge the information I have given, because they have none better.

The difficulty about listeria is that it is also a new and insufficiently understood problem. The type of listeria with which we are dealing is an organism that is widely distributed in the environment and with which we all come into frequent daily contact. It is present in water, vegetation and soil. For some reason, as yet imperfectly understood, although we are all exposed to it—about one in 20 of us probably carry it in our bodies—it causes ill effects in vulnerable people.

For a few of us the organism causes a disease known as listeriosis, which is fortunately quite rare. Last year there were 287 cases. In the past two years the number has suddenly risen. In healthy adults it can cause a mild flu-like disease but unfortunately, in more serious cases, it can cause meningitis and septicemia. As the Leader of the Opposition said, it presents a particular problem for pregnant women, in whom it may also infect the developing baby and lead to miscarriage, stillbirth or the baby being born with severe illness. The problem is being studied throughout the western world. However, it is only in the 1980s that serious outbreaks have begun to occur.

Soft, ripened cheese appears to be a particularly common carrier of listeria. Again, before people rush out to cancel their orders for soft cheese, I shall repeat that healthy adults have probably consumed listeria several times in the past few days without even being aware of it or showing any symptoms. However, pregnant women are at risk if they eat cheese with listeria.

In the 1980s there were outbreaks of listeria, first in Canada, and then a particular cheese, Vacherin Mont D'or, caused deaths in Sunderland—*[Interruption.]*—in Switzerland. *[Interruption.]*—and had to be banned. Then in America they had a serious outbreak involving Mexican soft cheese. Hence, we have given the advice to those consuming soft cheese in this country, although to date we are aware of only four cases directly attributable to food, only two of which concerned soft cheese. It seems to make no difference whether the cheese is pasteurised or unpasteurised. We have given warnings to this carefully selected group of vulnerable people because most of us can eat soft cheese, which has a lot of listeria in it, without knowing that we have it and without suffering adverse effects.

That statement produced some momentary silence and even a little less hilarity from the Opposition because it is a factual description of the particular aspects of food poisoning with which we are concerned. Those facts do not lend themselves to party political attacks. They are not facts about which the Opposition are any more scientifically informed than the Government.

Dr. Lewis Moonie (Kirkcaldy) *rose*——

Mr. Clarke: But certainly they wish to know exactly what we are doing about it.

Mrs. Rosie Barnes (Greenwich) *rose*——

Mr. Clarke: First, the Government are armed with many independent expert committees.

Dr. Moonie: Perhaps I am slightly better informed than the Secretary of State on this subject. He must be well aware that the rise in the number of cases of listeria is exactly paralleled by the rise in the use of cook-chill methods of storing food. He will also be aware that this fact is recognised by major manufacturers such as Marks and Spencer, which have taken action to ensure that this bacterium is eradicated from their food production.

Mr. Clarke: Certainly it is true that, among other things that have happened during the 1980s, there has been an increase in listeria, especially in the past two years. There has been an increase in the use of pre-cooked chilled foods on sale for retail. It is certainly true that listeria is a risk that must be looked out for in pre-cooked chilled food. I shall come to that in a moment. No one has yet established the direct link. We know that the level of listeria should be kept reasonably low and precautions should be taken by those who are particularly vulnerable to the bacterium. The hon. Member for Kirkcaldy (Dr. Moonie) is a registered medical practitioner who I know therefore has qualifications in his field. The hon. Gentleman claims to know exactly why particular groups get listeriosis from listeria. If he knows exactly what steps must be taken to reverse that, he should be in pursuit of a Nobel prize, and not in pursuit of retaining his seat in the House of Commons.

Mr. Tom Clarke *rose*——

Mr. Clarke: I do not believe that the medical and scientific world is entirely sure yet of the answers to these questions. We will take the hon. Gentleman's advice, and we are taking advice. The Government already have many independent expert committees to rely upon, including doctors and vets within the Government and a wide range of outside expertise, such as the food advisory committee, and the committee on toxicology. Those committees will not be attacked by anybody on either side of the House. We have 10 specialist working parties dealing with all aspects of food hygiene, which contain experts from inside and outside.

I trust that we shall not hear any bizarre attacks upon them as part of some political conspiracy in support of the producer, private industry or whatever is claimed to be at the root of this difficulty. No subject is considered closed by them. We analyse thousands of samples of food each year. We monitor what is going on in this country to a much higher extent than most other countries.

Mr. Tom Clarke: Will the Secretary of State give way?

Mr. Clarke: Research has been mentioned. We are financing research on a considerable scale. That case is not undermined by finding one disappointed researcher whose research has been finished—and where the money is being switched to some other aspect—and suggesting that that is incontrovertible proof that we are neglecting research. At present, the Ministry of Agriculture, Fisheries and Food is funding 14 research projects, either specifically on listeria or including work on listeria. We are in the forefront of work in this sphere.

Mr. Nigel Griffiths (Edinburgh, South): Will the Secretary of State give way?

Mr. Clarke: Most developed countries, as I keep on saying, are experiencing a similar problem. It is not confined to this country. One thing that arises from our system of monitoring, answering questions and giving advice—indeed, from our system of parliamentary debate —is that we in this country are more aware of the extent of the problem than most members of the public in other countries are aware of the extent of similar problems in those countries.

Mr. Robert Hughes (Aberdeen, North) *rose*——

Mr. Clarke: We are taking a considerable amount of action to tackle this. We are taking more action than most of our neighbours.

On salmonella in eggs, going back to the question that was raised by the hon. Member for Workington (Mr. Campbell-Savours), my right hon. Friend the Minister of Agriculture has put in place a package of no fewer than 17 measures. I shall touch on some measures that are especially relevant to the hon. Gentleman's intervention, because the Minister will deal with his own measures.

We have given ourselves new powers to stop the supply of products from protein processing plants where salmonella is found. We have put out notices preventing the sale of eggs from flocks that have been identified as a source of salmonella-infected eggs. Very shortly, an order will be made under section 29 of the Animal Health Act 1981 to provide, where necessary, for the compulsory slaughter of laying flocks in which salmonella has been confirmed. Much interest has arisen, especially since my hon. Friend the Member for Derbyshire, South made her remarks about the extent of infection in the flocks. Another order will be made shortly providing for the compulsory bacteriologial monitoring of all laying flocks which will enable us to improve our knowledge of the extent of infection of the flocks.

Mr. Foulkes: Will the Secretary of State give way?

Mr. Clarke: I shall give way, although I will not give more details at this stage. I know of no country, and I challenge the hon. Gentleman and any of his colleagues to disagree, that has introduced a more comprehensive package of measures to deal with the problem, although we are by no means the only country that faces it.

Mr. Foulkes: The Secretary of State said earlier that we need clarity and not confusion. I think he was trying to accuse us of scaremongering. He will recall that all this confusion started with the statement that he has just mentioned from the former Under-Secretary of State for Health, the hon. Member for Derbyshire, South (Mrs. Currie). Could the Secretary of State now tell us what he said to the hon. Lady immediately after that statement was made? Did he ask her to correct her statement because it was misleading, or did he ask her to shut up?

Mr. Clarke: The first time that serious interest was taken in this subject by the Opposition was when they joined in the demands to sack my hon. Friend because of her remarks. On the following day, when the hon. Gentleman was probably in the House, I answered a private notice question in which I gave the clear advice of the Government and a clear description of the nature and extent of the problem. To the best of my knowledge, nobody, certainly not so far this afternoon, has challenged anything that I said on that occasion.

The Chief Medical Officer gave widespread interviews on television and to newspapers to give the public health advice. I use the Chief Medical Officer because, although he is a civil servant, he is quite free of any suggestion of being subject to political interference in his medical judgment. He is also best qualified to give medical advice to the public and he did so. What I said to my hon. Friend was that she should decline to give interviews, because the only interviews that she would give was where she would face attacks from people like the hon. Member for Livingston (Mr. Cook) demanding that she withdraw—

[Mr. Clarke]

[Interruption.] Yes, certainly. At that stage, this responsible Opposition put the issue on a par with woolly hats and Edwina-baiting—*[Interruption.]* Yes, of course that was said.

Again, the following day, my hon. Friend the Member for Derbyshire, South repeated her belief in what she had said on the Saturday and added to it the Government's health advice, in exactly the same terms as I and my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food had given it, as well as the Chief Medical Officer.

Mr. Foulkes: Will the Secretary of State follow that up?

Mr. Clarke: We have had quite enough of that. I gave evidence on it for an hour to the Select Committee on Agriculture. *[Interruption.]*

Mr. Tom Clarke: Will the Secretary of State give way?

Mr. Clarke: I shall give way to my namesake, who is being most persistent.

Mr. Tom Clarke: I am very grateful to the Secretary of State for giving way. While he attempts to reassure the House, will he accept from me that in the past 15 minutes I have received information from the management of D. B. Marshall's chicken factory in my constituency, which has just announced redundancies for 239 people, which is more than half the work force at the factory? The management has told me that recent publicity has much to do with the decision. Does not the Secretary of State agree that the Government will have to get their act together much better than this unless even more jobs are to be lost?

Mr. Clarke: With the greatest respect, the hon. Gentleman should take that up with his right hon. Friend the Leader of the Opposition—*[Interruption.]* A few moments ago I attempted to repeat—and, despite the interruptions, I think I succeeded—the medical advice currently being given to the public about the safe handling of food. It was not greeted with derision, because there is no different advice that the Opposition want us to give, but it was greeted with repeated interruptions, weak jokes and general disbelief that I should compare it with road accidents or anything of that kind.

It is important that the vulnerable groups take the advice that we give, and it is important that other people realise that if they use common sense in handling food they are perfectly safe. It is also important that the Opposition parties stop messing about on this subject and find a subject for debate in respect of which they can make a useful contribution.

Mr. Robert Hughes: Will the Secretary of State give way?

Mr. Clarke: No, I cannot keep giving way.

Let me go on to the question of cooked, chilled food. We have dealt, so far, with salmonella in eggs and with listeria in soft cheese. Cooked, chilled food is also an important matter. Listeria is carried in soft, ripened cheeses. We are concerned also about the handling of cooked, chilled and ready-cooked food in supermarkets. A recent report, produced by the Government's own public health laboratory service, which appeared in *The Lancet*, gave what is, so far, the best measurement of the extent of listeria infection in some foods found in supermarkets. That report was known about and was fully taken into account by Sir Donald Acheson when, recently, he gave pregnant women and seriously sick people his advice about listeria and the handling of cooked, chilled food.

Nevertheless, we do intend to follow up recent concern about cooked, chilled food, and we now have regulations in draft, under the Food Hygiene Act, to require a maximum temperature for the distribution, storage and sale of pre-cooked, chilled foods. This is an aspect into which the hon. Member for Livingston entered a few days ago, with an essay at his own regulations. I said at the time that he was a little bit like a third-rate Liberal candidate in a county council election, knowing that we were producing regulations and that they were about to come, but demanding their introduction. Nevertheless, what he said was interesting, although, in fact, he lifted our existing guidelines for cook-chill catering in hospitals and applied them to the retail sale of various pre-cooked, chilled foods. They are not quite the same; the practical problems are different. Nevertheless, we have our regulations in draft, and our experts' conclusions—and plainly we have access to a much wider range of expert advice than he has—will come out soon.

The hon. Gentleman was not wholly foolish in choosing as a model our cook-chill guidance to National Health Service hospitals. I am glad to say that it comes out extremely well in all recent surveys. Our National Health Service guidelines have a good record. In the case of cook-chill in hospitals, there is such a short time between cooking at a high temperature, storage at a very low temperature for a very short time and then bringing the food up to piping hot again that the process has a good record and is giving rise to no concern.

Contracting-out was said to be about to cause a wave of food poisoning throughout the hospitals. We have gone through a tendering process for well over three quarters of hospital catering, and the rate of salmonella infection in hospitals is dropping, not increasing. *[Interruption.]* Yet again, the hon. Member for Holborn and St. Pancras (Mr. Dobson) cannot resist bringing into a debate about food poisoning absolutely irrelevant ideological nonsense about his resistance to private caterers or contracting-out. In fact, since contracting-out started, salmonella infection has dropped.

Mr. Frank Dobson (Holborn and St. Pancras) *rose*——

Mr. Clarke: If the hon. Gentleman waits to hear what I have to say about the regulations, I will give way before moving away from them.

On the question of cooked, chilled, our experts have now agreed, and we will be laying the necessary hygiene regulations in the very near future. Those regulations will control the maximum temperature throughout the manufacturing and distribution chain, and that is important. We are working on a code of practice to ensure careful handling at every stage, from the preparation of foods to their sale on the shelves. We are also carrying out investigations into the temperatures necessary to kill the organism during heat treatment and into the effectiveness of microwave cooking. The results will be available shortly, and, once more, we shall take action at once.

Mr. Robin Cook: I readily accept what the Secretary of State says about the promise of regulations in this area. The Government have been promising regulations in this

area since they issued a consultative document in June 1987. Can the Secretary of State explain to the House why, 20 months later, no action has been taken on that consultative document, despite the growing evidence of listeriosis? If it really is necessary for his Department to take 20 leisurely months to consult over one statutory instrument, could we please have 20 months of consultation on the White Paper before he dismantles the National Health Service?

Mr. Clarke: The Opposition keep bringing in subjects that it might have been wiser to debate this afternoon. They would have been more relevant to a Supply day debate.

On the hon. Gentleman's first, and serious, point, let me say that I regret that it has taken 20 months, since we first announced our intention to consult, to produce these regulations. I can give the hon. Gentleman a perfectly straightforward explanation: the experts have taken a long time to come to agreement. *[Interruption.]* It really is quite absurd that every time we produce anything in an area of this kind Opposition Members insist that there is a party political conspiracy behind it. The fact is that when one is dealing with an area in which the scientific knowledge is far from complete, one brings together the widest body of expert knowledge. But the experts do not always agree. They had pressure put upon them by me and by my right hon. Friend because we needed the regulations. I am glad to say that—without compromising their scientific position, I am sure—they have finally agreed, and that we are about to lay the regulations.

I agree with the Leader of the Opposition that the consumer is entitled to look for the safest food that it is possible to get. It is not the consumers' responsibility in the first place. Nevertheless, consumers have a responsibility to take good care of themselves and of their food in the home, and we shall soon be launching a full-scale health education campaign on food hygiene to explain to people making increasing use of convenience foods in modern kitchens how they can handle that food safely in order to reduce the risk of disease there.

Mr. Robert Hughes: Does the Secretary of State recall Question No. 16 on today's Order Paper concerning the irradiation of food? Contrary to normal practice, the written answer to that question is still not available in the Library, though the other written answers are available. Why is he so coy about his Department's position concerning a proven method of making food safer? Will he say what is his policy towards the irradiation of food?

Mr. Clarke: It is true that all the best evidence we have so far is that irradiation actually kills bacteria and poses no problem for the consumer. But, as the hon. Gentleman, who follows these matters, knows, we are again in the hands of an expert working party, whose report we are considering. It is one of the ironies of the recent controversy about food that a lot of the lobbying is contradictory. Irradiation tends to kill bacteria in food, and there is no evidence that it creates any difficulties.

People talk about the safety of eggs. We hear about battery farming, which is not popular with many people in this country. There is no evidence that free range eggs are any more free of the newer types of salmonela than battery eggs. Infection has been found in both.

When we have looked at the infections that come from cheese, we have found nothing to suggest that factory-made cheese is safer than the farm gate variety. As someone said, we are consulting all over again on the question of the sale of unpasteurised farm gate milk, which some people like to buy and which undoubtedly also gives rise to a degree of food poisoning. Irradiation is a subject to which we shall certainly have to return, because the process would not actually kill some of the bacteria about which we are talking.

Mrs. Rosie Barnes: I wonder whether the Secretary of State could say something about the use of unpasteurised milk in cheese making. Comments at the weekend before last caused a considerable degree of anxiety about which cheeses were safe and which were not. Some hard cheeses are made from unpasteurised milk, and I know that many small manufacturers of cheeses have been finding their livelihood very hard hit in the days following those remarks.

Mr. Clarke: When questioned on the Jimmy Young programme I gave my understanding of what the newspapers told me my right hon. Friend the Minister of Agriculture, Fisheries and Food had been saying on Saturday. At the same time, in Brussels, he was explaining that he had not said it—that we were not contemplating a ban. The position is that we are not contemplating a ban on any kind of cheese. So far as listeriosis is concerned, we cannot detect, from any evidence, any higher risk of disease in unpasteurised cheese than in pasteurised cheese, and there is no case for discriminating between them.

Mr. Shersby: Does my right hon. and learned Friend agree that the point raised by the hon. Member for Aberdeen, North (Mr. Hughes) is important? Can my right hon. and learned Friend comment on what studies his Department has made on the use of irradiation in other countries such as the Netherlands? Does he share my view that if he intends to legalise irradiation, the Opposition should support that as a valuable measure for dealing with food poisoning?

Mr. Clarke: It will be interesting to see. My right hon. Friend the Minister of Agriculture, Fisheries and Food may find time to deal with irradiated food when he replies to the debate. There is considerable concern about it and at the moment it is not allowed in this country. Much of the public concern is caused by confusion about the general subject of radioactivity. There are people who do not hesitate to confuse the two things. Again, we shall examine the best, up-to-date scientific information, both from here and abroad, about irradiation.

I cannot have been asked many more questions in any debate than I have been asked this afternoon, but there are limits to the extent of the scientific knowledge that exists about the new strains of salmonella, the worrying increase in listeriosis and other things connected with the subject. No one denies that during the 1980s—not, as the Leader of the Opposition says, uniquely in this country because of the political policies of the Government, but throughout the developed world—there has been a worrying increase in particular types of food poisoning. No one knows exactly why. We all know that there have been sociological and technological changes in the production and handling of food. There has been a big increase in the mass production of food, which has had desirable consequences for the consumer, not least in reducing the price. Supermarket sales of food are increasing, and increasingly

[Mr. Clarke]

food is of a convenience type, made to be prepared in new inventions like the microwave oven by busy people coming home from work.

All the evidence from this country and abroad gives no cause for panic or hysteria. As we have all said throughout, in the Ministry of Agriculture, Fisheries and Food and the Department of Health, the evidence gives rise to serious concern that more infection is getting into the food chain at some point than used to be the case. It needs the most close scientific investigation. For that reason the Government have already announced their intention to appoint a committee on the microbiological safety of food. The committee will contain the widest possible range of expertise. Its members will be able to give advice on every part of the food chain and bring together their various specialities so that we can improve our understanding of why there has been an increase in food poisoning and what we ought to be doing to reverse it.

We have invited Sir Mark Richmond to be the chairman of the committee. Sir Mark is professor of molecular microbiology and vice-chancellor of Manchester university. He is also chairman of the Committee of Vice-Chancellors and Principals. Among his various posts he has been chairman of the British national committee for microbiology, a member of the Lister Institute and a member of the Jarrett committee for university efficiency.

Mr. Dennis Skinner (Bolsover): Is he a Tory?

Mr. Clarke: Once again the Opposition have betrayed the full extent of their interest in the subject. The political predilections of the chairman of the committee are more important than his scientific background. I have not a clue whether he is a Tory.

The terms of reference of the committee will be:

"To advise the Secretary of State for Health, the Minister for Agriculture, Fisheries and Food, the Secretaries of State for Wales, Scotland and Northern Ireland on matters remitted to it by Ministers relating to the microbiological safety of food and on such matters as it considers need investigation."

That means that it will be invited to respond to specific issues put to it by Ministers but it can also initiate longer term studies of its own.

The committee will look at the increasing incidence of foodborne illnesses particularly from salmonella, listeria and campylobacter. It will try to establish whether this rise is linked to changes in agriculture and food production, food technology and distribution, retailing, catering and food handling in the home. It will recommend action where appropriate. It is intended that the committee will have an expert membership which will include an epidemiologist, a microbiologist, an environmental health officer, a veterinary surgeon, a farmer, and food scientists with experience in production, distribution and catering. Consumer interests will also be represented on the committee. I hope that it will make some of its early recommendations in time for them to be included in the food legislation which the Government are contemplating.

I have taken a great amount of time, most of it in deference to interventions from all over the House—I have promptly provoked another one.

Mr. Christopher Gill (Ludlow): My right hon. and learned friend will be aware that the Leader of the Opposition referred to certain vested interests in the food industry. Will my right hon. and learned Friend take the opportunity to reassure the House that the food industry, whether producers, manufacturers, processers, retailers or whatever, has a big vested interest, that is, ensuring that it markets a product that gives total satisfaction? The food industry has as big a vested interest as any individual.

Mr. Clarke: Of course, food producers, retailers and supermarket chains are all anxious, above all, to restore consumer confidence in their product. Within the food industry there is considerable expertise on catering, retailing and the handling of cooked, chilled products. We are working closely with the Ministry of Agriculture and the food industry in what we are doing.

We have a record which is second to none of any country in the developed world of careful monitoring, of research, of prompt advice to the public and of action on the threats that are posed to the public by new varieties of food poisoning. We have set up a new independent committee to advise us on the worrying new developments in food poisoning in recent years. The whole subject has been trivialised to some extent this afternoon by the Opposition who made it a Supply day debate and then tried to make cheap political points out of it.

I began by saying that I was astonished that the right hon. Member for Islwyn was here. This is his first major Supply day presence since the election. Was it on defence, on the Health Service or on economic policy? No. He talked about the unity of his party, but his party either has no policy and is listening to various groups before deciding on what it should be, or it is only unified on the question of bad eggs and goat's milk cheese which it sees as its route back to power. The Labour party has made a deliberate attempt to arouse public concern, for party political advantage. On an issue which should be bipartisan the Labour party has tried to fan public concern. I invite my right hon. and hon. Friends to treat the Opposition motion with the contempt that it undoubtedly deserves and to vote for the Government amendment.

Mr. Speaker: Before I call Back Benchers to participate in the debate, may I remind them that there will be a 10-minute limit on speeches between 7 o'clock and 9 o'clock. I hope that those who are called before then will set a good example by not taking much longer.

5.47 pm

Mr. Martyn Jones (Clwyd, South-West): I shall try my best, Mr. Speaker, to make my five minutes count.

Whatever may be said from the Government Benches, some of us are qualified to speak on the issue. It does not take an expert to know that public confidence in food is at an all-time low, with some justification. In the last few years, a combination of Tory free market dogma and ministerial complacency and bungling has been literally deadly.

I have no wish or right to pre-empt the report of the Select Committee which is investigating salmonella in eggs, but I wish to comment on the evidence which was given in public. When the Secretary of State for Health, the Minister of Agriculture, Fisheries and Food, and the hon. Member for Derbyshire, South (Mrs. Currie) were interviewed, the ordinary person in the street had to assume that one of two things appertained: that there was a cover-up of evidence by the former Under-Secretary of

State for Health, who had been ordered to shut up, or that the former Under-Secretary of State had decided to keep quiet for her own personal reasons, literary or egotistical. Neither says much for inter-departmental liaison or the people involved.

Inter-departmental relations between the Department of Health and the Ministry of Agriculture, Fisheries and Food were also pretty scrambled, for whether eggs are the cause of the increase in salmonella infection generally or not, it has been known literally for years that there has been a problem with salmonella of all kinds—there are, after all, 2,200 species or so—in poultry meat production, and the kind of action we are now hopefully seeing—the enforcement of zoonosis orders and tightening up of feed regulations and the 15 or so other measures which are to be listed later—are probably years overdue, both for the benefit of the consumers and the producers, who by and large want to produce good, wholesome food, and do not benefit from scares. This is a perfect example of how free market theories cannot work in a modern society. Indeed, they have never worked in health and hygiene matters.

What further delights have we in store in this area? Will the cutback in research funding have an effect? Of course it will. My right hon. Friend the Member for Islwyn (Mr. Kinnock) mentioned BSE—bovine spongiform encephalopathy, which is quite a mouthful and is a long name for a potential hazard of gigantic proportions, dealing with a very esoteric and long-term pathogenic agent. It is supposedly viral-like, but nobody really knows. It is resistant to heat, capable of causing degenerative brain disease in cattle and is very similar to scrapie in sheep.

That leads to a very interesting question. We have compulsory slaughter for cattle in place now albeit, I believe, with insufficient compensation. If the Ministry believes that the risk from cattle with BSE is enough to insist on the incineration of the bodies, why is there no such order for sheep with scrapie? The carcase of a scrapie sheep still ends up in the butcher's. People in Britain and probably elsewhere have been eating meat from sheep with scrapie for hundreds of years. Any shepherd worth his salt can recognise the first signs of scrapie and would tend to send the sheep to the butcher's before anyone else noticed, which could happen with BSE.

However, there are other knock-on effects of this problem. The disease has frightened off buyers from other countries. Britain's cattle exports are worth about £58 million a year, and 12 months ago Australia and Israel banned the import of British cattle. Australia's ban also includes semen for artificial insemination, although there is no evidence that the scrapie agent can be transmitted via semen. The Ministry will pay compensation, as I said, but it is only for half the average market value for a cow that must be slaughtered. We are fobbed off with the idea that the cattle in that condition are probably worth only that much, but that is not the point. We need to prevent the likelihood of this disease getting into the food chain, because we do not know whether it is transmissible to human beings, and we are not likely to know if we do not research the issue.

Kuru is a very esoteric human disease. Microbiologists have this as an example of a very strange pathway, in that it is reckoned that it is passed on because of the cannibalistic instincts of the Fore tribe in New Guinea, who had the unfortunate habit of eating their relatives, which is not widely known in the hills of Wales. But we certainly eat beef, and as cows are in the food chain, it is possible that this unusual and basically unknown disease can get into human beings.

Another human disease, which is probably not connected but is a similar sort of organism, is called Creutzfeld-Jakob disease, which shows at least that human beings can be susceptible to this sort of organism.

Mr. Ron Davies (Caerphilly): Will my hon. Friend confirm that the incidence of Creutzfeld-Jakob disease is 30 times higher among Libyan Jewry who treat as a delicacy the consumption of sheep's brains? Is this not a fairly firm indication that there is the possibility of transmission of scrapie via this unknown agent into humans where it is manifest in clincial forms of CJD?

Mr. Jones: I suggest that it is very likely an indication of the possibility of transmission in that way. I understand that there is some evidence that the eating of sheep's eyes can cause a similar problem. On a lighter note, I inform my hon. Friend that mock turtle soup is made from sheep's brains, and it may be something to avoid in future, bearing in mind the possible problems. I certainly do not wish that to be used as an excuse to start killing turtles again, because that would be the wrong inference to draw.

We have an example here of inter-departmental bungling, because we do not know what risk there is of human transmission of BSE and I doubt whether this is near-market research, so I would think that this is a problem of both Government policy and Government intentions. Over the last few years we have seen that free market dogma simply does not work when it is applied to food production and research. In fact, it is tantamount to a licence to kill.

5.55 pm

Mr. Alick Buchanan-Smith (Kincardine and Deeside): I very much welcome the fact that we have had this debate today, because there has been, as has been acknowledged on all sides, a great deal of confusion over the whole of this issue. To that extent at least I welcome the opportunity.

I enter this debate, I hope as the House recognises, as someone who has had a reasonable amount of practical experience of what is involved in the production and processing of food. Indeed, I was brought up on a family farm which, in the early 1930s in the east of Scotland, was one of the pioneers in producing tuberculin-tested, tuberculin-free milk. The need for proper hygiene and for freedom from disease in food production is one with which I have certainly been concerned for the whole of my life.

I also hope that in speaking in this debate I can speak from a degree of practical experience, because I had responsibility in the Ministry of Agriculture, Fisheries and Food for four years, admittedly dealing much more with European matters perhaps than with domestic food matters. None the less, the one thing that did impress me and which was touched on by my right hon. and learned Friend in his speech a few moments ago was that, when we relate our standards in the United Kingdom to standards elsewhere in the western world and in Europe, ours are the highest standards. Yet from what we have heard in recent weeks one would wonder whether that was true. It seems that we could be accused of literally shooting ourselves in the foot over the good record of our industry.

I need no persuasion of the need for the highest possible standards of hygiene and quality in our food industry. To

[Mr. Alick Buchanan-Smith]

maintain such standards requires, as I think my right hon. and learned Friend acknowledged this afternoon, constant vigilance and persistent effort. I hope that there will never, from any quarter in this House or elsewhere, be signs of complacency. For that reason I very much regret the amount of confusion and contradiction there has been. If we are honest with ourselves there has been an element of confusion and contradiction over recent weeks, and this has not helped.

I am particularly grateful to my right hon. and learned Friend the Secretary of State for Health for what I believe was a much clearer statement in the House this evening of exactly where we stand on these issues, why we stand where we do, and what action is being taken in the future. I feel reassured, and I hope that the Opposition will acknowledge that as well. I certainly believe people outside the House ought to be reassured as well. I believe that the problems have been identified and, having been identified, must be dealt with.

Equally, whilst I regret some of the confusions that have arisen, I deprecate even more the degree of irresponsible scaremongering to which people have been subjected over recent weeks. Consumers have been misled, and the livelihoods of innocent people outside the whole of this controversy have been threatened or at worst destroyed, as was said by the hon. Member for Monklands, West (Mr. Clarke) a few moments ago in an intervention.

Mr. Eric Martlew (Carlisle): When the hon. Gentleman said that there had been a good deal of scaremongering, was he referring to the comments made by the hon. Member for Derbyshire, South (Mrs. Currie)?

Mr. Buchanan-Smith: Scaremongering has come from all quarters. I exclude no one and no political party. Such scaremongering in connection with the nation's food is something that I deprecate, and I hope that the hon. Gentleman will join me in doing so.

What worries me is that so much of what has been said is based neither on clear evidence nor on scientific principles. To a great extent, reason has gone out of the window. What I hope that the debate will do, and what I shall certainly try to do, is to keep matters in their proper perspective. Given the way in which people have talked in recent weeks, it is surprising that there are any elderly people in the population. As a journalist said to me today, how frequently—if ever—do we meet someone who has actually suffered from food poisoning?

Over the years the Ministry of Agriculture has had a good record in protecting the quality and standards of the nation's food and promoting healthy food production. Since pre-war days, through the Ministry and the country's agriculture departments, disease after disease has been eradicated from animal food production—foot and mouth being perhaps the most significant, although it is probably less important in relation to human health. Tuberculosis and brucellosis are examples of human diseases on which the initiative has been taken by our agriculture departments. After their eradication effective and careful monitoring has ensured that they have never returned to our livestock population with the subsequent threat to human health.

The Ministry's record applies to a long list of other diseases: swine fever among pigs; Aujesky's disease, almost completely eradicated through work supported by the industry, financially as well as in other ways; and fowlpest among poultry. I hope that the Minister will not be diverted from this course by the events of recent weeks. The Department that he heads has a record to be proud of, and I believe that it will continue to be our best insurance against disease and in support of proper health and food hygiene standards. If we examine it properly and dispassionately, we see that this is the record of an industry and a Ministry that are not irresponsible, but have considerable achievement behind them. Comparison with other countries suggests that we have one of the best records—if not the very best—in the western world. I hope that the Ministry will remain true to its history and will continue to tackle the problems resolutely and unwaveringly.

If the Government and the Ministry are to be effective, they must provide proper resources. That is especially critical in two respects. First, it goes without saying that proper resources must be given to the state veterinary service for the eradication and monitoring of disease. It is important to attract staff with qualities necessary for the task by offering appropriate salaries. Staff numbers are another issue to which, in view of what has happened in recent weeks, renewed attention should be given and, if necessary, additional resources devoted. The veterinary service is in the front line of the battle against disease and in support of hygiene, and I hope that the Government will provide the necessary support.

My second point concerns research. As my right hon. and learned Friend knows, I have serious doubts about the classification of some areas of near market research, the financing of which he wishes to return to the industry. I remind him that we are dealing with an industry with a multiplicity of small, independent units, and that at present it is finding things very difficult financially, for reasons of which he is aware. Some of the research needs to be reviewed to establish whether it should more properly be the Government's responsibility. I am thinking especially of public health and food hygiene. Of course we want support from the industry, but I think that we need more attention from the Ministry as well.

One example is the work on listeria being done at the Moredun research institute in Edinburgh, currently being funded by Government but earmarked as near market research to be funded by the industry. Another—I know that the hon. Member for Aberdeen, North (Mr. Hughes) will agree—is the work of the Torry research institute in Aberdeen. My right hon. and learned Friend the Secretary of State for Health spoke of chilled food and the importance of refrigeration. At that institute, some of the foremost work in Britain is being done on refrigeration techniques and how to improve them. I beg my right hon. and learned Friend to re-examine some of those research programmes, which I think should receive continuing Government support rather than being handed over to the industry—not because the industry is uninterested, but because of the difficulties of providing finance from that source.

As I have said, I welcome the debate. We needed a clear lead from the Government, and I am glad that my right hon. and learned Friend has given it today. We need an end to scaremongering, and I hope that the Opposition Front Bench and others will recognise that. Otherwise it

will be the British consumer who will ultimately suffer through unwarranted uncertainty. It is in the British food industry—production and processing—that livelihoods will be lost. The only winners will be overseas producers and processors. That will be bad for our balance of payments, and bad for Britain.

6.8 pm

Mr. Ronnie Fearn (Southport): It is very difficult to assess accurately what is happening to the food and water industries, and the repercussions for the health of the nation, especially at this stage. Excessive secrecy—the dominant feature of the present Government—and a lack of real information have served only to fuel the controversy. The public are utterly confused, and the question "What would you like for dinner?" has taken on unnecessary and nightmarish proportions.

Much of the hysteria of the past few months could have been avoided if the Government had for once approached an issue on the basis that the people have a right to know. If clear and sensible information and guidelines had been issued when the salmonella infection in egg production was first identified, much of the subsequent panic reaction from various Government Departments need not have happened. The response to the issue of soft cheese, unpasteurised milk and the listeria risk was such a reaction, and the issue still needs thorough investigation and clarification.

It is obvious, however, that, in our rush to progress and our haste to produce food more efficiently and profitably in a market-oriented society, certain people and industries have been allowed to cut corners. Consumers' rights have been neglected and the dangers to their health have become much more prevalent.

In the present era of mass production and of scientific and technological advance it is even more important that the public have access to information. Individuals have the right to know what they are eating; mothers have the right to know what they are feeding their babies and what the effects may be. They should have the right to choose what substances they are consuming. Above all, they have a right not to be used as guinea pigs without their consent. Food should state clearly all contents, and where that is not practicable, the information should be easily available.

An example of the public not being informed or being given little choice as to what they consume is the use of bovine somatotropin treatment in milk production. Milk containing that hormone should be bottled separately and clearly labelled. In addition, the facts and information surrounding the use of BST should be made available to the public now. Are the public aware that in the United States the Food and Drug Administration is not completely happy with BST and there are restrictions on its use in that country. What does the Minister intend to do about the fact that the Veterinary Products Committee has refused to license the use of BST on the ground that not enough work has been conducted into its effects on animals?

It is known that there is an increased incidence of mastitis and anaemia and there is concern that it may reduce fertility. Although the possibility of the bovine somatotropin hormone becoming active in humans is very remote, there is some risk. What will be the overall effect on farmers and milk production? This is the first time that a genetically-engineered hormone has been introduced into the human food chain, and instead of clouding the issue in secrecy the Government should take the opportunity to set up hard and fast procedures to cover the introduction of other such drugs in future.

Consumers must be given the opportunity and information to make an informed choice. Consumers should also be given more information and more protection from the possible ill effects of cook-chill foods. The expansion of that industry makes it imperative that not only should such food be subject to stringent quality control, but that wherever it is used the individual consumer should be informed. The Department of Health particularly needs to look into its wide use in the Health Service and in local government services such as schools and meals on wheels. The fact that it is cooked and dispatched from one central unit to many hospitals exposes more patients to the possible source of contamination and makes any food poisoning outbreak difficult to control. The recent outbreak of salmonella poisoning at St. Helen's hospital, Mersyside, which was traced to a cook-chill cottage pie, should cause deep concern since it is known that listeria is a much tougher bacteria able to survive at very cold temperatures. Will the Minister consider introducing regulations requiring health authorities, hospitals and other units to inform patients of the use of such food and to offer alternatives to those patients most susceptible, such as those in maternity units, or perhaps even to ban the use of such foods at least in certain units until further investigations have been conducted?

The report in *The Guardian* this morning that leaders in the food industry and retailers were being asked to draw up a draft code to help prevent listeria is not good enough. Surely we have passed the stage where the food industry should be allowed to regulate itself. The Government must act now. There is a need for strict legislation, regulations and enforcement.

Mr. Shersby: Has the hon. Gentleman ever heard of the Food Act 1984? Has he read the provisions of that Act and does he not know that there are already very strict regulations governing food production in this country?

Mr. Fearn: I have read the Act and I have seen the regulations, but they are not implemented because there is not enough inspection.

The practice exposed in *The Sunday Times* on 19 February whereby large retailers such as Sainsbury's are allowed to offload surplus rejects or near-to-shelf-date goods, knowing that they will be sold for human consumption, cannot be tolerated. The fact that the wholesalers of such food cannot be prosecuted under the present law is not acceptable. The poorer sections of the community should not be put at risk or sold poor quality food in the interests of large companies cutting their losses.

Mrs. Gorman: I should like the hon. Gentleman to know that I regularly buy such products which have gone past their sell-by dates. I buy a whole tray of yoghurts in my local market for 50p and they are absolutely excellent. Many people who are much less well off than I am find a marvellous source of food in the supply of items which are marked with ridiculous sell-by dates.

Mr. Fearn: I hope that others do not follow the hon. Lady's example.

[Mr. Fearn]

Profit and loss issues lead me neatly to the quality of water now and in future. The reported cases of water pollution incidents in England and Wales between 1980-81 and 1986-87 rose from 12,500 to 21,095, yet the Government have granted some water authorities new and relaxed effluent standards. At the same time, in the drive towards cost efficiency, the water authorities' capacity to invest in improvements has been curtailed. Lack of investment in the infrastructure means broken and rotten sewers which have contributed to an alarming increase in the rat population with the inherent danger of disease.

We have heard today that people in Oxfordshire and Wiltshire are being advised to boil their drinking water. Claims that the warmer winter may have some bearing on such events should not be allowed to detract from the real problem. Surely we can expect those in control of our water authorities to have expertise and knowledge as to the effects of warm weather and to provide some protection against it.

At least 5 million people in the United Kingdom receive tap water that does not meet the legal limits set in the European Community directive. Now the Government are to ask for a time extension. Do we seriously believe that a privatised industry intent on profit will improve matters? Stringent controls will impose greater costs and will be vigorously resisted by water companies.

Everyone is aware of how easy it is to find loopholes in the law or to flout regulations. The consumer, unable to refuse to buy that necessity of life, will be virtually powerless. Once again the Government's obsession with secrecy has led them to refuse to accept freedom of information amendments to the Water Bill in Committee. What makes us so different from the rest of Europe? Are we so immune from bugs and the effects of pollution that the Government think that they have the right to ignore or manipulate EEC regulations and directives?

Once we could boast of some of the purest water in Europe. Now the name, "sick man of Europe" is applied to us, not in terms of our place in the league of powers, but because of our poor standards of environmental pollution, hygiene and so on. Are we proud of that? Are we content that British people are exposed to more possibly harmful substances than people in other countries? Do we accept the line of thought that British people do not have the right to know about things that affect their everyday lives, or that they are incapable of making a sensible, informed choice?

The Government must get their act together. There must be freedom of information for the consumer and increased consumer representation at the decision-taking level. The lines of responsibility within and between various Government Departments need to be clarified. Tougher legislation and regulations are required for food and water production, processing and so on. However, laws and regulations are useless unless they can be enforced. The Government should make available resources for the training, recruitment and retention of environmental health officers and investigate ways to increase their powers.

Mr. Gill: I should be interested to hear the hon. Gentleman's view on how many additional inspectors would be required to make sure that our food was 100 per cent. safe.

Mr. Fearn: No country could boast that its food is 100 per cent. safe. I was asked how many inspectors would be needed. I have looked into the question and I learn that 1,500 inspectors are needed.

I hope that the Minister will take to heart the issues that have been raised today. I hope, too, that action will be taken to prevent the chickens from coming home to roost.

6.19 pm

Mr. Paul Marland (Gloucestershire, West): I accept, as do others, that there is widespread concern about bacteria in food, and the debate has attracted great interest. I pay tribute to my right hon. and learned Friend the Secretary of State for Health for telling us in such great detail about what his Department is doing. He did his best to reassure both those who have been listening to the debate and those who will read the report of the debate in *Hansard* and to set the record absolutely straight. The hype and sensationalism that the issue has generated is quite wrong, and it culminated in a few tasteless jokes by the Leader of the Opposition. That hype and sensationalism has misled consumers, jeopardised many businesses and resulted in a severe slap in the face for all those who are involved in the production, distribution and sale of food.

The issue has become a charter for cranks. They have blown it out of all proportion. Dubious professors and assorted nut cases have ached to tell us that virtually everything that we eat is bad for us, or poisonous, or in some way will jeopardise our health. That is fair enough with cigarettes and alcohol. However, when I heard one of the so-called experts tell us on radio that there is a trillion to one chance that we shall be infected if we eat a certain brand of processed food, I knew that the time had come to turn it off.

It is hard to achieve a true sense of proportion. When I was in west Gloucestershire last weekend, therefore, I conducted my own research by visiting food manufacturers and retail outlets. I also talked to my friendly local doctor. They know a great deal more about these problems than they are given credit for. They have had in place for many years methods and systems to minimise infection and disease. In the case of responsible firms, the methods and systems that they use are far in excess of what is demanded by local authorities.

Voluntary practices should be backed up by local regulations that are enforced by inspectors. It is easy for Opposition Members to say that there should be 1,500 inspectors, but I found that statement about as convincing as the man on the radio who said that he thought that there was a trillion to one chance of people being infected if they ate a certain brand of processed food. The hon. Member for Southport (Mr. Fearn) made an off-the-cuff remark. He was on the ropes. He had no idea what the answer was, so he just trotted out the first figure that came into his mind.

Hysteria is causing more trouble than listeria. My friendly doctor told me that listeria is an organism that is found in soil, water, vegetation and even grass cuttings. None of us can avoid it. It is present in some soft cheeses and in certain cook-chill foods. However, it can be completely destroyed by thoroughly heating the food. As Sir Donald Acheson said of listeria, the chances of an ordinary person becoming infected are so remote that it is not worth worrying about. Those of us who have met him, or who have heard him talk, know that he is not a man

who is given to overstatement. I was moved, as I am sure other hon. Members were, by the Leader of the Opposition's story about the lady who lost her baby through listeria infection. I do not, therefore, dismiss the fact that in certain cases listeria can be dangerous.

Salmonella is a more serious problem, but it has been grossly overstated; there has been a great deal of scaremongering by hon. Members. Producers and retailers are well aware of the dangers, but it is ludicrous to use —as some have—the multiplier of 100 to arrive at an estimate of the number of people who have been infected. People have always suffered from upset stomachs. It is wrong to attribute all of them to salmonella. Nevertheless, it is a problem and it should be further investigated. We have heard today that that is precisely what is happening.

I welcome the new programme of microbiological research and the inquiry into food infection that is chaired by the Prime Minister. This Government have never discounted food poisoning scares. They have acted responsibly by finding out the truth. It would be pointless to go into the history, but BST in cattle, radiation from Chernobyl, lead on solder in cans that are used for preserving food and anti-freeze in wine have been dealt with quietly and efficiently by the Ministry of Agriculture, Fisheries and Food. In 1988, £20 million was spent on ensuring food safety, and 500 people were employed in that work. If the Ministry is guilty of anything, it is guilty of not having blown its own trumpet loud enough. It has not said precisely what has been done.

I welcome the education programme that is to be targeted at consumer practices. I believe that more than 50 per cent. of food poisoning outbreaks start in the home. Cracked eggs that have been stored in the fridge are used by the housewife. I wonder how many people check the fridge temperature when they store frozen food and ensure that it is stored at the right temperature. I wonder, too, how many housewives and cooks check the defrosting instructions and make sure that they cook the food in the right way. As most families shop only once a week, I wonder how many people check the storage instructions on the back of the products that they buy? The industry takes great care to put instructions on their products so that the consumer knows under what conditions frozen or chilled foods should be stored and then cooked. Today's occasional shopping practices and irresponsible cooking play a fair part in causing food poisoning.

Guidelines are needed, but we have them already and they should be followed. The cry for more Government legislation and for more restrictions reminds me of the nanny state that we have worked so hard to abolish. Our opponents want more Government control, more regulation, more bureaucrats and less choice, but we should end up with tasteless lunches. We do not want that. We need to find out the facts and to act on them. We need to adopt a prudent and cautious approach. We must also bear in mind that the ever-changing practices and customs when preparing and eating food and the ever-changing practices and customs in its production and distribution are having an effect in the increase in food poisoning.

It is a complicated subject, but plans have been made and advice for the consumer will be forthcoming. The consumer will be given advice on how to look after food products. The Select Committee's report is soon to be published. I hope that it will make interesting reading for all those who are interested in the subject.

Two key principles underlie the Government's strategy on food safety. First, prompt action should be based on proper and detailed scientific evidence. Secondly, the need to provide consumers with information on food quality and safety is imperative. That is the right spirit and way in which to go forward.

6.30 pm

Mr. Frank Cook (Stockton, North): Anyone would think from the speeches of Conservative Members that this whole issue had been invented by people other than their own spokespersons. Despite their protestations, any lingering doubts we may have had about the validity, if not the total accuracy, of the remarks made before Christmas by the former junior Minister, the hon. Member for Derbyshire, South (Mrs. Currie), have been dispelled by subsequent events.

The comical sight of Ministers rushing to defend the indefensible as their friends in the food production and distribution lobby cried "foul"—contradicting themselves and each other on radio and television over eggs, poultry and cheese—proves that the Prime Minister's first priority must be to make "foot in mouth" disease notifiable, at least for her Ministers.

For once, the media have managed to get it right. There is a justifiable crisis of confidence in our food production which will not be dispelled by the largely cosmetic actions which Ministers have taken so far. There can be no argument about the facts. Food poisoning has increased dramatically in the last 10 years and, according to recent reports, is continuing to rise. To the long-standing problem of salmonella has been added the new fear of listeria, a common enough bacteria the potential for harm of which has only recently been recognised as new methods have enhanced the risk of infection and the medics have recognised how serious the consequences can be.

Let us not forget how serious food poisoning can be. Gastrointestinal infection can be a major systemic illness, causing high fever, copious diarrhoea, vomiting and pain. Weight loss and dehydration are severe and death in elderly and infirm people is all too common.

Mr. Gill: Is the hon. Gentleman aware that another relevant statistic is that we have the second highest proportion of old people in our population in the world? It follows that that would not be the case if the food industries were providing a substandard product to those people, who are, in any event, the most vulnerable section of society.

Mr. Cook: That is an interesting line of argument. Perhaps they are better cared for than those in the same age group in Third world countries. I was referring not to statistics but to conditions that result from food poisoning, as the hon. Gentleman would have been aware had he been paying attention to what I was saying.

Listeria infection may cause abortion, with all the grief and anguish that such an unforeseen event can bring. When we fully recognise the damage that these conditions can cause, it is right for us to expect effective action to be taken. The problem which we are facing affects the whole food chain—production, distribution and preparation, either commercial or domestic. I agree that stringent control of practices in the home can reduce the chance of

[Mr. Cook]

eating infected food, but that cannot be the whole answer, unless we adopt in the kitchen the same standards as in operating theatres to prevent cross-infection.

People have a right to expect their food to be clean and substantially free from powerful bacteria or additives before they purchase it. Government have an absolute duty to see that that is so. For Ministers to attempt to blame anyone but themselves for the problem is a gross dereliction of duty on their part.

The Secretary of State was a singularly inappropriate choice to speak first for the Government in this debate. He is not responsible for food production or distribution—the direct source of the problem—but is merely the gatekeeper trying to lock the door after the horse has bolted. Of far greater importance are the Department of Agriculture, Fisheries and Food, with total responsibility for food production and most distribution, and the Department of the Environment, which is responsible for the upkeep of local standards. The balance between those two areas is critical.

One can argue a reasonable case that food in Britain is over-intensively produced—for example, poultry and eggs, the factory farming of beef and pork and the attempt to extract extra milk from cows by using hormones—and that much of it is over-processed, over-dependent on additives and sold through far too few outlets. Many friends of mine who have lived in Europe testify to the latter, comparing the number of outlets for fresh food in Holland, Germany or Switzerland with the situation in this country. We have mistakenly concentrated on quantity and convenience rather than quality and choice, and we are paying the price for our folly.

Several actions must be taken now to restore public confidence and improve standards. I welcome unreservedly the proposal to ban unpasteurised milk in England and Wales, as is already the case in Switzerland. I am less certain of the need to use only pasteurised milk in cheese production; the number of producers is small enough for action to be taken to control the process and ensure that harmful contaminants are excluded.

We in Britain must shift the emphasis away from the producer-oriented Ministry of Agriculture, Fisheries and Food to a new food standards agency which would make the well-being of the consumer its primary concern. It is no accident that such a plethora of information is coming from major producers and distributors of food. They know that they have been rumbled, that they have forfeited our trust and that they will have a hard job to regain it.

A food standards agency would concentrate on quality and have regard to the nutritional and health standards that the Government must set. It could build on much of the excellent work that has been carried out locally on food policy in areas such as Fife, London and elsewhere. The excellent work done by local authorities and health boards compares favourably with achievements in this sphere at central Government level. No wonder Ministers want such bodies to be abolished.

We must strengthen control over food distribution and sale. The whole cook-chill process must be investigated and revised, with more stringent control of temperature and sterility. If, hopefully, we reverse the over-centralisation of food production and the over-concentration on huge retail outlets, we shall have to accept an expansion of environmental health departments. Practices such as the improper display or handling of cooked or raw meats must be stamped out.

The Government must not go ahead with cuts proposed in research and development. It is high time that we took a serious look at the CAP and the appalling effects that has had on quality and the price of food in this country. The featherbedding of production at any cost must stop before farmers will concentrate on rearing high quality animals, cereals and vegetables which will command a decent price without the need for the processing tricks at which the manufacturers are so good. On all those aspects, the Government have woefully failed in their duty to the public.

I should hate people to have the wrong impression about the technique of the irradiation of food. My hon. Friend the Member for Aberdeen, North (Mr. Hughes) is right to say that it kills bacteria. However, it fails to remove the toxins that are generated by the bacteria, so it can leave food looking decent and healthy but also retaining toxins which are dangerous. In no way will irradiation improve the standard of food or make it healthier to eat. It succeeds only in prolonging shelf life. It serves no purpose for the consumer, only for the retailer.

For all those reasons, and despite the protestations of the Secretary of State and the whingeing of Conservative Members, the Opposition have been right to choose this subject for today's debate. It highlights the confusion and contradiction that are still clearly evident on the Government Benches. That is why the Government stand condemned for their incompetence and folly and for mismanaging the whole affair.

6.39 pm

Mrs. Elizabeth Peacock (Batley and Spen): In concentrating my remarks solely on food matters, I speak as a Member of the House and as a consumer; and let us not forget that every member of the public is a consumer and therefore has an important role to play. With that in mind, we must bring some realism and clear thinking into the issue of food safety.

Some issues are being taken out of context and exaggerated out of all proportion. We have one of the finest food industries in the world, with reputable farmers and manufacturers attempting to provide us with the best produce. Their record shows that, despite the present furore, they are succeeding. Britain has recently demonstrated that, together with Denmark, it has the highest quality milk in Europe; they are the first countries to achieve the EEC's new health and hygiene standards. Also, we have our milk delivered daily to our doorsteps, which many of us appreciate.

I challenge any right hon. or hon. Member to deny that we have some of the best-run and cleanest supermarkets in the world, offering the widest choice of foods, and meeting all tastes. Anyone who has shopped outside the United Kingdom will be aware of that. The situation has changed over the past 20 years. We are handling and purchasing food in better condition than ever before, and there is much greater choice. I am not saying there is no need for further change. There is always room for improvements, but they must be introduced in a logical, carefully thought

out way, and not be panic measures. The Government must be receptive to changes and improvements, but I implore them not to be panicked into taking steps that are likely to damage the food industry, manufacturers, retailers, or consumers.

The question of salmonella in eggs and poultry and of listeria in other products must be addressed as a matter of priority and be resolved. However, we cannot tolerate allowing an eccentric professor at the university of Leeds, who has analysed a few eggs and a few cooked dishes, to draw conclusions that such foods are killing hundreds of people every year. It is not sensible to draw such a conclusion, and our deliberations must not be guided by such a pseudo-scientific approach.

I understand that listeria is a common bacterium that is to be found in soil and in vegetation, in the atmosphere, and in human bodies. It has been shown to be present in many of the raw foods we eat, such as vegetables and salads, yet we do not view those foods as posing a problem to our health. Nevertheless, Professor Lacey at Leeds has found listeria in cook-chill foods, causing total panic and misunderstanding among many consumers. My belief is that he does not know either the level of listeria that he has discovered or the level that is needed to make a person ill. However, he still concludes that many, many people have died from listeria. In my view, his views border on science fiction. I am not saying that nothing should be done, but we should be sensible and keep matters in perspective.

As to the quality of farm products, the Government must be given sufficient powers to improve and defend quality where necessary—even if that is to the detriment of producers on some occasions. The Government have long experience of eliminating tuberculosis and brucellosis in cows, and a similar campaign must be mounted to eradicate samonella from the country's poultry flocks, on a region-by-region basis.

The Government must also intensify their efforts to improve the quality of animal foodstuffs. We cannot allow the spread of salmonella through contaminated chicken feed, be it of British or imported origin. We must ban for ever the use of animal or chicken offal as an ingredient in animal foodstuffs. We must never again need to wonder whether the use of sheep offal has spread the widely recognised sheep disease, scrapie, to cows, which, as we have already heard, causes in them the unpronounceable disease known as BSE—sometimes called "mad cow disease"—which currently attacks our herds.

In the best-run factories, exhaustive steps are taken to ensure that all food manufacturing operations are conducted hygienically. There, processing procedures are designed to ensure—as they should be in the home—that unsafe, raw food never comes into direct contact with processed, finished products. That should be a basic rule in anyone's kitchen, and I defy any right hon. or hon. Member to state that it has not been followed by producers, as well as in many homes, for years.

Mrs. Audrey Wise (Preston): The hon. Lady made a number of sweeping assertions about Professor Lacey—calling him, for example, eccentric. Is she aware that he is professor of microbiology at Leeds university, and is also a consultant of microbiology to Leeds western health authority? Is she aware also that his work has conclusively proved a link between stillborn and premature births and listeriosis? Does the hon. Lady still adhere to her view that Professor Lacey is eccentric?

Mrs. Peacock: I knew of the information that the hon. Lady gives, but I reiterate my remark that Professor Lacey has caused confusion and concern among many consumers.

We must ensure that consumers follow strict codes of practice in preparing and cooking food. The critical process of heat treatment or cooking kills the offending bacteria, and many techniques, such as milk pasteurisation, guarantee that products are not released before they are properly heat treated. However, it is still possible for food to become contaminated during the final assembly and packaging operations, and perhaps those are areas in which the Government should lay down firm but sensible modern guidelines, covering factory standards in respect of buildings, cleaning and sanitation—where, if great care is not taken, problems can often arise.

Such guidelines could best be drawn up by specialists from the food industry sectors concerned, who have the relevant information, and who are already well versed in good practices. They could work closely with specialists from the Ministry of Agriculture, Fisheries and Food and from the Department of Health. We do not need to introduce specific legislation for each type of operation, but food factory licensing, linked to adherence to specific industry operational guidelines—monitored by environmental health officers as part of their routine activities—is needed.

I suggest that a separate food regulatory body, as envisaged by some Opposition Members, is not required, because it would soon be at loggerheads with local government. It would lack the local knowledge and contacts necessary properly to perform its duties.

One of the most important points to emerge from this debate is that there must be better control over the temperature at which food is stored. Right hon. and hon. Members may be aware of the leaflets that one well-known store is offering to its customers, and 3½ million copies of which have been produced. It serves to remind the housewife how products that have been manufactured and packed under the strictest conditions of hygiene should be treated in the home. There is also a leaflet about the safety chain. Marks and Spencer says that the key elements it has found to have held good for the past 20 years are clean factories, safe cooking, good refrigeration, and short shelf life. With the help of the leaflet laying down guidelines for the housewife to follow, none of the scare stories that have been emerging should come true.

Much has been achieved in the area of better food temperature control by retailers such as Marks and Spencer, Sainsbury, Tesco and Asda, to ensure that companies supplying food to them do so at the right temperature. They recognise equally the importance of maintaining food at the correct temperature in their own display counters. However, experience shows that more must be done, and perhaps controlling legislation is needed. However, one must approach that task sensibly, with retailers working together with the Department of Health in devising guidelines not only for supermarkets but for the corner shop, which is an important form of food outlet in many areas, including my constituency of Batley and Spen.

We should also ask housewives to check their fridges. How often do we check that our fridges are not frosted up and are operating at the right temperature to ensure correct product storage? Fridge manufacturers should consider incorporating red warning lights in the event of a

[Mrs. Peacock]

rise in temperature and we may need to store food at lower temperatures. However, the Government must not remove whole sectors of food from retail display, putting manufacturing jobs at risk and denying many consumers the choice of prepared dishes they have come to expect. I welcome the Government's announcement that they are to sponsor research into the operation and maintenance of domestic fridges. That will be helpful and it is long overdue.

We must not concentrate solely on the food manufacturing and retail sectors. We must look also at standards in catering. Many food poisoning outbreaks stem not from the home but from pubs, hotels, restaurants, residential premises and hospitals. They have a duty to ensure that the food that they are serving is of the highest possible standard, particularly in hospitals where people are extremely vulnerable and may be affected when others in the community are not.

If there are hygiene problems in some of the so-called best restaurants in London, what are the standards in some of our more humble establishments? Some guidelines may be helpful in that area. We may need a review of some of our manufacturing practices and better control of food storage at retail level. We also need a general food hygiene drive in all food outlets.

We must not forget the consumer. We can do much to promote food safety until the product reaches the consumer who can then undo everything at one stroke. Conditions in the home cannot be controlled. People set their own standards and conditions in the own kitchens. But we can improve knowledge and understanding of food safety matters and that is important. I look to the Government to mount a domestic food hygiene programme, not just through leaflets but by using television, which reaches many people, radio, particularly local radio, and perhaps an advertising campaign. In addition, my right hon. Friend the Secretary of State for Education and Science should take steps to improve education in this area in our schools since many young people use microwaves for preparing their suppers.

The Government should review the food industry to dispel the uncertainty about food safety. It would be helpful if all food manufacturers and packing premises were licensed, perhaps by local authorities, to agreed standards of hygiene and construction. The safety and hygiene of all food manufacturing and packing processes should be capable of inspection by local authority environmental health officers. All premises selling or preparing food for human consumption, such as shops, supermarkets, cafes, restaurants and public houses, must be licensed by local authorities and minimum standards of construction and hygiene, particularly in their kitchens, must be clearly defined.

As a further safeguard, there should be written codes of practice, agreed by the Ministry of Agriculture, Fisheries and Food and the Department of Health, covering all sectors of cook-chill food manufacture and packing industries. The food distribution chain is an important link in food reaching the retail outlets, in retailing and in catering and institutional food preparation. Those guidelines should lay down methods of processing, product temperature control and hygiene. Agreed codes of practice are preferable to legislation and trade associations should be able to implement them with the minimum of delay. They should provide a framework for monitoring by environmental health officers.

We need a sensible, systematic approach to the problem. We must not be panicked into taking steps in the House which many of us, including consumers and housewives, would eventually regret.

6.54 pm

Mr. Eric Martlew (Carlisle): Thank you, Mr. Deputy Speaker, for calling me to speak. You may remember that on 24 January, when we had a similar debate, I was unsuccessful in catching your eye. As a result, I had to sit throughout the debate, which I enjoyed. However, I did not enjoy the speech of the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, who, I am sorry to say, is not in his place. He made a complacent speech which suggested that we had the finest food in the world, that there was no problem about food quality and that it was the wicked Labour party, aided and abetted by irresponsible media, which had made up all the horror stories about food poisoning.

On 14 February, St. Valentine's day, the Prime Minister announced that not only was there a problem with food poisoning but that it was so great that it could not be left to the Minister of Agriculture, Fisheries and Food or the Secretary of State for Health, but she personally had to take charge. I cannot understand why she is not here to take charge today.

The Prime Minister took charge to save the nation. Where does that leave the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food? It leaves him looking rather foolish, and rightly so. If ever there was a speech that did not stand examination in the cold light of day, it was that one. It oozed with complacency and was wrong in tone and content. Even when the hon. Gentleman introduced the great Cumbrian philosopher, Beatrix Potter, referring to the political essay, "The Tale of Peter Rabbit", he got it wrong.

Let me remind hon. Members about that story. Peter invaded the garden of a rather dim-witted, grim individual called Mr. McGregor, eating his vegetables and avoiding the ponderous Mr. McGregor on his way home. The point of the story is to be found on page 56, which says:

"I am sorry to say that Peter was not very well during the evening. His mother put him to bed and made some camomile tea and she gave a dose of it to Peter."

Hon. Members will be aware that camomile tea is a traditional cure for food poisoning. Peter Rabbit got food poisoning from eating something out of Mr. McGregor's garden.

That story was written at the turn of the century, but the serious point is that 80 years later people are still getting food poisoning from eating food from Mr. McGregor's garden. Since 1980, reported cases of food poisoning have increased from fewer than 10,000 to more than 30,000, according to official figures, and there is the possibility of under-reporting by a factor of 10 or even 100.

Conservative Members have not asked what happened under the previous Labour Government because their record was three times better than the present Government's. The situation in Britain today is so bad that it has reached "epidemic proportions". Those are not my words but the words of the chief medical officer of health to the Select Committee on Agriculture, of which I am a member.

The Government have presided over a massive reduction in local authority spending. They have reduced the number of environmental health officers in every district at the very time when they should have been increasing them. The Government have taken credit for the number of restaurants, cafes and take-aways that have opened and the new developments in cook-chill methods and microwaves, but at the very time when such developments demand more and more inspections the Government have reduced expenditure, laying the consumer open to more problems.

Worse still, standards have been reduced. In 1970 the medical profession recommended that any food handler who had salmonella poisoning or food poisoning of any kind should be excluded from work and not allowed to return until he or she had had three negative tests. In 1983 the Government changed those regulations. Now people who are still salmonella positive are going back to work in our food factories, shops and restaurants. Only yesterday I was talking to some environmental health officers—I will not name the constituency—and they told me about a woman who worked in a butcher's shop, serving meat, and was salmonella positive but, because of this Government's regulations, could not be stopped from going back to work. She is back at work serving over the counter. That is a disaster waiting to happen, and it is the same all over the country. If the Minister wishes to investigate, he will find that I am telling the truth. The reason for this is that when people are laid off public money has to be spent on keeping them at home.

The Government have reduced the standards under which we produce food in our factories to those of a Third world country. The standards of a factory which is fulfilling export orders, whether the goods are for export to the United States, Germany, Nigeria or El Salvador, have to be much higher than the standards demanded by the Government here. There are higher standards of packaging and labelling and the buyers insist upon knowing exactly what is in the product, which is not the situation in this country. There are higher standards with regard to food additives. Many of the additives which the Government allow to be put into food are banned abroad. There is a lower bacterial count, and there are more bacterial counts than we demand in this country. Goods for export have a shorter shelf life.

I do not want to give the wrong impression. We have some very good food-producing companies in this country. I worked for 20 years for a company with a very good reputation for quality. The United Biscuits factory also has a very high standard, and there is one company, the largest employer in my constituency, Cavaghan and Greys, which has the highest standard in Europe, if not the world. However, this has nothing to do with Government regulations; it is in spite of Government regulations. It is all to do with the fact that it manufactures for Marks and Spencer. Firms such as Marks and Spencer and Sainsbury demand very high standards—or so they seem, but they are only high standards in comparison with those the Government lay down.

Those firms want to make maximum profits, but they lay down standards that will safeguard the health of their customers. I suggest that it would be better if Marks and Spencer, instead of making thousands of pounds available every year to the Conservative party, gave its members a copy of the food hygiene regulations. We should be aiming for the manufacturing standards that Marks and Spencer insists upon.

Mrs. Peacock: The hon. Gentleman, in the early part of his speech, made a scurrilous attack on many of the companies in this country producing food for many stores. He then redeemed it a little by saying that there were companies that supplied Marks and Spencer whose standards were very high, but they were high only because —and so on. Will he admit that there are many food-producing companies in this country that have the highest standards, not because they are exporting but because that is what the consumer and the housewife demand and are willing to pay for?

Mr. Martlew: The hon. Lady misunderstood me. I was not attacking the companies. I was making a vicious attack on the standards laid down by the Government. I will give the hon. Lady an example.

In 1986, after the Chernobyl incident, the milk in this country was contaminated by radiation to varying degrees. Milk was transported from one part of the country to another. It was taken out of factories that were making milk products for export because it would not meet their standards and sent to another part of the country to be put into bottles or made into cheese or butter. That is how high the "marvellous" standards in this country are and that is what I am complaining about—not the standards of the food companies but the standards of the Government.

I will give two more examples of the Government having let us down. I refer again to the Chernobyl incident, and the question of irradiated lamb. The Government failed to safeguard the health of the people. Lamb went into the food chain in this country that had a degree of radiation above the safety level. The Select Committee said that.

Green top milk is another example. I have heard one or two hon. Members try to defend it. We know that since 1983, when the Government refused to ban it in England and Wales, there have been 1,700 recorded cases of food poisoning caused by green top milk. That means that 2 per cent. of the milk on the market has been responsible for 50 per cent. of food poisoning caused by milk. In the Calder Valley, in Yorkshire, in 1984, eight people died through drinking untreated milk. The Government have refused to do anything about it.

I asked the Minister on 19 January whether there were any plans to ban green top milk. The answer was no. The hon. Member for Newark (Mr. Alexander) asked the Minister on 3 February the same question and the answer was that the Government were entering into immediate consultations on banning it. That shows not only the incompetence but the confusion of the Government.

Those are all examples of the Government failing to protect the consumer.

I do not understand why the Prime Minister is not here today, but I have grave doubts whether any plan put forward to safeguard food in this country will safeguard the consumer. Let me revert to the incident before Christmas when the hon. Member for Derbyshire, South (Mrs. Currie) made her famous statement. A Minister who was, I believe, very frustrated made a statement that was exaggerated. There was a great clamour from the farming lobby, the food-producing lobby, the egg producers and the Retail Consortium for the hon. Lady to be sacked.

[Mr. Martlew]

There was also a clamour from the Labour party but the right hon. Lady never takes any notice of members of the Labour party so I will not include them.

Did the Prime Minister defend that Minister and refuse to ask for her resignation? No, she did not. Within 11 days she was asking for the hon. Lady's resignation. The right hon. Lady is putty in the hands of those powerful lobbyists, and I do not trust her with the food health of the country.

Mr. Deputy Speaker (Sir Paul Dean): I remind the House that the 10-minute limit on speeches is now in operation.

7.9 pm

Mr. Michael Shersby (Uxbridge): As in previous debates on the subject, I declare an interest. I worked in the food industry for about 20 years and I am an adviser to a section of the food industry today.

I have listened to the debate with great care. In some ways, I am rather sad because it seemed that it was being used as yet another opportunity for the Opposition to make political mileage out of a situation that is worrying many consumers. I intervened during the speech by the right hon. Member for Islwyn (Mr. Kinnock) and made the point sincerely to him that, without wishing to pull his leg, it was the first time in my 16 years in the House that I had heard the Labour party use an Opposition Supply day for a debate on food, except for the debate in January, to which the Opposition drew attention. That is a long time.

I am glad that the Opposition have instigated the debate today because, unlike the Labour party, my party —I hope that the Leader of the Opposition will be kind enough to listen—has a special committee dealing with food and drink industry matters. I know that the Labour party had a food and agriculture committee and when Tom Torney was a Member of Parliament, he was a regular spokesman on those matters and took a great interest. I should like to see the Labour party take more interest in the food and drink industry than it has. I make that suggestion constructively and not in criticism of the way in which the Labour party organises its committees.

Despite the problems to which the Leader of the Opposition referred, we in Britain have a wide choice of healthy food. Our food is among the safest and best in the world. Let us be very careful before we allow criticism of the Ministry of Agriculture, Fisheries and Food, of farmers, of the food industry and of our retailers to reach such a level that it suggests that there is a widespread or large-scale risk to human health in Britain today. That is not so. There are some problems, and some are serious, but they must be put in perspective and discussed in a well-informed and moderate manner if we are to deal with them properly. I say to hon. Members, including the Leader of the Opposition, that they should remember that ill-informed criticism of our food could affect our food exports. They were worth £5,575 million to Britain in 1987 and the main markets for them were western Europe, north America and the middle east. Many people in those areas will read what hon. Members have said today.

Today, there is a more varied supply of food than ever before in the history of this country. Consumers must not be misled into believing that there is a major threat to their health or that of their children as a result of what the Opposition said or of the media coverage of the problems of salmonella and listeria, serious though they are. Both of them have been known by the Ministry of Agriculture, Fisheries and Food and the Department of Health for some considerable time and timely action has been taken. Where further action is appropriate, it has been taken quickly.

Let us first consider the question of salmonella enteritidis. It has been a problem in chickens, as has been widely recognised by the British Poultry Federation and by the Ministry of Agriculture, Fisheries and Food. The phage 4 type is a new and growing problem here and in many other countries. It has not become a problem as a result of inactivity by MAFF or the Department of Health and it has been tackled with vigour at each point along the egg production chain. Some time ago, the British Poultry Federation told me and my fellow members of the food and drink industry committee that it had taken steps to isolate chicken flocks where outbreaks had been detected, and that was well before the comments on salmonella made by my hon. Friend the Member for Derbyshire, South (Mrs. Currie). It moved quickly to ensure that poultry feed that might be contaminated was excluded from feed for chicken flocks.

MAFF has now complemented the timely self-policing action by the respected and responsible poultry industry by bringing forward new regulations to avoid contaminated food entering the chain. We have new codes of practice to minimise the risk of infection. A new code has been introduced to require bacteriological monitoring, rodent control, the cleaning of poultry houses and the hygienic handling of eggs. But salmonella enteritidis will not be eliminated by MAFF, by the Department of Health or by the Leader of the Opposition. It is in the environment, but with 17 measures to deal with the problem our approach is among the most comprehensive in the world.

I ask my right hon. Friend the Minister of Agriculture, Fisheries and Food when he replies, to deal with the interesting point raised by the hon. Member for Aberdeen, North (Mr. Hughes) about irradiation. Many hon. Members would like to know what Government policy towards that is likely to be. It is an interesting and important matter on which I hope the Government will make a statement.

Mr. Frank Cook: Will the hon. Gentleman give way?

Mr. Shersby: I hope that the hon. Gentleman will forgive me, but I shall not because I have only 10 minutes and Mr. Deputy Speaker has asked us to be brief.

Mr. Cook: I took only nine minutes.

Mr. Shersby: I would like, in the short time available——

Mr. Cook: This is an important point.

Mr. Shersby: I remind the House that the food and manufacturing industry in this country has been well ahead of the Government in taking action to inform the consumer about the importance of food hygiene in the kitchen. I have here a publication entitled "Common Sense about Food Care in the Kitchen", which was published in July 1988. It starts by warning the consumer about food poisoning and its causes and it advises consumers how

food poisoning can be avoided by common-sense measures in the kitchen. It was preceded in September 1986 by another publication called "Common Sense about Food". Those publications have been complemented by a widespread campaign addressed to schools called Foodline, which started in December 1988. It deals with food care and hygiene in the home. I hope that my right hon. Friend will be able to launch a campaign from his own Ministry which will be as good and comprehensive as the one that has been run by our own food manufacturing industry and which has been in place for some time. In the nature of things, the amount that the food industry can do is limited. The Government have greater resources at their disposal. I hope that they use them wisely to complement what I regard as an excellent initiative.

We have heard much about listeria in this debate. Listeria was first identified in humans in 1928 and it has been widely distributed in the environment for a long time. For the average healthy person, the risk of becoming ill with listeriosis from eating food is very small. We have been told of the risk with certain soft cheeses, especially for pregnant women, and that has been a matter on which my right hon. Friend has rightly been quick to advise those at risk.

One would think that cook-chill food was only invented yesterday from the amount of interest shown and by the number of hon. Members who see it as a major source of listeria. We know that cook-chill foods are safe, convenient and of high quality if they are manufactured, stored and reheated properly. I am glad that MAFF is to introduce new regulations covering the manufacture, storage and reheating of such foods. I have urged my right hon. Friend to do that for some weeks in a series of parliamentary questions and I am glad that he has taken good advice from his expert advisory committees and has not been stampeded into premature action. I look forward to the regulations being approved soon by the House. I hope that my right hon. Friend will give some idea of when the regulations will be published because I am sure that the House is anxious to pass them into law.

There is an urgent need for the consumer to be aware of the need to store cook-chill food properly immediately following purchase. It seems that some consumers buy cook-chill food at lunchtime and keep it in the office for four, five or six hours at room temperature before taking it home and putting it in a domestic refrigerator. Perhaps some consumers do not realise the difficulty that that can cause, or the problems that may arise from leaving cook-chill food in the car on a hot, sunny day. For absolute safety, cook-chill food needs to be stored at −5 deg Centigrade. It may cost a little more to run a refrigerator at that temperature, but at least one has a guarantee that the food is safely stored. I understand that MAFF will run a campaign about food hygiene and food storage and I hope that it will deal with that aspect. I wonder whether my right hon. Friend will talk to his right hon. Friend the Secretary of State for Trade and Industry and suggest that the manufacturers of domestic refrigerators fit a temperature gauge to their equipment as standard practice. Surely that is not too much to ask and it would aid many people to know that their food was stored at the right temperature.

The Government are taking timely action to deal with the problems that we have been debating today. I am glad that we have had another debate on this topic, I hope that the Labour party will keep up its interest in food matters and that we shall have the pleasure of hearing its views on other occasions.

I am grateful, Mr. Deputy Speaker, for the opportunity to speak in this debate. I congratulate my right hon. and learned Friend the Secretary of State for Health on his speech. I am sure that my right hon. Friend the Minister of Agriculture, Fisheries and Food will complement it when he replies.

7.19 pm

Ms. Mildred Gordon (Bow and Poplar): Modern food production methods could lead to plentiful cheap food and a higher standard of living if they were properly regulated and controlled. However, with this Government's philosophy, which puts profits before public health, the Ministry of Agriculture, Fisheries and Food is inevitably forced into acting first and foremost in the interests of the farmers' lobby.

Even this Government can no longer keep the lid on the fact that things are going dangerously wrong. It is true that in the past most people closed their minds to the hideous concentration camps for animals that modern farms have become, but most people had no idea that chickens were being cannibalised and that a great deal of animal feed was made up of excrement. For many years, while feeling somewhat uneasy about what was happening, most people kept silent because they felt that there was no halting the changes that were being made in the name of progress.

However, the press has now opened up the matter. Indeed, the Government could hardly keep the problem of the increasing incidence of food poisoning out of the papers after the outbreak of food poisoning in this building. People are beginning to realise the dangers to themselves and their families. People who have been campaigning for years in favour of healthy food and who were looked upon as cranks now begin to assume the role of prophets.

Most of the purchasing and preparation of food in this country—as in every other country—is done by women. The work of women who have to manage on a limited budget is made much harder because of the lack of information, conflicting information, and the insufficient details on labels. The Government are allowing information about manufactured food ingredients to be kept a trade secret when it should be available to housewives. That is shocking and must be stopped.

As has been said by hon. Members of all parties, women need more information about frozen food. One of my worries is that owners of corner shops, operating on tiny margins, with high rents to pay and who work all hours in the struggle to compete, may be tempted to lower the temperatures in frozen food lockers when they are hit by the coming huge increases in the cost of electricity.

It is the most vulnerable groups in society that are forced to shop at corner shops, such as those who have no transport, or who find it difficult to get about. These vulnerable groups have already been mentioned and include old people, mothers with babies and disabled people. We need an army of inspectors to check frozen food lockers in shops and supermarkets. We need guidelines on temperatures and on the lengths of time for storing frozen products.

The same vulnerable groups are now being forced to eat cook-chill meals in hospitals, day centres for the elderly

[Ms. Mildred Gordon]

and disabled and, increasingly, in schools. That dangerous trend is definitely the result of the Government's policy of cuts and enforced privatisation within local authorities. It is equally disgraceful that baby food containing aluminium has still not been banned by the Government, in spite of the call by doctors and scientists that it should be banned.

The result of the Government's policies, which put the interests of powerful profit-making lobbies before the interests of the community, is always more work for women. Cases of salmonella and other types of food poisoning have increased enormously since 1986 and the work of looking after the sick members of their families and managing on less money if the wage earner is ill all falls on women's shoulders. They bear the brunt of the policies of this uncaring Government.

Intolerable problems are created when older people succumb to senile dementia brought on by aluminium in the water supply. Some chemicals that are suspected of causing cancer are being used by farmers and residues meant for plants above the surface are seeping down and ending up in drains and watercourses. About 4 million Britons drink water that breaches EEC nitrate levels. The Ministry of Agriculture, Fisheries and Food is not invoking the powers that it was granted under the Control of Pollution Act 1974. We in this country can no longer boast about having safe water. People are deeply worried about the future standard and cost of water when the industry is privatised.

A further cause of concern, which has already been mentioned, is the future maintenance of sewers and the increasing problems of rodents, which pose a further health hazard. I have raised that subject many times since becoming a Member of the House.

Chemicals and pesticides used by farmers are now said to penetrate the skins of apples and potatoes, so the earlier recommendation to wash all fruit before eating it will not help. The increasing numbers of allergy eczema cases probably stem from the increased use of herbicides, fungicides and insecticides.

Air and ground pollution from nuclear power is also a problem. The books have not been closed on the effects of Chernobyl, but the Government are proposing to build yet more nuclear power stations, although they do not yet know how to dismantle the ones that were built 30 years ago.

There is a marked class gradient affecting one's chances of survival and remaining healthy in old age. The ability to buy good food is a major factor. Several reports have shown that working-class people and the poorer ethnic minority groups have the poorest health. That point is especially relevant to my constituency. In the case of ethnic minority groups, poorer health does not stem from their type of diet, which is often healthier than the usual diet in the West, but is directly related to poverty.

We need cheap food, but we also need good food. We need a Government policy that considers the interests of the consumers and makes them paramount. We need a Government who are not the puppets of vested interests. We need a new Consumer Protection Act, which not only requires companies to trade safely, as the Consumer Protection Act 1987 requires them to do, but one that is extended to include agricultural produce. We need a Government policy that is less concerned with cover-ups and allaying public fears, and more concerned with cleaning up the increasingly dangerous mess into which we are drifting.

The public do not want to be assured that healthy people can take a fair gamble in eating food that is infected with listeria and salmonella. The public want proper control to make food safe for everyone.

7.27 pm

Mr. Barry Field (Isle of Wight): It is a remarkable fact that, in a debate that has been well trailed and given much publicity, there are precisely nine hon. Members on the Opposition Benches and 12 on the Government Benches. There could not be a better demonstration of how much the Opposition parties truly care about the health of the nation in relation to food.

Mr. Frank Cook *rose*——

Mr. Field: Before the hon. Member for Stockton, North (Mr. Cook) intervenes in my ten minutes because he wants to mention my earlier intervention about eggs——

Mr. Cook *rose*——

Mr. Field: If the hon. Gentleman insists I shall, of course, give way to him.

Mr. Cook: The hon. Gentleman is as accurate in his counting of eggs as he is in his counting of hon. Members in the Chamber. He cannot fail to get things wrong this evening. I sympathise with you, Mr. Deputy Speaker, in having to deal with him.

Mr. Field: That was probably the least worthwhile intervention that we shall hear this evening. However, it confirms the accuracy of the statement that I made to the Leader of the Opposition when I pointed out that his hon. Friend the Member for Stockton, North regularly takes an egg in the Members' Tea Room in the morning—*[Interruption.]* Well, I have seen him order as many as five, but that was probably when he was taking them up to those of his hon. Friends queuing to introduce ten-minute Bills. Nevertheless, that confirms that the hon. Gentleman consumes eggs so, although the Leader of the Opposition was endeavouring to tell us how dangerous those nourishing little things are, it is clear that members of his team are continuing to consume them.

I thought that the first rule of politicians was that there were no votes in sewerage. Obviously, part of the new Labour party review is that there are votes in Montezuma's revenge. The Opposition's contribution to this evening's debate on the motion standing in the name of the Leader of the Opposition should be completely refuted. For me, the only effect of the whole debate has been that I have eaten more eggs—boiled, scrambled and fried—in public in the last few months than ever before.

It is hypocritical of Opposition Members, with their mouths full, to criticise farmers, particularly during food and farming year. My right hon. Friend the Member for Kincardine and Deeside (Mr. Buchanan-Smith) made a good point about the agricultural contribution to the balance of payments. It is hypocritical to criticise farmers when the demand from housewives is for cheap, good-value food.

A retired medical officer of health told me that he hated a warm Christmas because the turkeys hung around in the

butchers and salmonella bred inside them. He guaranteed that after a warm Christmas there would be an increase in tummy upsets. However, I shall not dwell on that.

In his speech in Southampton this week, the Leader of the Opposition spoke of care of the environment. I should like to speak about pollution, particularly on our beaches. I noted that the hon. Member for Southport (Mr. Fearn) used the usual Social and Liberal Democrat trick of donning the mantle of protecting the environment.

We have heard so much recently about the water industry that I felt that in a debate on food and water I should draw the attention of the House to the remarkable progress that has been made in my constituency in the disposal of sewage and the cleaning up of the environment.

In 1984, a triple ditch oxidation plant costing £2 million was installed at the Fairlee sewerage works on the Medina river. There is one similar installation in Kent and another in Denmark. In recent memory, before the plant's installation, the river Medina was so polluted—I believe, though I have not been able to check, that this was under a Labour Government—that the medical officer of health banned the consumption of mussels taken from the river because of the number of bacteria they contained due to the raw sewage in it. As a result of the installation of that plant there has been a remarkable improvement in the quality of the river water.

In Cowes, an outfall system costing £8 million was installed which used, for the first time in the United Kingdom, the horizontal direction-drilling technique for the cross-Medina river and seaward outfall. At Sandown, the clariflow system was pioneered by Blue Circle Industries and Portsmouth polytechnic. It was installed in 1985, at a cost of £1·5 million, and under a Conservative Government, long before the hype about the care of the environment and the nation's health. It is so revolutionary that it is the only sewerage treatment plant of its type in the world. It relies on the injection of clariflow—a chemical that reduces the bacteria to make the water ideal as an EEC standard bathing beach. In the past two years, a new sewer outfall costing £8 million has been installed at Ryde.

This debate is about not simply the safe disposal of sewerage, but the quality of drinking water. At Sandown water works, Southern Water has installed a new Neptune Nichols system and at the Knighton water works the iron removal plant has just been completed, and the island's entire water supply is now up to EEC standard. In the past two years, the expenditure per head of population has been more than £80. When that is set against the average water bill of £120 per head for the Isle of Wight, even Opposition Members will begin to realise that this country's water industry is investing in the nation's future and environment.

For far too long water authorities have been the judge and jury on pollution, but water privatisation will bring an end to that remarkable situation. Under the new Bill, for the first time the criminal law will apply to pollution and the standard of the drinking water supply.

Frankly, Opposition Members' contributions to this health debate amount to chicken feed.

7.37 pm

Mr. Calum Macdonald (Western Isles): I am grateful for being called and I shall try to keep my remarks within the recommended time limit, Madam Deputy Speaker.

The hon. Member for Isle of Wight (Mr. Field) began his speech by suggesting that the absence of Opposition Members showed their lack of interest in the nation's health and food. The most conspicuous absentee from today's debate has been the Prime Minister, and I suggest that he addresses his remarks to her.

I shall try to relate my brief remarks to a comment made by the Secretary of State for Health at the beginning of the debate in response to a question put by my right hon. Friend the Member for Stoke-on-Trent, South (Mr. Ashley), who asked why it had taken the Secretary of State two months to answer a question that he had tabled. The Secretary of State replied that he was sorry but that the question had probably remained in some official's bottom drawer for those two months.

That answer sums up the Government's attitude to this problem. First, the Government have given low priority to food and health. The Secretary of State falsely accused the Opposition of not addressing those issues. As has been pointed out by several Opposition Members, we have raised the dangers caused to health and the environment by the Government's successive cuts in research. The number of environmental health officers has been cut as a consequence of their policy.

The Government have also wholly failed adequately to regulate private businesses because they prefer profits to people. The Opposition are right to say that the Government have accorded the problem a low priority.

The other notable aspect of the Secretary of State's remarks was his reference to an official. Passing the buck has been another characteristic of the Government's handling of this issue. The prime victim of that trait was the hon. Member for Derbyshire, South (Mrs. Currie), to whom the Secretary of State passed the buck towards the end of last year.

To return to the question of low priority, the Secretary of State's comments and the Government's attitude make it clear that not just written answers, but consumers have been left in the bottom drawer over the past several months. Meanwhile, the producers have been in the Secretary of State's top drawer. That is exemplified by the now notorious defensive briefing that was conducted by Government officials and representatives of the egg industry as early as last June, with the Government feeling it should be their duty to get into huddles with egg producers to produce defensive briefings rather than telling the public at that stage what they knew about the problem. That says a lot about the Government's attitude.

When the Government did move, it was to alert officials of the National Health Service. They gave the excuse that they did that because people might be at risk in hospitals, ignoring the fact that most sick people would not be in hospital but would be at home being looked after by relatives and would be equally at risk. It is fair to say that the Government have consistently afforded low priority to the issue and put it in the bottom drawer.

What I really wish to deal with is the trait of passing the buck as exemplified by the Secretary of State's response to my right hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes).

The right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith) spoke about the confusion over the issue. The responsibility must lie with the Government. The right hon. Gentleman also spoke of irresponsible scaremongering. The right hon. Gentleman was asked whether he would associate the hon. Member for

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Derbyshire, South with that irresponsible scaremongering, and he coyly declined to answer the question directly. But it must have been clearly in his mind. I would have said to him—unfortunately he is not in the House at the moment—that if there was scaremongering and confusion, the responsibility lay not with the hon. Member for Derbyshire, South alone but, in the last analysis, with the Government and especially with the Secretary of State for whom the hon. Lady was working at that time.

In response to an intervention by my hon. Friend the Member for Carrick, Cumnock and Doon Valley, the Secretary of State repeated the astonishing admission, which he also made to the Select Committee on Agriculture when he came before us, that he had advised the hon. Lady to keep quiet following her controversial statement on 3 December about most egg production in this country being affected by salmonella. When the Secretary of State came before the Select Committee he said that his advice to her to keep quiet had been given because he felt that Sir Donald Acheson was the most appropriate person to go about the country and to clarify the question of salmonella infection. Again, I suggest that he was passing the buck to an official rather than taking responsibility upon himself.

The solution offered to the problem of the controversy generated by the remarks of the former junior Health Minister was wholly inadequate and stretches credulity.

Mr. Kenneth Clarke: The hon. Gentleman totally ignores the fact that I spent the afternoon answering questions on the subject in the House of Commons on the Monday in question. I received enormous coverage of my remarks because of the interest in the subject. Similarly, the chief medical officer is the best placed person inside Government circles to give medical advice to the public. I simply do not understand what the hon. Gentleman is saying today, which was the gist of his questioning in the Select Committee—that because we gave advice in that way for 24 hours, we somehow failed to correct the impression created the day before. People like the hon. Gentleman, and some of his hon. and right hon. Friends on the day, were more intent on pursuing the personality issues that they thought were raised by the position of my hon. Friend the Member for Derbyshire, South. That would have got in the way of information getting to the public, if they had been allowed their day out on the Monday trying to pursue my hon. Friend.

Mr. Macdonald: It is astonishing for the Secretary of State to say that the junior health Minister would have got in the way of providing correct information to the public, and it shows a grave lack of confidence in the abilities of his former junior Minister.

Mr. Clarke: I did not say that she would have got in the way, but that the hon. Gentleman and people like him who saw the whole thing in terms of the personality of my hon. Friend the Member for Derbyshire, South would have got in the way of information being given to the public.

Mr. Macdonald: The Secretary of State is simply missing the bald and obvious fact that the hon. Member for Derbyshire, South, who was then a Minister, was conspicuous to the whole nation by her silence. The very fact that she remained silent attracted the attention that the Secretary of State now complains of.

If I could use a literary reference, I shall repeat a story about Sherlock Holmes and the dog that did not bark in the night. Holmes was investigating a crime and referred Dr. Watson to the curious incident of the dog in the night. Watson said that the dog did nothing in the night and Holmes replied that that was the curious incident. That is what people are saying about the former junior Minister. It is even more curious because, on this occasion, the dog did bark in the night but then was put quietly to sleep.

The Secretary of State came up with a new excuse in response to an intervention by my hon. Friend the Member for Carrick, Cumnock and Doon Valley, which relates to his previous feeble excuse, namely, that if he had asked the hon. Lady to clarify and expand on and qualify her statement, she would have been subjected to the unfriendly questioning of the media and from the Opposition. It is astonishing for the Secretary of State to suggest that the hon. Lady needed the Secretary of State's protection from Opposition Members.

The central mystery remains unsolved. If the hon. Member for Derbyshire, South said nothing wrong in her remarks on 3 December, why did she have to resign? If, on the other hand, she said something wrong, why was she gagged and advised not to clarify or to expand upon her statement? If what she said was neither right nor wrong but simply ambiguous, which is the Secretary of State's interpretation, the same question must be addressed to the Secretary of State. Why was she advised to keep silent and advised not to expand her remarks?

I remind the Secretary of State that he can pass the buck only so far. Those who pass the buck to ensure their own survival will eventually die by having the buck passed to them. The Prime Minister has today sent in the two Ministers——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. Mr. Jacques Arnold.

7.47 pm

Mr. Jacques Arnold (Gravesham): I wish to speak about the listeria hysteria. I must admit that in the course of the debate I felt somewhat sick; not sick to the stomach, because I had cheese for lunch and I thrived on it, but sick at heart at what we are seeing in the House of Commons and generally in the grand commotion to put fear into the British people about the food they eat. There can be nothing more base than taking that approach. I am also made sick at heart to see Opposition Members leaping on the bandwagon in the hope of demolishing a few Conservative Members, especially my hon. Friend the Member for Derbyshire, South (Mrs. Currie).

The worst possible example of this hysteria during the afternoon was the shroud-waving of the tragic case of the death of a baby, which was far too reminiscent of the way in which the great debate over the NHS was conducted. That shroud-waving was to the shame of the right hon. Member for Islwyn (Mr. Kinnock).

Mr. Marland: I thank my hon. Friend for giving way. Does he agree with me that we should have a little more background information as to what actually infected the mother who was carrying that child, because I have much sympathy with my hon. Friend's remarks?

Mr. Arnold: Indeed, I thoroughly agree with my hon. Friend. So frequently, in the health debates in this Chamber, and now in this debate, have family tragedies been bandied about without the facts upon which hon. Members could come to a view being substantiated.

I am angry at the current situation because there is in my constituency a modern cheese packer. H. T. Webb and Company. That firm was set up three years ago in the Springhead enterprise zone, and today it gives work to 300 of my Northfleet constituents. Thanks to the hysteria in which Opposition Members indulge, there has been a drop in sales, and 200 of those workers, in the packing and production part of the plant, are now on short time, with the fear of redundancy.

Let us look at the facts of the matter. Last year there were only 287 notified cases of listeria. It is not known how many of those were caused by eating contaminated food. Clearly, the right hon. Member for Islwyn knows even less about listeria, as he demonstrated today when he strayed from his carefully prepared text to try to answer a question from my hon. Friend the Member for Bolton, North-East (Mr. Thurnham), which he seemed incapable of doing. Listeria is nothing new; it has been present on the farms of this country for generations, particularly in silage and in cows and grazing sheep. But it is containable if sensible hygiene is practised. The success over the years can be seen in the survival of our farming community. Listeria has had no significant impact on the health or mortality rate of farmers.

It is cheese packers and producers and their workers who are being affected by the current hysteria. How has my local firm reacted to the very real problems? When the problem of listeria in cheese raised its head in early 1987 the firm took acton. The problem, it may be recalled, raised its head in a serious manner in the Swiss canton of Vaud, where the local cheese, Vacherin Mont D'Or, was found to be infected. The firm in my constituency required all suppliers to certify their cheese to be listeria-free, and it did this by insisting on certification by laboratories in the country of origin—usually in the universities—and in all cases authorised by the respective countries' Governments. It then carried out continuous testing in its own laboratories. Hon. Members may care to know how much listeria it has found. The answer is none. The tests for dangerous listeria have always proved to be negative.

One thing that I would, however, ask of my right hon. and learned Friend is that the advice given to the public be more clear. The public have been advised to avoid some cheese. What they should have been told is that only ripened soft cheese, such as Brie or Camembert, is liable to listeria, and 90 per cent. of that is made from pasteurised cream and milk. Tests have been carried out regularly, both here and abroad. We might care to reflect, when we consider both Brie and Camembert and their propensity to dangerous listeria, that generations of Frenchmen have eaten these cheeses, yet the population of France has not been decimated.

Other fresh soft cheeses, all of which have acidity below 4·8 pH cannot, technically, carry listeria. We are safe in buying cheese such as roulé, Philadelphia or potted cheeses and yoghurts with foil tops that are available in supermarkets.

The hon. Member for Monklands, West (Mr. Clarke), who, no doubt, is also at dinner, reported to this House the loss of over 200 jobs in his constituency owing to the collapse of an egg producer. He was told that less than an hour after his leader had made great play on public fears. The producer no doubt thought his cause, in restoring public confidence, was lost, and threw in the towel and, with it, those jobs.

My right hon. and learned Friend the Secretary of State was right: the Opposition are concerned with woolly hats and Edwina-baiting and with scoring party political points. What is at stake is thousands of jobs in the food industry and the restoration of faith in public advice on food safety. To my mind, the Secretary of State's long speech earlier today clarified that advice. I hope that it will be reported clearly to the public and that it will be heeded.

7.56 pm

Mr. Nigel Griffiths (Edinburgh, South): The House will, I hope, forgive me for confessing that I have no financial or constituency interest in the food industry. I make no plea on behalf of the agricultural business or the procesing business or the storage and distribution arms of the industry. For me, and for many hon. Members, the interests of the public are paramount.

I fundamentally reject any suggestion from Conservative Members that legitimate concerns voiced by Labour Members about the standards that prevail in the food business are harmful to the interests of this country. Unlike advisers to the Government, I do not believe that the

"concept of consumer protection . . . has to be balanced against business considerations."

In truth, it is the failure of this Government to impose standards that has had the effect of undermining both export potential and the domestic purchasing of products. I am very concerned that hon. Members on the Government side seem wedded to the concept of voluntary regulation when, so obviously, voluntary regulation has brought us to our current sorry state.

I wish to draw the attention of the House to the threat posed to research on listeria being carried out in my constituency. Staff at the Moredun research institute have been studying the effects of listeria on sheep, and their studies may well have beneficial implications for humans. The research being carried out by Dr. William Donnaghie has benefited from a grant of £10,000 a year from the Department of Agriculture, Fisheries and Food for Scotland. But the Barnes review has cast doubt on the future funding of this project beyond 1991. This Government review is recommending that listeria research must be funded by industry instead of by the Government, but all the attempts by the Moredun research institute to secure funds from industry have failed. Industry does not appear to be interested in funding such work, I am told; there is simply no profit in it.

Yet earlier this month the Department of Agriculture warned, in a press statement, about the dangers to pregnant women of contact with sheep or lambs. The infection which causes enzootic abortion in sheep can also affect humans. Unfortunately, the Department is not so willing to make long-term financial commitment to research and development in this area. In the White Paper on the Government's expenditure plans to 1992, which was debated in this House on 9 February, the Government make their commitment clear. Chapter 4 shows that the expenditure on agriculture, fisheries and food research and development is falling. My hon. Friend the Member for the Western Isles (Mr. Macdonald) was perfectly correct when he lamented the cuts in food research. Table 4.24, on

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page 18 of the Government's expenditure plans, sets out the cut at £20 million in real terms by 1991-92. The cut in MAFF expenditure on agricultural and food research and development has occurred in each year from 1984 to 1988 and will have fallen from £125·1 million in 1984 to £88·8 million in 1992.

It is hardly surprising that the Government seek to cover their tracks by looking for scapegoats. Earlier Professor Lacey, who has an interest in the food industry, was called a crank. The Government have been accused in responsible newspapers such as *The Independent* of covering up. There has been the headline:

"Secret document charts spread of salmonella".

Other newspapers have pointed to the cover-up in the baby milk scandal involving aluminium. The headline in *The Observer* was:

"Danger baby milks kept secret."

These newspapers are not the rags that have been condemned on both sides of the House; they are not given to hyperbole and their sales are not dependent on sensationalism and exaggeration. I have quoted from *The Observer* and *The Independent*, respected papers for which the Minister, the Secretary of State and their colleagues write.

The Government's search for scapegoats has to end. Their attacks on the press have to stop. Their attacks on the public and their pious view that the public should take almost full responsibility for any food poisoning must also end. The Government have to face up to their responsibility. The problem emanates from their cuts in research and development and from their championing of the interests of business rather than the consumer and of profit against the public good.

8.1 pm

Mr. Michael Morris (Northampton, South): I declare an interest as an adviser to a trade body and to a company in the food industry. If the charge of the Opposition is to stand, they have to prove that the Government, by their actions, have ignored the problems in the food chain. The Labour party itself has consistently challenged the Government with alternative policies which it believes would solve the problems.

The key determinant of whether food poisoning is being controlled and analysed properly lies with the public health laboratory at Colindale. I hope that hon. Members who take an interest in the subject have visited Colindale. I took the opportunity last year to spend a morning there. I do not think that anyone who has visited that establishment can be in the least worried that the medical side is being ignored. That extensive laboratory, which is well staffed and equipped, is doing an enormous amount of analytical work on salmonella and on other problems in the food chain.

For anyone to suggest that the range of work is superficial or inadequate shows a complete misunderstanding of the work of the laboratory. The work is being done competently and with great thoroughness. The nation should recognise that. It is to the work of the laboratory that Ministers in the Department of Health and in the Ministry of Agriculture, Fisheries and Food react. At the time that I visited the laboratory—I have had no reason to believe anything to the contrary since—the right warnings were given at the right time.

If that is so, one asks why there has been an increase in problems, particularly when the standard of living is rising noticeably. The problems in the poultry industry have not arisen in the last 12 months. There has been salmonella in chickens probably for 10 years or more. The Secretary of State for Health correctly pointed out that the most recent strain is difficult and that the evidence is that it was introduced through infected feed material.

The underlying problem has been there for quite a long time. Whereas in the 1950s and 1960s the House, Members of Parliament, the press and the public accepted what scientists put forward as a result of their analyses of food and nutritional values, that is no longer so. Every time scientists present reports, they are challenged by the media or by what I call the greater green movement. There is a great distrust of what scientists say. That is a worrying dimension. A small group of activitists challenge everything that scientists, particularly food scientists, put forward.

I understand that E numbers are supposed to be a safeguard. No doubt other hon. Members share my experience of people saying in surgery, "Does it mean that we should worry if a product has an E number on it?" So E numbers have had the reverse effect. Through the media the public are calling for the removal of preservatives and additives, and for restrictions on herbicides and pesticides. There is a flotilla of claims that these are all harmful in food manufacture and production. We have even reached the extraordinary stage that because a tiny percentage of hyperactive children react to a particular additive, some people demand its removal from food products. I think that a distrust of scientists is causing some of the problems today.

On my way to the House at lunch time I listened to the "World at One". It was announced on the programme that six supermarket chains had set up a hotline called "Foodline" as a food safety advisory service. What a good thing they have done. By taking the initiative, the food chains have shown a proper regard for a difficult situation. What was the comment by the BBC reporter? He asked, "Can we trust what is being put out by these interested parties who are food retailers?" He also asked, "Can we trust Government statistics?" When people in an industry which is fundamental to the economy take action to help, it seems extraordinary that commentators should immediately debunk it and assume that the whole thing is being done in self-interest.

A key determinant has to be what the Labour party offer as an alternative. Opposition Members will remember several documents produced by their party. One was called

"Food Policy—a Priority for Labour"

It was a microcosm of the National Advisory Committee on Nutrition Education and the chairman of NACNE appeared to have written three quarters of it. I assume that that was dumped because we got another document called "Health for All", which was a charter on preventive health. It included about half a page on healthy eating, which was indicative of the deep research done by the Labour party. Very little of it had anything to do with what we are debating today, apart from something about withdrawing additives if there were doubt about safety, and a little about the irradiation of food.

On Friday of last week there was a press release from the Labour party. I note that it was on House of Commons paper. I hope that the Select Committee on Services will

check why two Front Bench Labour Members issued a press release on House of Commons paper because I believe that that is illegal. That is on the record and I hope that someone will check on it.

Mr. Nigel Griffiths: Get on with it.

Mr. Morris: I will get on with it. I am talking about a press statement by the shadow Minister for Agriculture and the shadow Secretary of State for Health. They say:

"It is clear that the voice of the consumer has taken second place to that of the producer."

That is absolute rubbish and bunkum.

They then go on to say:

"We believe our proposal would have averted the problems that arose with salmonella and listeria."

The hon. Gentleman would know if he had listened to my right hon. and learned Friend the Secretary of State today that we do not yet know what the answer is to the new strain of salmonella. Perhaps he does know, and perhaps he will inform the scientific world of the answer, but I do not think he knows it.

Finally, we see that the proposal is to set up a food standards agency

"which would be independent of Ministers and able to speak authoritatively on food protection matters."

The press statement continues:

"The Agency will be responsible to the Cabinet Office and to Parliament."

Who will answer in this House? Will people from the Cabinet Office come here and answer questions on the food standards agency, or will it be the Public Accounts Committee?

Is this a deeply thought-out policy arising from all the policy documents? No. The truth is that it was knocked out at the end of last week on House of Commons paper and thought to be a good idea. It is a very shallow approach to a very difficult problem. The real truth is that the Labour party has not done any work on this. It has just run a scare programme and frankly I think that that is deplorable. I suppose that one good thing has come out of this debate, and that is that the people of Britain recognise the importance of food safety and that they should listen to the scientists and the people in the public health laboratories. When the chief medical officer makes a statement, that is a statement based on fact, and he is the person they should listen to, not to the media or the other hype and the sort of comments that we have heard from the Labour party today.

8.11 pm

Mr. Elliot Morley (Glanford and Scunthorpe): I would like to make it quite clear that I have no connection at all with the food industry. Unlike some Conservative Members, I have not been paid to come along here to today to state the case of vested interests.

I want to examine the facts at issue. I am not interested in scaremongering or in trying to frighten consumers. I am interested in getting to the bottom of what I think has been the irresponsible handling of the situation by the Government and in seeing whether there are any practical lessons to be learnt.

I believe that the root of the problem lies with the whole attitude of deciding that the market should be self-regulating, and that goes back to a comment made in 1980, when the Labour party argued for a tightening of controls in the protein processing order, which we had discovered was not working successfully. It was said in response that in the present economic climate the industry should itself determine how best to proceed. The underlying theme of the Government's food policy is that the industry itself should be allowed to decide its own priorities.

When we had a discussion about regulation, about a policy, about a strategy, it was said to be the policy of a nanny state. I would rather have a nanny state than a free market economy, which simply lets loose the Lucrezia Borgia of the free market into the kitchens of this country. When we are taken to this extreme, the choice for the consumer lies between salmonella and listeria. I emphasise that that is taking the issue to the extreme.

I would be the first to concede that there are many good food producers and many caring farmers in terms of standards of food production, but some Conservative Members have been trying to blame the consumer, the housewife, the people who cook the food. It seems to be they who are responsible for the outbreak, not the producers. I know it is fair to say that cooking methods have changed over the years. We have microwave cooking now, for example. However, it is equally fair to say that farming methods have changed over the years. They are far more intensive now. There is far greater use of inputs, chemicals, agro-business, agro-product methods.

On that point, I wonder whether the Minister will take into account the animal welfare issue. It is fair to say that the Secretary of State for Health did mention that many people were concerned about such things as battery farming and, apart from animal welfare, there are very real arguments. There is evidence to suggest, for example, that if there is infection within intensive animal units, it is spread at a far greater rate than it would be if there were more space.

There is also a problem with the grandparent stock of hens, for example, and the cloning that there is these days in intensive animal units. It is something which needs to be looked at in terms of the conditions of intensive animals —the cage spaces—and whether there should be a move away from battery egg production towards deep litter egg production. Although deep litter production is not exactly perfect, it is more desirable than the intensive method, where hens spend the bulk of their lives, on average two years, locked up in a tiny cage, with no daylight and no floor to stand on. A great many people are concerned about that. I think that the answer is that people will eventually decide themselves through their own pockets, through green consumerism, that they will not purchase the products of such intensive methods of farming.

There has also been concern about pigs. Again, I would pay tribute to some of my local farmers, who have introduced different models of farrowing cages which allow sows to stand up and turn round, something which the traditional farrowing cage does not allow. That is a step in the right direction.

Nevertheless, although there are caring farmers and good producers, there are also other farmers and producers who simply want to maximise their profits without taking any interest in the welfare of their animals, or anything else for that matter.

I believe that we need to do more research into intensive animal rearing to find not only the best way of producing food for the consumer, but to pay more attention to the condition of battery animals and intensive farm animals.

One of the worst issues that has come to light in this whole inquiry into what has been happening with food is

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the way that the Government have been cutting back on research and development in the farming sector. We already know that there is a proposal to cut £30 million from the AFRC over a number of years in a move to shift the research to what is deemed near market research. We have heard from some Conservative Members that they accept that the farming industry itself is fragmented and it is very difficult for the industry to pick up the research on this. The real condemnation comes with a scheme at Bristol led by a Dr. Mead, which was told last summer, before this scare on salmonella started, that it would be axed in March of this year. That research scheme was actually very near finding ways of eliminating salmonella in chicken and is now deemed to be ready and suitable to be picked up for the market.

On the Select Committee, when I asked whether any firm had picked up this scheme, the answer was no. So here we have a Government-funded scheme which was near to developing a system for eliminating salmonella which has been axed and thrown on to the free market to be picked up or not. I think that that is an irresponsible way of dealing with important research to tackle the serious problem of salmonella.

The hon. Gentleman talked about positive suggestions from the Labour party; I will give him one now. The Government set aside £19 million for compensation to farmers and only £3 million has been taken up. A total of £16 million is earmarked in the Budget. Why do the Government not take some of that £16 million and inject it into the various research programmes investigating animal husbandry, intensive farming, salmonella elimination and methods of identifying salmonella in the early stages? The money is there, it is budgeted, and it could be used now. It is a question of political will and desire, and I would be interested to see whether the Government are prepared to do that. It is no use saying that they do not have the resources; we know full well that they have.

There is also the question of the reaction to other issues, such as BST in milk. To be fair to farmers, I quote Mrs. Mary James, a delegate at a recent meeting of the NFU, who said:

"All BST will do is line the pockets of the drug companies. The salmonella scare tells us that we cannot afford to take risks where the safety of food is concerned."

What I would say on that issue, if hon. Members want a positive suggestion, is that if we are to have trials with BST, why not label the milk coming from herds of cows injected with BST so consumers themselves can choose whether they want to buy that milk or not? That is certainly not being done by the Government. BST-treated milk simply goes into the milk pool, and people have no idea whether it is in their milk bottles.

There is also the question of BSE, or "spongy brain" as it is commonly called. An inquiry has been set up by the Ministry and the Department of Health under Professor Richard Southwood of Oxford university's zoological department. *The Guardian* claims that, because Ministers do not like its findings, the report is being held up. It is also alleged that the Treasury has put pressure on proposals for a joint inquiry into salmonella because some of the proposals that might emerge from such an inquiry could prove expensive to implement. That again is a condemnation of a Government who take risks with people's health rather than making available what are, in comparison with the alternative, quite small sums to ensure that health is protected through the research that we need.

The Government have failed in many cases to notify the public or to give enough warnings. There was no excuse for them to withhold, for over a year, the information that listeria in cheese threatened pregnant women. Such information is not scaremongering in the way that Ministers have described. It is balanced, reasonable and rational, but it came too late.

Let me say a brief word about water quality. It is outrageous that the Government have suggested that the standards for effluent and discharge levels for sewage outfalls will be lowered rather than meeting EEC requirements simply to try to make water more attractive to investors and public institutions. The Government's priority should be to ensure that our beaches reach EEC bathing standards, that our rivers do not deteriorate and that our drinking water is of adequate quality. I do not believe that privatising water is the way in which to do that. It simply enhances the risk to the consumer. The underlying failure of the Government lies in their claim that the free market delivers. It certainly does not. We need regulations, planning and strategy, and we are not getting them from the Government.

8.22 pm

Mrs. Teresa Gorman (Billericay): I speak as a housewife. The women in this country buy 90 per cent. of the food, and on their behalf I want to say how disgraceful it is that the Labour party has sought to worry and confuse them by making a political issue out of matters which are nothing of the sort.

Housewives like me are eminently grateful to our excellent food industry for the tremendous variety of foods available—not least cooked chilled foods, which make our lives much easier by cutting down enormously on preparation time. Along with the microwave oven, they have revolutionised the lives of women like me who go out to work but want to provide a variety of interesting foods for our families. To suggest that the cooked chilled food industry is somehow harmful to the population is nonsense.

I am sick and tired of these campaigns. We get one almost every week. Everything that makes life interesting and bearable seems to be wrong for us: the air that we breathe, sex, tobacco, alcohol, sugar, salt, unwashed food, red meat, fast food, eggs, chickens—and now lovely smelly cheese. I would quarrel with the French about many things, but their cheese is delicious, and to suggest that it is bad for people is absurd.

The truth is that germs are everywhere. They are all over our skins—some 2 million on every square centimetre. Every time that we open our mouths to breathe we suck a load of them in. They are a damn sight less dangerous than many politicians—[HON. MEMBERS: "Hear, hear."]—particularly those on the Opposition Benches.

Furthermore, if we eliminated all those germs, the minute that we stepped out of this country we should all go down with the local version of Delhi Belly, the Aztec Two-Step or Montezuma's Revenge. In fact, a good dose of germs every day builds up natural immunity and is an essential part of human biology. Without it we should all be a good deal worse off.

We must keep this problem in perspective. I congratulate my right hon. and learned Friend on his excellent exposé of the political motives behind all this nonsense. The truth is that there were fewer than 40,000 reported cases of food poisoning in this country last year compared with—this is not my estimate—some 120 billion portions of food eaten in the same period. Such problems from food are less the equivalent of being hit by a meteorite but rather that of finding a particular grain of sand on the beach at Blackpool. The chances are infinitesimal, and although the cases that happen are unfortunate they are not the end of the world.

Of the 50-odd cases of people who, on average, have died from food poisoning in this country over the past five years, almost all have died in public institutions such as hospitals and old people's homes. In the Stanley Royd hospital, 19 people died not because the food was bad but because of the hygienic practices in the hospital. The food had been left standing around for too long.

Most problems are caused not by food itself but by the way in which it is handled, prepared or left standing around. That is the message that we must get across, and not necessarily to housewives. Most cases happen because people nowadays can afford to entertain more, and food is prepared in advance and left standing around.

astThe Labour party is looking around for some cause to embrace. It is even harping back to the idea of a Ministry of Food. I heard a Labour party member on the radio the other day actually extolling the virtues of the old days when we had a Ministry of Food and people's diets were controlled by the Government: good old Socialist rhetoric. The Leader of the Opposition has told us that the Labour party would also like another 500 health inspectors, another 500 researchers and more and more jobs in Government Departments for more and more of the boys. That is the motivation behind the campaign, and it is disgraceful that the British public are not being warned.

Even more interesting is the source of most of the Labour party's information. Just as the Low Pay Unit stirs up nonsensical campaigns about what it alleges to be three quarters of the British public living on below average wages, Labour relies considerably on the organisation called the London Food Commission, set up by the hon. Member for Brent, East (Mr. Livingstone) with a £1 million grant. Masquerading as a respectable organisation, it publishes almost all its stuff in Left-wing journals, including the journal of the International Marxist Group and other such bodies.

The publications have such names as "Food and Profit: It Makes You Sick". If we did not know their political orientation before, we would when we read stuff like that. They are also behind the campaign to prevent the irradiation of food, which one Opposition Member actually extolled. He will get into hot water for extolling the virtues of a process that the Labour movement is officially opposing.

The organisation has as its declared aims

"to expose the evils in society in which we live and how the health of society is affected by social and economic conditions, particularly in the case of food, its production and its consumption."

That is the motive behind much of the nonsense that is appearing in our newspapers.

Mr. Frank Cook: Will the hon. Lady give way?

Mrs. Gorman: No, I will not. I have only 10 minutes, and I am going to fill them up.

One of the campaigns is against fast foods. The organisation has got it in for the hamburger. Its employee —known as Dr. Tim Lobstein—is conducting a campaign against the Big Mac. Another is the cook-chill campaign. This is what it has to say:

"Cook-chill foods result in job losses, change of working hours, reductions in pay and de-skilling."

One of its leading lights, Dr. Tim Lang, is also an adviser to COHSE, which is trying to protect food jobs in the Health Service by alleging that cook-chill food brought in from outside and served to the patients is infected. He makes a scurrilous attempt to discredit the Government's policy of bringing private enterprise into the catering industry. That reveals the motivation of that organisation. It is another Labour party front which is visibly running out of money and trying to drum up support for its campaign. I warn industry against giving any money to that organisation as it is a thoroughly sinister body.

Mr. Frank Cook *rose*——

Mrs. Gorman: I want to warn the Government, because the editorial of *The Food Magazine* published by that organisation tells us that after 6,000 letters were sent to the Government complaining about the lack of openness in the food industry, the Ministry of Agriculture, Fisheries and Food, which ought to know better, has finally

"allowed a consumer representative into its party to the world talks in Geneva."

These people are definitely and openly trying to infiltrate those Ministries which influence Government policy, and no doubt the Chief Medical Officer of Health. The Government had better watch out for that organisation because it is definitely not devoted to the policies to which the Government are dedicated.

In my opinion, the whole campaign has been drummed up by the Labour party, which is devoid of campaigns by which to justify its existence. Among other things, the Labour party is calling for a food policy—shades of the Labour movement after the war—and a Food Ministry. It attacks the multinational companies—the great Satan of the Left—which provide most of our major chains with the excellent quality food that they offer the housewife and I have already explained why I think that is a wonderful idea. It has even mounted an attack on cheap food. I am sure that the British housewife will be delighted to know that that is Labour party policy—not that we have a cheap food policy thanks to the CAP which puts £12 a week on the food bill of the average British family. But the Labour party is quite happy to see the price of food rise if it can use that as a means of attacking the private sector, which provides a high-quality, interesting and varied diet.

Now that we know who is behind much of that nonsense, I ask the Government to keep their wits about them and examine what is going on in Ministries to find out whether an infection of Socialist ideas is influencing Government policy and to ensure that they are wiped out and disinfected.

8.32 pm

Mrs. Audrey Wise (Preston): The hon. Member for Batley and Spen (Mrs. Peacock) called Professor Richard Lacey who has done a great deal of work on listeria an eccentric. Although I pointed out that he is doubly qualified as a doctor and a microbiologist, and that he is

[Mrs. Audrey Wise]

professor of microbiology at Leeds university and a consultant in microbiology to Leeds Western District health authority, the hon. Lady stuck to her views, which were echoed by other Conservative Members. One of the major results of Professor Lacey's work has been to establish a link between premature births, stillbirths and listeriosis. I suggest that that is far from eccentric. After all their demands for facts, I am interested to see Conservative Members react in that way when they are presented with facts by someone who has become quite interested in his research and is enthusiastic about informing people of its results. I am quite sure that expectant mothers are keen on knowing about the dangers that they may face.

We have been told by Conservative Members with the utmost confidence that cooked, chilled food is safe. One Conservative Member said, "You would think that it had been invented only yesterday". But it has not been in use for much longer, as it was introduced only two or three years ago. In that time there has been an explosion in the use of cooked, chilled foods, with massive investment in equipment and products. Listeria is important not because of the proven incidence of listeriosis but because of what the future may hold due to the current investment in cooked, chilled food in the private and public sectors. It is the only form of food preservation being used on a large scale without proper scientific evaluation or having stood the test of time. The issue is not whether we like cooked, chilled food or whether it is nice to have a convenient form of food, but the fact that that particular form of food preservation needs further evaluation and the products need particularly careful handling. It is not simply that the listeria bacterium survives refrigeration—it thrives under refrigeration. There is a very narrow band at which it is safe. I understand that it is stunned at between 0 deg and 3 deg, but that at any temperature above that it multiplies and becomes more pathogenic. In that way it differs from most organisms. Therefore, listeria is very important.

We have received from the Chief Medical Officer of Health and from the Government advice which is hardly precise. We have been told to keep our food really cold. By means of parliamentary questions I am trying to find out how cold is really cold. It is hardly self-explanatory. We have been told that the bacteria, which are very common, are thriving and multiplying because of the extensive practice of keeping food refrigerated for lengthy periods at insufficiently low temperatures. That is a possible reason why the disease is spreading.

It is not hysteria on the part of Labour Members to say that the matter needs to be treated very seriously, not least for the sake of workers in the industries involved as they will carry the can if the investment in cook-chill products proves to be ill-founded and firms get into difficulties through the distortion of trade which results from its expansion without proper evaluation.

Listeria is important and the Government are not providing adequate information. We are told that everything is all right, that analysis is taking place and the public are being informed. However, when we realise that public analysts can analyse only four out of every million items purchased and that total spending on food analysis represents only 5p per person per year, we are entitled to say that that is hardly an extravagant use of resources. It is not even an adequate use of resources for food analysis. We believe not only in adequate regulation, but in the proper resourcing, financing and enforcing of those regulations.

We have heard a great deal from Conservative Members about the housewife. Their motto seems to be, "If in doubt, blame the housewife". I resist that as I do not consider that the blame can be laid at the door of women in Britain. We choose what we buy and what we eat, but over the years our choice has not been increased but has in an important sense been narrowed. In a really profound way it has been narrowed. It is difficult for people to buy food with confidence that it is pesticide residue-free and to feel sure that they know what they are eating. The public want that information. That is why there is such a huge demand for organic food.

Some of the reasons for these deep problems can be found in the way that animals are reared and in the way that food is grown. When "The Food Programme" on Radio 4 investigated the way in which pigs are reared in Britain, it found that 250,000 sows are tethered so closely together that they can barely lie or stand. That is not a healthy way in which to keep animals.

I keep free range chickens. I know about hens. The notion that hens can be healthily kept in tiny cages where they are unable to turn around and that they can be stuffed with antibiotics with impunity is a monstrous distortion of food production. People are resisting more and more the production of food in that way.

The Government's job is to ensure that consumers can find the healthy food that they want. It is also their job to ensure that nobody lives in such poverty as to be unable to afford healthy food.

Food is a political issue. Research has shown that it is easier and cheaper to buy healthy food in the better-off areas than in the worst-off areas of Preston. Poor people find it harder and more expensive to gain access to healthy food. That puts food on the political agenda, good and proper.

8.41 pm

Miss Emma Nicholson (Torridge and Devon, West): I have a keen interest in the debate. As a cook, I once poisoned 120 people with salmonella. Having listened to what Opposition Members have had to say today, I feel that it is proper to issue a guide as to how to poison people with salmonella. It is quite clear that the Opposition do not know how to go about it. It is a very interesting trick.

What one does is to become a hotel cook in a rather run-down hotel where the profits are slender and the free market does not seem to operate. That cannot be in this country. It must be in a country where everything is state owned and nationalised, where there are no profits and where the free market does not operate. One takes from the back of a lorry a job lot of frozen chickens. Because one has come from a farming background, one has never seen peculiar, misshapen, frozen lumps before. One bungs them in the oven and cooks them for the time that one normally allows for cooking a chicken from father's back yard that one has plucked and drawn oneself. Alas, 120 hot air balloonists from all over the world were fed by me with salmonella, which meant that they were unable to rise in their hot air balloons for the best part of a week.

Since those days, I have taken the keenest possible interest in food. I have watched closely the inaccuracies

that have been put forward by Her Majesty's Opposition and—dare I say it?—by those dreadful people the media. What about the headline, "Eggs poison boy"? That led to the sad death of nine-year-old Zamire Hussain. A week later it was agreed by the medical authorities that no trace of salmonella—egg induced—had been found in that lad's body, but there was no apology in the media for that inaccuracy.

The Sunday before last the health correspondent in one of the Sunday "heavies" spurned the coming Government leaflet on food and said:

"We won't have the Government telling us to wash our hands."

The correspondent said that virtually all food poisoning comes from cross-contamination or from food storage and handling. Before I am accused of being on the side of the farmer, I should point out that, at a meeting of my farm council about 10 days ago, 350 farmers referred to their keen interest in the consumer. My constituency depends on food. We produce, process, transport and ship it. We sell it to the consumer who eats it. The consumer is the whole purpose of the exercise.

When we consider hygiene and why food poisoning is on the increase, it is worth remembering that 7 billion meals were cooked and consumed outside the home last year. I suffered from food poisoning last year on the way to Stoneleigh. On the way to the agricultural show we stopped at a cafeteria early in the morning. Somebody in the cafeteria was wiping his nose, another person had grubby hands and somebody else had grubby hair. We should have walked away, but it was early and we were hungry. By midday at Stoneleigh we felt extremely ill.

Of the 2,000 or more strains of salmonella, very few are injurious to human or animal health. One must match containment at source, which is a most crucial element, with improvements in food handling. Most egg infections have arisen from the multiple handling of eggs. As for salmonella enteretidis, phage type 4, it is good news that the discovery has been made that it is contamination not from the ovi-duct but from the gut. That is a much more regular form of cross-infection from a chicken and it is something that will be easier to contain. All the evidence points to that conclusion, and it is genuinely good news. I know that the House revels in scare stories, but let us occasionally be glad to hear good news.

It is the utmost ill-fortune that the United Kingdom is suffering from phage type 4, either by mutation or because it has come from Spain. It is a close cousin of two salmonellas that have been virtually eradicated in the United States. I do not believe that all is lost. I am confident that it will be contained by the excellent and speedy measures that have already been taken by the Ministry of Agriculture, Fisheries and Food. The key is to maintain good food hygiene. With phage type 4, one starts with the broiler breeder; it should be eliminated from the food chain.

Contrary to views that have been expressed this evening, it is important to remember that if salmonella is present in an egg, a small number of the bacteria can multiply to levels that cause illness. If, for example, we leave eggs outside either the refrigerator or a cold room and if they are then broken open in a warm temperature and fed to people who are sick and who can therefore tolerate only a much lower level of salmonella concentration, they may become ill. Conversely, one can identify eggs with only a small number of salmonella which, if properly handled, are perfectly tolerable, even by somebody who is in poor health. If we look hard enough, we can find salmonella in all the food that we eat. It is the way that food is handled that is critical. For example, if we make a salad in a bowl in which we have stored raw meat and the bowl has not been disinfected properly, our families may suffer stomach upsets.

Families' shopping habits have changed. They shop once a week. People have small refrigerators in small flats and kitchens without larders. The Government must try much harder to educate and help the housewife as well as to enforce proper regulations, as they are already doing, in the case of those who mass produce food.

The sterilisation of eggs does not help. They need an effective temperature of 56 deg C and eggs have to be cooked at that temperature for 15 to 20 minutes. That will eliminate the salmonella, but it kills our appetite, too.

It has been said in the debate that the withdrawal of funding from near-market research has led to cuts in research into salmonella or scrapie. I want to put that right. The funding of one particular project on the competitive exclusion of salmonella, which had been in progress for more than a decade at the Institute of Food Research, has been terminated because, after comprehensive review, it was decided that it had reached a successful conclusion. However, the Ministry of Agriculture, Fisheries and Food is continuing to fund other research on salmonella at the IFR. There is also funding of research into scrapie. The requirement for research into BSE is currently under review. Scrapie research is being carried out at the nemopathogenesis unit, which is jointly funded by the Agricultural and Food Research Council and the Medical Research Council. MAFF is collaborating with the NPU and is already funding work on BSE. That is a most important point.

I should be appalled if the Government followed the Opposition line and banned the sale of green top milk. Consumers increasingly prefer food which has the least processing—that is the move towards more natural foods —but there are dangers inherent in this. Listeria from raw milk is an extremely rare possibility. Regular drinkers have developed an immunity, and occasional drinkers should be given warnings, particularly if they are sick or pregnant.

Is it the Government's line, if we are to ban raw milk, to ban cigarettes and tobacco because of the known causal link between self-induced lung cancer and smoking? If we are not to follow that line—and I know that we shall not —it would be wholly wrong to ban fresh raw milk. I was brought up on it, and I am exceptionally fit.

The majority of listeria-contaminated soft cheeses are made from pasteurised milk which has been reinfected during subsequent manufacture. This bug is adept at living at a wide range of temperatures. Bacteriological analysis applied to dairy products is the key to ensuring safe consumer choice. This will protect the consumer and the manufacturer.

I will give an example of the least need to be frightened of food poisoning from cheese. Gidleigh park, one of the major hotels in my constituency and a five-star establishment, has served 75,000 meals since it opened, and 90 per cent. of the clients have cheese, almost all of it made from non-pasteurised milk and over half of that being soft or semi-soft cheese. That hotel has not had any cases of food poisoning.

The withdrawal of additives—the E number fuss— which means that food has a shorter life, has in many ways

[Miss Emma Nicholson]

been reflected in the rise in the incidence of food poisonings as food decays sooner. Undertakers will be sorry to hear this. I am referring, of course, not to sewage or water undertakers but to those who are concerned with human carcases. They used to say that, with all the preservatives we ate, we spent two weeks longer on the slab.

The keynote issue is consumer choice—giving consumers complete information, regular knowledge and public education—following the ministerial line rather than the Opposition line in wishing to take away from consumers that to which they have a right, the choice to buy and consume what they wish. After all, if the market does not work, will the Opposition seek to nationalise farming?

8.52 pm

Mr. Robert Hughes (Aberdeen, North): I must be brief because I have less than five minutes in which to speak.

I agree wholeheartedly with the right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith) in the united approach that north of Scotland hon. Members have adopted in trying to restore the funding of the Torry research institute which deals with fish and which has had 25 per cent. of its research budget cut. It cannot make that up in near market research and I hope that the Minister will meet us to discuss the issue before the matter becomes final.

I have been deeply disturbed by the way in which some Conservative Members—including the hon. Member for Gloucestershire, West (Mr. Marland), who I see leaving the Chamber—have behaved in this debate. I am glad to see that that hon. Gentleman has decided to remain to listen to me. There has not been the slightest contribution about the fact that there is food poisoning from primary food sources, no hint of shame and no whiff of apology for the fact that food is contaminated at source. There has been only screaming that housewives are to blame because they are not handling food properly. I have also found the attitude of the farming industry reprehensible; it is simply screaming about its compensation.

There is an old adage about prevention being better than cure. Clearly it would be better if bacteria and other organisms did not get into food. I have some knowledge of these matters, having been the convener of the health and welfare committee in Aberdeen at the time of the major typhoid outbreak. I am therefore aware of how bacteria works its way through the food chain. I also appreciate the way in which the farming industry sometimes feels under threat, when it believes that it is not the only responsible party—that the processors, distributors, manufacturers and handlers all have a degree of responsibility, as have the restaurants and everyone else in terms of trying to avoid food poisoning.

Everyone must bear a responsibility, and the Department of Health should take a lead and push more strongly for the irradiation of food. That technique kills 99·99 per cent. of the pathogens that are dangerous to human beings. This health matter should be pursued. We accept modern technology in terms of cook-chill, refrigeration, microwaves and so on. The fact that food is refrigerated, for example, means that it lasts longer and that the organisms get a chance to develop.

In the old days, when we had no refrigerators, the food went off, it stank like hell and it was thrown out. I should add that irradiation does not help with eggs because they pong if they are irradiated. Nor does it affect fatty foods. But the possibilities are such that we should pursue these issues with greater vigour.

We must increase the number of environmental health officers. Only by that means shall we be able to do more checking. It is high time, considering the dangers facing the public, that we brought into the food industry the concept of product liability in the way in which it exists for other manufactured goods. If one sells a dangerous iron or television and somebody is killed, one is responsible. It should be a badge of honour for the food industry to boast that its food is contamination free, that it has done everything possible to protect the public. If that is not done, it should have a responsibility, by way of criminal prosecution and compensation.

This has been a valuable debate. I regret that it has been devalued by those who spoke, in a totally uncritical way, on behalf of the food industry and who were not willing to accept that faults exist in that industry. Nevertheless, it has been a valuable debate and I hope it will not be long before we return to those matters.

The degree of interest in the subject has meant that, whereas most hon. Members thought there would be ample time in which to speak, that has proved not to be the case. There are many other issues on which I would have liked to have spoken. I was told that, had I done so, I would have probably got myself into hot water, so I will resume my seat and face the consequences.

8.56 pm

Mr. Keith Raffan (Delyn): In the few minutes available to me, I will comment on only one issue raised by the hon. Member for Aberdeen, North (Mr. Hughes), and that is water, although I wish to speak about cold rather than hot water. The debate is about the safety of food and water, though most contributors have, perhaps understandably, concentrated on food.

The British Government signed the EEC drinking water directive in 1985. Even by that time, many treatment works were up to standard. Since then, a further 300 have been brought up to standard, and by next year a further 90 will have joined that number. By the mid-1990s, 150 of the 170 remaining will be brought up to standard, though many of them are covered by derogations under article 9 of the directive because the lower standards in those areas do not cause any health risk. Indeed, the lower standards are due largely to geological problems making water purification difficult. So by the mid-1990s nearly all of Britain's water will meet or better the EEC drinking water directive.

We on the Government Benches must concede the Opposition's point that this could have happened earlier. But it did not happen earlier because in 1976 capital expenditure by the water authorities was cut by a third by the then Labour Government. Labour Members must therefore accept responsibility for the fact that it is taking us till the mid-1990s to get our water treatment works up to standard. They cannot blame the present Government for the delay.

The Conservative Government have increased capital expenditure on water treatment works by 50 per cent. in real terms. In 1976-77, Welsh water authority capital

expenditure was £32·9 million but by 1987-88 it had risen to £67·8 million. Incidentally, I am glad to see the hon. Member for Clwyd, South-West (Mr. Jones) in his place as I shall refer to him later. Expenditure on water infrastructure has greatly increased under the present Government, compensating for gross neglect by the Labour Government.

The Water Bill is the key to attaining higher standards for Britain's water. For the first time, the European water directive's provisions will be given the full force of law. It will also free the new water plcs from external financing limits, enabling them to borrow money for capital works as they require it, and so to accelerate their capital programmes. They will no longer have to queue behind schools or hospitals. Should the nightmare occur—difficult though it is to fantasise—of Labour ever returning to power, the plcs will not face the prospect of that Labour Government slashing capital expenditure on water and sewage treatment works as they did in the mid-1970s.

The Water Bill will also establish a tough, regulatory framework. For the first time, it will be a statutory offence to supply water that is unfit for human consumption. The National Rivers Authority will play a valuable role. I recall that in 1985, in the Select Committee on Welsh Affairs, many Opposition and Conservative Members, when considering coastal sewage pollution, made the point that it was ridiculous for water authorities to be both poacher and gamekeeper. The NRA will bring an end to that position. It will now monitor and enforce quality objectives. A drinking water inspectorate will ensure, for the first time, that suppliers monitor water quality and comply with standards. That has not occurred before, assessment being left to the water authorities. The plcs will also be required to give detailed information about water quality to the public. For the first time, there will be exact, numerical standards for drinking water quality set down in United Kingdom law, approved by Parliament. All that is due to privatisation.

I am glad that some Labour Members have admitted, no doubt unintentionally, that high water standards can be achieved by a private water company. I refer to a report in the *Wrexham Water News* of November 1988:

"Three Clwyd MPs have praised Wrexham Water Company for the work it does in maintaining the quality and safety of water supplies to its consumers."

There follow quotes from the three Labour Members concerned. The hon. Member for Clwyd, South-West, who is himself a microbiologist, and on whose opinion we can therefore surely rely, commented:

"I have been a resident of Wrexham all my life and have always found the water to be of good quality and very dependable."

The shadow Secretary of State for Wales, the hon. Member for Alyn and Deeside (Mr. Jones), stated:

"I was very pleased to be given every assurance that the company's top priority is to deliver safe and wholesome water to every household it serves. I rate this aspect of the water industry of enduring priority."

And the hon. Member for Wrexham (Dr. Marek) commented:

"It is reassuring to see the dedication of the staff and the work they do to maintain a safe supply of water."

The hon. Gentleman was reported as saying that he had been impressed with everything he had seen.

Those are the comments of three Labour Members. They show that, behind the scenes, when they visit a private water company, they acknowledge that water supplies can be kept perfectly safe. Under privatisation, the consumer has nothing to fear.

9.2 pm

Mr. David Hinchliffe (Wakefield): Having sat in the Chamber for five hours, it is a matter of concern to me that my contribution is limited to five minutes, but I shall try to make one or two serious points about issues that concern me.

It has been interesting listening to a variety of speeches. Tonight, I learnt why my wife plays merry hell with me if I purchase food from supermarkets that is past its sell-by date. She realises that if I consume such food, my brain will end up in the same state as that of the hon. Member for Billericay (Mrs. Gorman). I have never before heard remarks of the kind that she came out with tonight. To say, as she did, that a good dose of germs each day is good for one sums up the Government's policies on food hygiene.

The present Government have presided over a threefold increase in food poisoning. Their record is one of incredible complacency. Giving due justice to parliamentary answers I have received on the cook-chill issue, there are contrived cover-ups time and time again, with the Government refusing to divulge information that I know is available. As my hon. Friends have said, at the heart of the problem is that which is at the heart of so many other problems existing under the present Government: vastly increased profits are sought at the expense of wider considerations of safety and care of the environment.

Alongside that political question there are deep moral issues. My hon. Friends have mentioned animal welfare, although that has not been taken up by any Conservative Member. In factory farming we see maximum output with minimum input. There is a complete disregard for animal welfare in many aspects of their treatment in factory farms. Animal transport is a matter for deep concern. Animals are crammed into lorries and poultry into cages to be carried about and that is a disgrace.

Those conditions create stress, which in turn creates infection, often just before animals are slaughtered. Mass slaughter itself is new. Poultry are often slaughtered in flocks of 10,000 at a time. Abbatoirs have a huge through-put, carried out at such speed that cross-infection is a frequent occurrence.

The huge increase in food poisoning is clearly linked to the way in which we have moved towards mass food production. It is as though nature is telling us that we are getting it wrong; that the food poisoning is a sign that what we are doing to the animal kingdom is wrong. We should address that issue as a nation.

Alongside the mass production of food we have seen the development of mass catering techniques such as cook-chill, as my hon. Friend the Member for Preston (Mrs. Wise) said. I wanted to spend a good deal of my speech looking at what is happening in the Yorkshire region where cook-chill methods are coming into our hospitals as part of the privatisation of NHS catering services. The extent of the problems that arise from cook-chill methods is not known. Conservative Members say that we have no figures, but the Government do not ask the questions in order to obtain them.

Within the past 18 months in the Leeds area there have been six known deaths from listeriosis—three babies and three elderly people. Those deaths have been proven to be

[Mr. David Hinchliffe]

the result of listeriosis related to food consumption. That fact comes from Professor Richard Lacey, who has been abused several times today by a number of Conservative Members. The hon. Member for Batley and Spen (Mrs. Peacock) left the Chamber a long time ago, no doubt to go for dinner. I wish that she would address her comments on Professor Lacey to the lady in Horsforth who lost her baby through consuming food purchased from a supermarket. The complacency that I have heard tonight from Conservative Members is incredible.

If the six deaths in Leeds reflected the situation nationally—there is no reason to believe that they do not—that would mean 400 deaths per annum from listeriosis. That is a disgrace.

I have had a bad day. I have sat here for five hours and have only five minutes at the end of the debate. I also sat through health questions today. My question was No. 15 but we reached only No. 12. I asked the Secretary of State for Health:

"what proportion of perinatal deaths, still births and miscarriages which have occurred over the past year have been examined for the presence of listeria monocytogenes."

The answer was:

"Post-mortem examinations of still births or perinatal deaths to establish the presence of listeria monocytogenes would only be carried out at the request of clinical staff or a coroner, and we do not hold information on these requests centrally."

That is why we know nothing about listeria. The figures are not asked for. The Government are covering up the reality of what is going on.

It is a disgrace that I am limited to this small amount of time at this stage in the debate. My constituents are faced with the introduction within the next few weeks of cook-chill methods in their hospital. They cannot opt out of that. They do not have the great consumer choice about which the Government talk. They will have that method whether they like it or not. The people of Wakefield are frightened by what is facing them.

9.8 pm

Mr. Bill Walker (Tayside, North): We have been exposed to substantial media scaremongering in recent weeks and months. One example of that is the so-called level of radiation said to be found in the Rannoch area of my constituency. At best that can be described as dangerous misinformation. It could have a damaging impact on the major industry—tourism—of that area. No thought was given to that by those who appeared on television to talk about it.

It is interesting to hear that all the things that make us Scots so happy and enjoy being on this planet—whisky, haggis, lamb, red meat, fish and chips—are not good for one. What nonsense. We have to achieve a balance; a balance about the risk.

Every aspect of human activity contains risk. We must look at the element of risk and what the choices are. In car driving, coach tours, travelling on ships, cycling or even walking on the roads there is a risk. We have to evaluate the risk and how we should deal with the problems. Sufficient levels of inspection and supervision are required, not repressive levels. Hon. Members on the Opposition Benches have leaned largely to repression.

There is no question whatever but that the housewife and the farmer have a joint interest in this matter. To put the record straight on some comments that were made earlier about farmers, the farmers in my constituency made it quite clear during the salmonella scare connected with eggs that the first thing that we had to do was to get the facts, the second was to deal with the facts when they were known and the third was, if any compensation was required in any area, to deal with that. The farmers approached the matter, as they have in my experience approached all such matters, responsibly and respectfully. I wish to put the record straight because I will not have Opposition Members calling the people in my constituency, who are the backbone of Scotland.

9.11 pm

Dr. David Clark (South Shields): This has been an interesting debate, a debate of two halves. One half of the debate has been about facts and the other about false perceptions. I must say that from the beginning the majority of the facts came from the Opposition and the false perceptions from the Government.

I found it rather strange that we on the Opposition Benches were being attacked for considering bringing in legislation to ban green top milk. It is not our proposal to do that; it is a proposal, if I understood correctly what he said as reported in the papers, that the Minister of Agriculture is considering. We were also attacked for making assertions about listeria in soft cheeses. It was not we who raised that matter; it was none other than the right hon. Gentleman the Minister of Agriculture.

I felt that Government Members were slightly unfair in accusing us on those points, but this emphasises perhaps the point that I am making, that they were talking about false perceptions and we were talking about facts.

We have had a good, wide-ranging debate in which a great many hon. Members have been able to participate. I regret that we did not have longer, because I know that many hon. Members would have liked a little more time to develop some other arguments.

I also think that it was unfair and unwarranted to accuse us of scaremongering. It is the duty of the Opposition to highlight the inadequacies of the Government. Indeed, if we had not done so, especially when public health is at risk, we would not have been doing our duty. So we reject and rebut absolutely the charge of scaremongering. My right hon. Friend the Member for Islwyn (Mr. Kinnock) made that point quite clear at the beginning of his excellent speech today.

We are not attacking the farmers or the food manufacturers. We accept that the overwhelming majority of those people are trying to provide us with food of a high quality. But we feel that the Government have been acting in a manner which is not beneficial to the consumers.

The theme that has come from all Opposition speakers is that we should really not be surprised at the Government's failure to protect food. Food safety and the basic philosophy of the Government are simply incompatible. For any Government to proclaim their priority to sweep away regulations and their ambition to reduce public expenditure and to cut the number of public servants in monitoring food, research and development is a recipe for an epidemic of food poisoning, and that is what we have in Britain. Incidents of food poisoning have doubled since 1985. That is a fact and we have approached the debate on the basis of facts.

I shall examine some of the points in a little more detail. I asserted that the Government do not like regulations.

Ever since the Government came to office, they have made no pretence of their ambition to sweep away regulations because they have seen regulation as an unwarranted attack on free enterprise. The Opposition reject that view. We contend that, without minimal positive state intervention, the public will remain vulnerable in terms of safeguarding our food and the environment. Almost from their first day of office, the Government started dismantling and weakening the regulations that protect the general public.

My right hon. Friend the Member for Islwyn said that the chairman of the United Kingdom Renderers' Association, John Field, summarised the situation well in his comments on the Government's proposal to regulate protein processing plants. He said:

"There was a change of heart when the Conservatives came into office. They were happy to drop the idea of a code and settle for random testing."

As we now know, the result was that thousands of people suffered from salmonella poisoning as the regulations for protein processing plants were not strict enough.

For almost 10 years, the Government have continued their unremitting campaign. In July 1985, they were bold enough to publish a White Paper called "Lifting the Burden", in which they made no secret of their views. They argued:

"the impact of regulation takes its toll in diverting precious time and energy that would be far better used in generating products, services, sales."

I might add, "and profits". Their intentions were clear and, as a consequence, they continued the process of removing statutory protection, at the cost of the health of the general public. I put to the Minister the point raised by my hon. Friend the Member for Carlisle (Mr. Martlew): is it right that the public health regulations have been changed and that people with a positive salmonella test result could be working in the food processing industry or serving in food shops? That is a serious matter which affects public health directly and we need to know whether that is the case.

Time and time again in the recent debate on the quality of food there have been examples of the Government pursuing that key theme and, by doing so, putting the public at risk. On listeria, we know that the Government had in preparation 20 months ago regulations that covered cook-chill foods. The Secretary of State for Health said that there was disagreement between scientists about that. Yes, there was, but the Secretary of State could have taken it further and said that there were disagreements between scientists in the Department of Health and scientists in the Ministry of Agriculture, Fisheries and Food. The two Departments were bickering and arguing and, as a result, we have not yet had those regulations. The sooner we have them the better.

Of course, not only consumers are concerned. Our evidence is that most progressive manufacturers and food retailers support sensible regulation because that is the only way in which they can retain the confidence of consumers and customers and, therefore, stay in business. However, our criticisms do not concern only regulations. The Government have been involved in delay and procrastination all the way. From the beginning, they had a deliberate policy of cutting back on research and development, as well as on monitoring. Tragically, the pace is quickening, as my hon. Friend the Member for Edinburgh, South (Mr. Griffiths) argued accurately at some length.

It is widely acknowledged that we are short of environmental health officers who are the first line of defence for the customer. However, although it may have gone largely unnoticed, there has been a swingeing decrease in the number of staff employed by the Minister of Agriculture, Fisheries and Food. Between 1981 and 1984, there was a reduction in science staff of over 8 per cent. Between 1984 and 1988, there was a loss of a further 15 per cent. That means that since the Government came to office one quarter of the science posts in the Ministry of Agriculture, Fisheries and Food have been axed. That is not good news for food safety.

Let us examine the picture in a little more detail. The state veterinary service is vital to animal and therefore to human health. Its role is critical to food safety because vets intervene at an earlier stage than environmental health officers. Although they are vital, in a written answer that I received yesterday from the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, I was informed that the number of veterinary officers permanently employed in Great Britain since this Government came to office has fallen by nearly one quarter.

Those drastic cuts have had an effect on food safety. They have resulted in a reduction in the level of abattoir monitoring for hygiene and welfare standards from 53 man years in 1983 to 45 man years in 1987. The monitoring of poultry slaughter premises over the same period shows a fall from 8·5 man years to 7·1 man years. Those are serious and significant reductions in the inspections undertaken in relation to meat and poultry slaughters.

In turning to further examples to make my point, I emphasise that we are talking about facts. We are not speculating. It is clear that, although there is a growing link between problems in animal health and human health, the Government are failing to recognise that. Although the Ministry of Agriculture, Fisheries and Food has the greatest difficulty in recruiting veterinary officers, the Treasury is forcing the University Grants Committee to cut the number of veterinary schools. The proposals to close the two schools at Cambridge and Glasgow are indefensible and are yet another example of the Government putting short-term financial considerations before the long-term health of the British people.

The Government's cuts in research and development are proceeding unabated. During the past four years, cuts in research and development in the Ministry have resulted in the loss of no fewer than 2,000 research posts—a reduction of 25 per cent. in staff numbers. On top of that, the Government are now proposing to cut research and development in agriculture by another 30 per cent., which will include vital research work in food and other environmental concerns.

It is true that

"public funding in this area has been significantly cut, and further reductions are in prospect. This is not in the long term interest of the United Kingdom."

Those are not my words, but were given in evidence to the House of Lords Select Committee on Agriculture and Food Research. That was a considered view shared by a Committee with a majority of Conservative Members.

Only last Friday the Ministry of Agriculture, Fisheries and Food issued a statement warning pregnant women to stay away from sheep and new-born lambs because they could be risking their own health and that of their unborn baby in a condition known as enzootic abortion. That was

[Dr. David Clark]

wise and sensible advice. The tragedy is that, while the right hand is issuing that advice, the left hand is making research cuts at the Moredun research institute in Edinburgh. What hypocrisy from the Ministry of Agriculture, Fisheries and Food.

I shall not outline the cuts in research into salmonella but I feel that the Minister has been little more than disingenuous in his claims that research at the institute of food at Bristol has been completed. The research is complete but he knows that it will not be worth while until the development work takes place.

I shall repeat the point made by my hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley). He asked how the Minister could find £19 million at the drop of a hat to support the egg industry but not find £300,000 to allow this project to continue for another few years. That is the sort of question which I hope that the Minister will attempt to answer.

At the Moredun research institute, vital research into listeriosis has also been cut back. Why? The Opposition submit that it is another example of the Government's actions not matching their words.

Furthermore, the Opposition know of a range of cuts in agriculture and food research into milk and cheese production. I would have thought that cheese production was one issue about which the Minister would like to know more.

The Government are culpable not only of cutting research and staffing but of delay in action. Their complacency in dealing with bovine spongiform encephalopathy—BSE—is little short of a scandal.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Donald Thompson): Rubbish!

Dr. Clark: The Minister shouts rubbish, but it took 18 months before the Ministry could summon enough courage in June 1988 even to make the disease notifiable. We then had to wait another two months before it introduced a compulsory slaughter and compensation scheme. Compensation of 50 per cent. of the estimated market value is not good enough. It means that farmers stand to lose between £350 and £400 per cow. What is most serious is that reports show that as a result some farmers sell animals for slaughter—hence into the food chain—as soon as the first suspicious signs appear.

In *The Sunday Telegraph* of 19 February, a senior National Farmers Union source is reported as saying:

"It is common knowledge in the industry that infected animals have gone into the food chain."

That could be lethal.

It should be noted that BSE is increasingly widely recognised as constituting, eventually, a possible risk to human health. It already appears to have jumped species from sheep to cattle. It is widely acknowledged in medical circles that it has jumped to humans in the form of Creutzfeld-Jakob disease. All three forms of the disease affect the brain and the central nervous system. If hon. Members doubt that, I refer them to the British Medical Journal of 4 June——

Mr. Dennis Skinner (Bolsover): Half the Cabinet have spongybrain.

Dr. Clark: My hon. Friend appears to have other ideas.

This species jump appears to occur when the brain or spinal cord of an affected animal is eaten, yet the Government refuse to take steps to stop meat products made from sheep and cattle brains entering the food chain. It must be noted that the incubation period before the disease manifests itself may be two or three years, and many animals with the latent disease inevitably enter the food chain. Why do not the Government ban the sale of animal brains in the United Kingdom?

There is a lighter side to the matter. I know that the Minister occasionally eats in the House. Is he aware that mock turtle frequently appears on the menu of the House and that it is made from calves' brains? Does that make a lot of sense? I urge the Minister to ban the sale of calves' and sheep brains.

How can the Government justify cutbacks on research into BSE? Is the Minister aware that blood samples from infected herds are held in storage at the central veterinary laboratories because there are no resources to proceed with research projects jointly with the institute of animal health in Edinburgh? Why will the Government not release necessary monies for that vital research to go ahead?

While we are on the subject of animal health, it is difficult for the public to assess accurately the extent of many of these events because of the excessive secrecy of the Ministry of Agriculture. We have seen this attitude especially during the drug trials by companies including Monsanto in which the milk-producing hormone BST has been tested. It is inexcusable that the Government have allowed 15 farms throughout the country to allow tests on cows to boost their milk production but then have allowed the milk to enter the food chain, so that consumers unwittingly drink milk produced in this way.

We appreciate that the public safeguard to this lies in the veterinary products committee of the Ministry of Agriculture, which advises Ministers on the safety of BST. The committee advised the Government to go ahead with field trials and we have no grumbles about that. But does the Minister deny to the House tonight that that same veterinary products committee has on two occasions advised the Minister against granting a product licence to Monsanto chemicals in respect of BST on grounds of safety? Will the Minister come clean and confirm to the House the accuracy of that information?

In the past few months the Government have been in a state of complete disarray and confusion. This would be amusing if public health had not been at risk. There can be no doubt that the Government have shown incompetence in handling this issue. They have been pushed in one direction by the powerful drug and chemical companies and in the other by the strength of public feeling. But the issue goes to the root of the Conservative party's approach to the quality of life. Food safety and environmental protection cannot be attained purely by market forces. The food issue proves that even wealth cannot guarantee food of safe quality. Increasingly, both prosperous and poor people in Britain are seeing a great reduction in their quality of life.—*[Interruption.]* I am most amused by the ribaldry on the Government's side. I am sure that that is not shared by the commuters coming into our big cities who are caught up in the traffic when they travel by road or who experience overcrowding and cancellation if they travel by rail, for that is the order of the day. Anyone who travels on the London Underground knows that that service has deteriorated and that cuts in investment lead to delays, overcrowding and poor safety standards.

The Government, in their bid to reward their friends by privatising water, not only openly announce that they do not intend to adopt the European Commission's standards of safety for water, but actively campaign for those safety standards to be lowered. They are condemning millions of people in Britain to inferior water standards. That is not accepted by the Opposition.

In essence, the debate has highlighted the differences between the Labour Opposition and the Government. The time has now come when the people see that the Government's fundamental approach is not in the interests of protecting the quality of life, whether that is the safety of our food, our water, our environment or our transport system. The events of the past few days illustrate clearly that people will demand better and higher standards with regard to their quality of life, especially for those essentials—food and water. It is clear that the Government, with their philosophical hang-up, are incapable of meeting the demands of the British people.

9.35 pm

The Minister of Agriculture, Fisheries and Food (Mr. John MacGregor): We have had a debate—*[Interruption.]* That shows how little the Opposition are prepared to listen. We allowed the hon. Member for South Shields (Dr. Clark) who wound up for the Opposition to make his speech, and I hope that I will be allowed to reply to the many points that have been made in this debate. I will endeavour to reply to as many as possible, but at the beginning I should like to set the general background.

I agree with my right hon. Friend the Member for Kincardine and Deeside (Mr. Buchanan-Smith) and with my hon. Friends the Members for Gloucestershire, West (Mr. Marland) and for Batley and Spen (Mrs. Peacock), who emphasised the very high standards of food safety we have in this country, both compared with any earlier period and compared with most other countries, and who insisted that it is right that the Government continue to deal with food safety issues in a logical, carefully thought out, clear and unhysterical manner. That is what we have been doing.

Let me start by stressing that we see it as our responsibility, first, to ensure the safety of all food supplies, regardless of their source; secondly, to ensure that the interests of consumers and of the industry are taken fully into account; and, thirdly, to ensure that, throughout the food chain, there is effective monitoring and a framework of fully adequate regulations and the right framework to enforce them.

In carrying out these responsibilities, we act on three principles, which I think it is very important to bear in mind: first, thorough surveillance and monitoring; secondly, prompt action—*[Interruption.]* On all the issues that have been raised today I will demonstrate that we have taken prompt action, but—and this is a critical point—it has been based on the best scientific, medical and technical advice, which, of course, means not acting on supposition or rumour but only when we have the clear information and evidence. The right hon. Member for Islwyn (Mr. Kinnock) talked about deregulation and about the Government's desire not to overburden the industry. We do not burden any industry with regulations unless there is good reason to do so, but we take the necessary action when the evidence is there.

The third general principle is that the public should be given full information, including the results of research and monitoring, and timely health advice. I shall have something to say later about the substance—or, rather, the lack of it—of the right hon. Gentleman's speech. Let me say straight away that there are three points on which I agree with him. First, the Government must set and maintain standards of protection—and that we have done and are doing. Secondly, as he accepted, consumers need to handle food properly. I was grateful to him for saying that, because some of his hon. Friends have suggested that when, this point is made, the Government are endeavouring to shuffle off responsibility. I do not think that that is the case at all, and he agreed that it was right to advise consumers of the need to handle food properly. We have to acknowledge the fact that food hygiene issues apply throughout the food chain.

Dr. Reid *rose*——

Mr. MacGregor: I am not going to give way, because I have many points to answer.

We are carrying out the food hygiene education programme following market research that we undertook last year. That research indicated, among other things, that a surprisingly low proportion of consumers actually regard the home as a potential hazard for food. We agree on that, and we are taking action on it.

The third point on which I agree with the right hon. Gentleman is the importance, as he put it, of the British people not over-reacting to panic headlines. This is a very important point. Many of my hon. Friends have emphasised the importance of keeping food issues in perspective. I only wish that some Labour Members had heeded their own leader's advice, including what the hon. Member for South Shields said in his winding-up speech.

Dr. Reid *rose*——

Mr. MacGregor: I have to give answers to many hon. Members who have raised questions in the debate, and I intend to do so.

The right hon. Gentleman and some others spoke in exaggerated terms that do nothing to keep the matter in perspective. Let me emphasise that we are certainly not complacent. We recognise that we have some new and serious problems.

Dr. Reid *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. This has been a quiet debate so far. I hope that hon. Members who were not present during the debate will not now interrupt the Minister.

Mr. MacGregor: I have a lot to cover. Many important points were raised. If I can get through them, I will give way.

I want to emphasise that we are not complacent. We recognise that we have new and serious problems, which we have tackled and are tackling. Equally, there is no cover-up. We have always made public the information that is available to us. Indeed, one of the problems in the whole food issue is that we publish so much information it is sometimes difficult to get the key facts through consistently. So let me get the perspective clear.

Our consumers are better protected than ever before in terms of our knowledge of potential risks and the action taken to reduce them. I emphasise the point on reduction

[Mr. MacGregor]

of risks since it is impossible to live in a risk-free environment. Those who ask that we should be salmonella-free do not understand the nature of the problem. Salmonella has existed ever since man can remember. *[Interruption.]* There is nothing odd in saying that. Salmonella is in the environment. It is not possible to eradicate it and no country has succeeded in doing so.

What we aim to do is to reduce salmonella to the absolute minimum. I am told, for example, that each gramme of soil contains 10 to 100 million bacteria. It is self-evident that we cannot control birds and rodents or avoid muck among livestock. So problems always exist. What we can do is to observe all rules that protect the food chain. This we have done by regulations on what animals eat, what additions can be made to their diet and what medicines they can be treated with. For arable and horticultural crops, we have greatly increased the controls and regulations over pesticides and the quantities in which they can be used on land. There are strict controls over diseased animals. There are controls at slaughterhouses and throughout the distribution chain down to the retail cabinet in the supermarket.

That demonstrates that the Government are very active in pursuing a science-based reduction of risk. In all areas where improvements can be made we are seeking to enhance safety margins. Often safety margins are ultra-safe.

Dr. Reid *rose*——

Mr. MacGregor: That is a clear response to the charge of the right hon. Gentleman that our emphasis is on protecting producers. On the new legislation on pesticides, on the fact that we have 17 measures dealing with the new strain of salmonella—*[Interruption.]* They are all in parliamentary answers. It would be pointless to reply to them now. *[Interruption.]* The hon. Gentleman does not do his homework. He does not read *Hansard;* they are all there. I shall happily send him the parliamentary answers.

In all these ways, we have been taking measures to deal with the problems in the industry. On mineral hydrocarbons, despite the fact that the advice to us is that there is no food risk, to be ultra-safe we have taken further steps which the industry will have to follow. We are guided by various advisory bodies.

Dr. Reid *rose*——

Mr. MacGregor: We have a wide range of advisory bodies with outside experts on whose advice we act. I will demonstrate in answer to some of the issues that have been raised how quickly they have acted. These produce a stream of reports and we act on them promptly.

Dr. Reid *rose*——

Mr. Deputy Speaker: Order. The Opposition Front Bench spokesman was listened to quietly. I hope that the Minister will be accorded the same courtesy.

Mr. MacGregor: With the background I have given, I come to some of the charges. We get advice and we publish reports. There was prompt action on Chernobyl lamb, on BSE, on dialdrin in eels, on salmonella and on mineral hydrocarbons, to give a few recent examples. Until very recently, we were constantly taking action based on the advice we received, but the reports of surveillance and the action that we took normally did not get much press coverage. That did not mean that they were ineffective. They were doing a job and appropriate action was being taken in the interests of consumers.

Mr. Campbell-Savours *rose*——

Mr. MacGregor: I want to get through the points that were made and then I shall give way.

Of course, the industry, from the primary producers right through the food manufacturers to the retailers, has an equally strong interest, as some of my hon. Friends have been pointing out, in ensuring the highest possible standards of food safety and quality. After all, they depend on their customers, and increasingly their customers are demanding higher standards of quality. I believe that the industry has responded extremely well over recent years, and let me illustrate that by two points.

British food exports have increased by nearly 140 per cent. over the last 10 years—and in the added-value food sector exports rose by 20 per cent. in the last year alone. One does not get that standard of performance of increased exports unless our food standards and quality are of the highest. That is the proof. British industry is spending substantial sums on investment. One company is spending £200 million in two years to improve food standards and quality. Those hon. Members who mentioned the importance of what supermarkets do to ensure high standards were quite right. Much has been happening recently.

I would like to bring out a point made by my hon. Friend the Member for Batley and Spen, when she drew attention to the fact that this country and Denmark are the only two member states in the European Community which have been accorded high standards of milk hygiene. When we reached that status at the end of last year it received a lot less publicity than a single food poisoning story, but I have to say that it was of much greater significance to the consumer. It was evidence of very high standards.

As to the charge that we do not take the consumer into account when we are considering food issues, let me make it clear that my Department takes full account of consumer interests across the whole range of its activities. We have always been ready to meet representatives of consumer organisations and Ministers have always responded when asked to do so. Last year, in addition, my officials had 31 meetings with consumer organisations. My Department also requests written consultation with consumer organisations on a wide variety of issues. Much of the consultation is and can be taken into account in writing. In 1988 we consulted 40 consumer organisations on no fewer than 225 occasions on 35 different issues. We always consult under the Food Act when subordinate legislation is being proposed and last year we did so on 38 occasions. So consultation with consumers is intense.

Now let me come to the salmonella issue, because I have indicated how we have taken prompt action on others. This is a new and growing problem, as everyone recognises. It is an international problem, which is being met in many other states. When the problem first came to the attention of our scientists, they had to investigate it carefully and closely towards the end of 1987 to be sure of the evidence before we acted. When it became clear that there was a problem with raw eggs, the Department of Health acted promptly both in relation to the hospital

service and the consumer. When it became clear in November of last year—and it only became clear then—that there could, in addition, be a problem directly related to lightly cooked eggs, on 21 November a health notice and an announcement were issued straightaway. In the period from August until the end of November my officials were working flat out with the Department of Health and with the industry to develop the measures we now see. As I told the Select Committee, a package was put in front of my hon. Friend the Parliamentary Secretary and myself in early November. We took decisions within a fortnight, strengthened them, and the first announcement was made in December. Since then we have taken 17 measures, and we can fairly claim that they are among the most comprehensive in any country in the world, because I have consulted all my ministerial colleagues in the Community, and I am confident that that is so.

Similarly, with mineral hydrocarbons, we received the advice of our food advisory committee on 2 February this year. Within a week we had not only taken a decision but announced it to Parliament. That is the promptness with which we act.

Let me turn now to BSE—*[Interruption.]* I will answer the point that the hon. Gentleman asked earlier about food protein and salmonella. He is quite right that I owe him an answer on that. The answer, as with so many of the issues concerned with salmonella, is that until this new and growing strain became clear, it was not necessary to take the kind of measures we take now, and that applied also to food protein. Incidentally, the hon. Gentleman ought to know that there are very few cases of salmonella enteritidis virus type 4 coming from food protein, whether imported or domestic.

Nevertheless, one of the 17 measures that we have implemented is to take powers to stop the protein going from the plant. Those powers have been in operation since 2 February, and we will use them whenever the evidence is there. *[Interruption.]*

Mr. Speaker: Order. The hon. Member for Workington (Mr. Campbell-Savours) must not start shouting from a sedentary position. He has had his questions answered.

Mr. MacGregor: The hon. Member for Clwyd, South-West (Mr. Jones) raised the question of BSE. He is right to say that this is a new problem which must be taken seriously. Here, too, we acted promptly. The moment that it became clear that the probable source—not yet proved at that stage—was protein from other ruminants, namely sheep, we banned it. I also set up a committee under Sir Richard Southwood to advise us. Sir Richard will acknowledge that within days I accepted the exact advice and recommendations set out in his two interim reports and we took the necessary action.

Mr. Campbell-Savours *rose*——

Mr. MacGregor: I have a lot more to say.

Very recently, Sir Richard put before me his final report. Ministers are now examining the report and its recommendations. We shall take a very quick view of it and publish it in full: I give that promise to the House.

Hon. Members have given examples of food poisoning resulting from unpasteurised milk. The Government made a number of decisions to deal with the problem in England and Wales by limiting substantially the number of outlets for unpasteurised milk. We have a problem here. Let me say to some of my hon. Friends who are unhappy about my recent announcement that I thought long and hard. It could be argued that straightforward information enabling the consumer to take his own view about a product is sufficient, but there is increasing public concern about food safety and we are constantly seeking ever higher standards. That is why we decided that in this instance such considerations outweigh freedom of consumer choice in relation to the continued sale of untreated milk.

Several Hon. Members *rose*——

Mr. Speaker: Order. I do not think that the Secretary of State is going to give way.

Mr. MacGregor: I hope that my hon. Friends will forgive me for not giving way. There will be other opportunities for them to speak, and I must get through the rest of my reply.

Effective heat treatment is known to be the only way in which to minimise the risks of transmitting milk-borne diseases to the consumer through unpasteurised milk. I therefore feel that it is right to take that step now. We shall be publishing—*[Interruption.]* Opposition Members want issues such as research and development to be discussed, and I am anxious to deal with them.

We shall be publishing the consultative document later this week. Issues concerned with unpasteurised milk and other milk products will be included in that document. May I make it clear, however, that there is no intention of banning cheese.

Several Hon. Members *rose*——

Mr. Speaker: Order. If the Minister will not give way, the hon. Member for Lancaster (Dame E. Kellett-Bowman) and other hon. Members must not persist.

Mr. MacGregor: I have some serious points to respond to about research and development. I hope that, despite the hubbub, I have made clear the position on cheese from unpasteurised milk. We do not propose a general ban, as will be clear from the consultation document.

I have defended the position relating to near market research and development many times in the House. But it is not the case that the industry funding of near market research and development applies to issues of public good and food safety. We shall still be spending more than £200 million a year on research and development.

With regard to salmonella, I am currently considering the recommendations of the working party's report and we have increased the amount of research into BST in the past year.

The Leader of the Opposition charged us with the task of anticipating, planning and providing for change. One of the big challenges these days in relation to food safety is the fast-changing food technology, food processing and food innovation. We have been doing that regularly by bringing forward necessary regulations based on scientific advice such as the food hygiene regulations to which my right hon. and learned Friend the Secretary of State referred.

Mr. Campbell-Savours *rose*——

Dr. Reid *rose*——

Mr. MacGregor: Since October 1987 there has been a review of food legislation and when parliamentary time permits we propose to introduce a new Food Bill.

We announced last year that we accepted the expert advice that under prescribed conditions irradiated food is safe and wholesome, but we also stated that we wanted to make sure that we had proper advice on the scope and format of regulatory controls before doing so. We expect a report from officials on that point.

Because of the lack of time I have not been able to cover many issues that have been raised, but I have demonstrated that there has been no cover-up, no conspiracy with the industry and certainly no complacency, but regular and prompt action based on a wide range of scientific advice.

The criticisms levelled against the Government and the British food industry today have been misleading and alarmist. They are also out of date and inaccurate. Labour's feeble claim that the British food industry is no more than a capitalist conspiracy against consumers is even dottier than suggesting that the Leader of the Opposition uses words as sparingly as Clement Attlee. If the Labour party is so concerned about food safety, why did it not initiate a single Opposition day debate on the subject between 1979 and 1989? Was it because Labour Members were satisfied with and supported our policies or was it because they lacked interest in and knowledge of the subject? The answer is yes to both questions. Now, suddenly they try to belittle our policies, which some of them have supported for the past 10 years and others have ignored.

I refer to the exchanges in the House on 5 December 1988 when my right hon. Friend reported on salmonella in eggs and the hon. Member for Livingston (Mr. Cook) responded—*[Interruption.]*

Mr. Campbell-Savours: On a point of order, Mr. Speaker.

Mr. Speaker: I doubt whether it is a point of order, but I shall hear it.

Mr. Campbell-Savours: At 4.50 pm the Secretary of State gave me a promise that I would receive an assurance from the Minister of Agriculture, Fisheries and Food that all protein feedstuff supplies from the producer were free from salmonella. I still have not received such an assurance. What am I to do?

Mr. Speaker: Order. That is patently not a point of order from me. It is a point of argument with the Minister.

Mr. MacGregor: The hon. Gentleman raised that point of order for the simple reason that he is afraid of what I am about to say.

In his reply on 5 December, the hon. Member for Livingston did not refer to the food safety aspects of salmonella; he simply called for the resignation of my hon. Friend the Member for Derbyshire, South (Mrs. Currie).

The Labour party lacks credibility on food issues and the performance of Labour Members today has shown us why. Their grasp of the subject has been scanty and their knowledge even scantier and that was reflected in the speech by the right hon. Gentleman the Leader of the Opposition. By contrast, we have increased the number of food scientists and surveillance of the food chain. We have increased expenditure on food safety and we have taken promptly all the necessary action based on the scientific advice.

Another point of interest to the consumer is food prices. I noted that the Labour party is now suggesting a new food agency. I shall talk about that on another occasion. However, when the Labour Government had a Department of Prices and Consumer Protection, there was a massive increase in food prices much larger than has ever occurred under this Government. That is why we say that we are proud of our record. We are proud of the scientists, doctors and veterinary surgeons who monitor the changes with skill and probity. Today was expected to be the Leader of the Opposition's big day. He failed to make his case. I rest mine on our record.

Mr. Derek Foster (Bishop Auckland) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 199, Noes 289.

Division No. 107] **[10.00 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Godman, Dr Norman A.
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*

Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs Llin Golding and
Mr. Nigel Griffiths.

NOES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Couchman, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Mates, Michael
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moynihan, Hon Colin
Needham, Richard
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Pawsey, James

Peacock, Mrs Elizabeth
Raffan, Keith
Raison, Rt Hon Timothy
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Kenneth Carlisle, and
Mr. Tom Sackville.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments):—*

The House divided: Ayes 287, Noes 199.

Division No. 108] **[10.14 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Mates, Michael
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moynihan, Hon Colin
Needham, Richard
Nicholson, David *(Taunton)*

Nicholson, Emma *(Devon West)*
Norris, Steve
Pawsey, James
Peacock, Mrs Elizabeth
Raffan, Keith
Raison, Rt Hon Timothy
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Kenneth Carlisle and
Mr. Tom Sackville.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Godman, Dr Norman A.
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Hume, John
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mrs. Llin Golding and
Mr. Nigel Griffiths.

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House expresses complete confidence in the Government's policies for protecting the safety and quality of the nation's food and water supplies.

Rating

10.25 pm

The Minister for Local Government (Mr. John Selwyn Gummer): I beg to move,

That the draft Rate Limitation (Councils in England) (Prescribed Maximum) (Rates) Order 1989, which was laid before this House on 14th February, be approved.

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Speaker. May I draw your attention to the fact that the Order Paper notes:

"The Instrument has not yet been considered by the Select Committee on Statutory Instruments"?

I am happy to tell you that the instrument has been considered by the Committee and that there is nothing in the instrument to which we wish to draw the attention of the House. However, may I draw it to your attention that if there had been, the Committee would not have had time to ask for a memorandum or to take evidence and report to the House? Opposition and Government members of the Committee wanted me to express our deprecation that the order was being taken on the same day that it was being considered by the Committee. Such an arrangement should not be repeated because it hampers the work of the Committee.

Mr. Speaker: Although I understand the hon. Gentleman's concern, I am pleased to hear that the Committee made no objection to the instrument. However, I am sure that members of the Government Front Bench have noted the hon. Gentleman's comments.

Mr. Gummer: Further to that point of order, Mr. Speaker. I apologise to the hon. Gentleman that that was the case. As he knows, this is the last time that this particular format will be used. There are specific legal problems about timing that make this extremely difficult, but I apologise to all members of the Committee that this has happened.

The order specifies rate limits for four of the seven authorities subject to rate capping in 1989-90. It marks the end of the rate-capping process, not only for the recent round, but for ever, for rate capping, of course, is not part of the new system of local government finance we are introducing from April 1990 and the system of charge capping, which we have provided in the new system, is rather different from rate capping both as regards its purpose and its operation.

We introduced rate capping to protect ratepayers of those relatively few authorities which, due to their extravagances and incompetence, had a history of excessive spending—and rate capping has done its job. Gradually, the spending of the worst offenders has been brought down, so that this year we have been faced only with a hard core of seven authorities. We have lost some of our old favourites such as Liverpool and Lambeth, whose spending this year is now only modestly above their grant-related expenditure, or GRE—our needs assessment —although I would certainly not pretend that all is well in those authorities as regards the management of their finances and services.

Even in the case of the seven authorities capped this year, we have made real progress in bringing down their spending. In 1984-85, Greenwich spent at nearly 60 per cent. over GRE. That compares with around 30 per cent. if it spends next year at the level implied by the limit we are proposing in the draft order. Camden in 1984-85 was 85 per cent. over GRE compared with some 19 per cent. for next year, Lewisham nearly 53 per cent. in 1984-85 compared with 15 per cent. next year and Thamesdown 90 per cent. over GRE in 1984-85 compared with 37 per cent. next year. The average overspending of those authorities in 1984-85 was 69 per cent. Next year it will be a little over 20 per cent. That shows that rate capping has not only benefited ratepayers, but that it has enabled the more moderate and sensible of those authorities to bring their spending under control.

Of course, I accept that some authorities have used creative accounting to camouflage for a time their true level of spending and to put off the day when real reductions have to be made. This, of course, made the reductions all the more painful when they had to be made.

Mr. Peter Shore (Bethnal Green and Stepney): Simply as a point of information, may I say that I believe that three other local authorities are subjected to rate limitation but are not included in the order because agreement had already been reached with them. Can the Minister give the equivalent figures for their alleged over expenditure of GRE in 1984-85 or for whatever base year he was using, and what that figure is today?

Mr. Gummer: I shall be happy to do so. Although I cannot give those figures now, I shall give them to the right hon. Gentleman later. In all cases, including those that have agreed with the final figures, we have gone into these matters in great detail. I pay tribute to all the authorities that have given information to us, especially the three that have reached agreement with us.

Over the last couple of years we have been seeing authorities making real strides in reducing their excessive spending. As to rates, over the years there have been substantial reductions amounting to several hundred million pounds. Next year alone, ratepayers in those seven authorities will be contributing £40 million less than this year, with rate reductions of up to nearly 50 per cent., averaging 11 per cent. overall. I believe the position today is a tribute to the success of the rate capping system over the past five years.

Turning to the current round, my right hon. Friend announced last July that he had designated seven authorities for rate limitation. They were budgeting to spend from 13 per cent. to 69 per cent. over their grant-related expenditure. He also informed the seven rate-capped authorities of the expenditure levels that he had determined for them using general principles as required by the statute, and they were given until 14 October to apply for redetermination of their expenditure levels—that is, to seek an increase.

We received five applications and, as ever, examined them carefully. We looked at the individual circumstances of each authority and it was in the light of those circumstances that I took my decisions, which I announced to the House on 19 December. Those decisions had been delegated to me because of my right hon. Friend's visit to China. As hon. Members will recall, I decided in four cases—Greenwich, Hackney, Southwark and Tower Hamlets—that it would be appropriate to redetermine their expenditure levels at a higher figure. I also decided, as I told the House in December, that given its particular circumstances it would not be appropriate to

grant Camden any increase in its expenditure level. In each case where I granted some redetermination, I imposed conditions as I am empowered to do under the statute.

I emphasise that the purpose of the conditions is to encourage the authorities concerned to focus on their areas of greatest inefficiency. The problem facing us is not necessarily a party political argument. It is a question of efficiency in the attempt to use the ratepayers' money and the grant in the best possible way.

It was against that background that I took my redetermination decisions. These conditions are to help those authorities which, for a variety of historical reasons, have real management problems. In many cases, if there has been poor management over a long period, it is extremely difficult to put the management right. I wanted the authorities to continue the process of putting their house in order and getting their management into shape. Sound management is a prerequisite of any political debate by those authorities about the level of the services that they wish to provide for their communities—[HON. MEMBERS: "What about Westminster?"] Well, if we are talking about Westminster, we are not talking about rate capping because it is a well-run authority that does not charge high rates. What do Opposition Members want to do about Westminster? Do they want to refuse employed people their statutory rights? I am sure they do not.

I see every sign that authorities are viewing the conditions positively. The rigorous self-examination that the conditions necessarily require of the authorities will be to the benefit of all concerned, leading to greater value for money for the ratepayers. We all want that.

Mr. Clive Soley (Hammersmith): Talking of greater efficiency and better management of ratepayers' money, let us return to Westminster. If ever there was a case for a Minister to step in, it was there. We know that the money was not just what was legally due to the man, but that the council bought silence by an agreement—that is public.

Mr. Gummer: When the hon. Gentleman is willing to say that outside the privilege of the House, I shall listen to him. He knows perfectly well that what he said is not true.

I must return to my narrative of the events behind the order. On 19 December, all seven authorities—*[Interruption.]* These are important matters for the authorities concerned. If they want to debate Westminster, no doubt Opposition Members can table a motion to enable them to do so; however, I am discussing important decisions taken over a long period. Some of us care about them strongly, which is why we redetermined the grant and gave the authorities more money when we thought that that was right. If Opposition Members do not care about Camden, Hackney, Lewisham, Greenwich, Southwark, Tower Hamlets and Thamesdown and prefer to make party-political points, that will be noticed in all those places.

On 19 December all seven authorities were also informed of the rate limits that I proposed for 1989-90. They were given the opportunity, as statute allows, to accept their proposed limit within a specified deadline—by 20 January. In passing, I may tell the hon. Member for Bradford, South, who so courteously raised the point about the Select Committee, that the deadlines make it difficult to offer the Select Committee the courtesy that it deserves. I apologise again to him for that.

When councils did not accept their proposed limit, it was open to them to make representations for a higher limit. As hon. Members who have been following these matters closely will know, Tower Hamlets accepted the rate limit I had proposed, but the other six authorities did not. They made representations for a higher rate limit. We received a large amount of material from most of these authorities seeking to persuade us that in their particular circumstances we should allow some relaxation of the rate limits.

I had meetings with representatives of Camden, Greenwich and Lewisham; I had also met Thamesdown and Greenwich councillors earlier in the rate limitation round. Officers from Hackney, Lewisham and Southwark met my officials. All these meetings were frank, but courteous, and my right hon. Friend and I found them of help to us. Indeed, the contact we had with authorities was a measure of the progress we have made in the past few years in tackling extravagance, waste and inefficiency in local government. All the capped authorities—*[Interruption.]* It is a little difficult to discuss these councils if Opposition Members want to talk only about Westminster. I should be happy to do that, except that, as the council is not rate capped, I should be out of order if I did.

None of the authorities was seeking a confrontation and their dealings with us were restrained and, as I have said, courteous. With Hackney and Southwark we were able to reach agreement on higher limits. So we were left with the four authorities in the draft order—by far the fewest we have had in the five years of rate capping and, as I said earlier, a vindication of its success. But I must not, even on the occasion of such felicitations from both sides, paint too rosy a picture.

These four authorities, and indeed the three authorities with whom we have agreed limits, still have much to do to get themselves on a sound footing. As well as keeping expenditure down, they could do more to get income up. Their council house rents are still generally low compared to those charged by other councils. There are often problems in completing right-to-buy sales. Camden and Lewisham had a backlog of almost 5,000 cases between them at the end of December last year. That means that those who want to buy their homes have not been able to do so, and also that the receipts from those sales are not available to the authorities concerned.

Some authorities continue to maintain considerable and valuable portfolios of surplus land. Opposition Members say that this is unacceptable, but many of them represent areas where Labour councils would be ashamed to have such large backlogs. There is an embarrassment where authorities are not competent in dealing with these matters when compared with other authorities, such as Barking and Dagenham and the way in which it is able to deal with its rent and rates arrears. It is a Labour authority with more than 30,000 houses, yet is able to deal efficiently with the collection of rents and rates. It is difficult to understand why, if that authority can do it, some other authorities seem unable to do so. It cannot be that there is something wrong with it politically or because it is in London; the reason must be, in the case of many of the rate-capped authorities, that an authority is not running its organisation efficiently enough.

Mr. Bernie Grant (Tottenham): Does the Minister accept that there is a difference on the question of poverty

[Mr. Bernie Grant]

between an outer London borough such as Barking and Dagenham and an inner London borough such as Hackney, because the Minister's own index of deprivation puts Hackney at the very top, whereas Barking and Dagenham is a lot lower than Hackney?

Mr. Gummer: The hon. Gentleman puts that argument, but a comparison between, say, Wandsworth and Southwark shows that the hon. Gentleman would be wrong. Those are both inner London boroughs, one having a reasonably good record in rent and rate arrears and the other a very poor one.

But let me compare Brent with the London borough of Barking and Dagenham, two outer London boroughs. I am speaking from memory, but I recall that Barking and Dagenham has rent arrears in the range of 5 to 6 per cent. whereas Brent has rent and rate arrears amounting to 100 per cent. of each rent roll, or certainly very nearly that.

The reason in such cases must be very often that the council officers do not get support from the elected members in dealing with these matters whereas in other authorities they do. This is not a party political matter. Labour-controlled Brent is bad at doing it, and Labour Barking and Dagenham is good at doing it. They ought both to be good at it for the benefit of the ratepayers and those who rent their houses.

Mr. Dennis Skinner (Bolsover): There is another way of looking at the question of arrears. Does the Minister accept that in 1988 the Chancellor of the Exchequer said that there would be arrears on the balance of payments in Britain of about £4 billion, but at the end of the year they were more than three times higher, at £14 billion?

Mr. Gummer: That does not have much to do with the fact that in Barking and Dagenham the council collects the rents whereas in Brent it does not. It is easier to collect the rents if an example is set by the elected councillors, and the officers know that the councillors will support them in their actions.

Southwark, for example, told us that it was owed about £53 million in total in rent and rates. Hackney has rent and rate arrears of £19 million. The conditions that I have imposed on both of those authorities are designed to address that situation. The remedy is one of more effective collection arrangements, coupled with more realistic accounting should the debts appear no longer likely to be collectable. Such measures would do much to improve the financial position of these authorities.

When authorities in deprived areas—whether they be Labour or Conservative—despite difficulties, manage to do this properly, it is reasonable for them to ask why others find it impossible. It is necessary to say that it is a matter of competence and not of party politics.

We looked very carefully indeed at the material we received from the four authorities to which the draft order refers, but I have to say that my right hon. Friend remains convinced that the rate limits for these authorities that were proposed in December are reasonable and appropriate in their circumstances. All four authorities are planning to live within their means. Also—and this is truer of some authorities than of others—they have plans afoot to cut costs in an organised, rather than an ad hoc, way. We believe that the best way to ensure that this trend continues is by not allowing any relaxation of the rate limits.

As I have indicated previously, there is an air of realism pervading local government today, and with these limits I am confident that the authorities will continue along the sensible path, on which they have all embarked, of seeking to provide the services their communities need at a cost their communities can afford.

But I am afraid that there are still some silly things going on which, although not often significant in financial terms, show that authorities have still not completely learnt the lesson that it is their ratepayers' interests that count—not ideological nit-picking. Lewisham, with all its much-trumpeted cost-cutting and staff reductions—which I accept it has made—still thought it a priority to appoint an arts adviser at £11,000 a year to advise on locations for municipal sculpture. Greenwich found time to discuss in one meeting having a street named after Ms Deirdre Wood.

As for Camden, its ventures in lesbian propaganda amongst its caretakers may have given many people a good deal of innocent amusement. Less amusing have been Camden's advertisements for a director, direct services, at £40,000 a year, and an assistant director, business management, at £28,000 a year—both dedicated to keeping services in Camden in-house, among them refuse collection and street sweeping, for which Camden council's incompetence is now a byword.

People are being taken on at that price to try to keep services within the local authority when, if ever there were local authorities that needed to seek advice from professionals outside, for the benefit not only of their ratepayers but of everyone else, this is one. After all, bad street sweeping and bad refuse collection affect especially those who are least able to look after themselves. That is why this is a matter of very considerable concern to many of us.

Of the assistant director, business management, we learn that

"ensuring that essential public services are provided in house is one of the more demanding and rewarding activities in local government today."

It does not seem to me a rewarding and demanding activity to try, for ideological reasons, to retain a particular series of services which, as is obvious to anyone who knows the borough, are not very well run in-house. Would it not be well to see if others could provide them better and more cheaply, giving better value for money? I am sure that that would result in savings and that the money saved could be spent on all sorts of things that most of us realise the ratepayers of Camden would like to have.

Mr. Frank Dobson (Holborn and St. Pancras): Can the right hon. Gentleman confirm that there are officials employed by his Department and the Department of Health whose task is to further the privatising of services? What is the difference?

Mr. Gummer: I cannot answer for the Department of Health. The purpose of the officials in my Department is to try to ensure that people in local government have a choice. They go out to tender and decide what is best. No, the choice lies in the local authority deciding what is best for the ratepayer. What we are talking about here is the appointment of officials to decide what is best for the

ratepayer but to make sure, for ideological reasons, that the ratepayer is not getting the choice, because services are provided in-house.

I have to say to the hon. Gentleman, who represents part of Camden, that I hope he will go back and ask people there whether they are entirely satisfied with the street cleaning and the refuse collection. If the first 10 people asked at random agree, I shall be extremely surprised, and I shall certainly withdraw my comments about that matter.

To be completely fair to Camden, I want to point this out: both advertisements emphasise the need for quality services, competitiveness and even entrepreneurial skill—three requirements which are somewhat new in Camden's vocabulary. But the way to give Camden's ratepayers a better deal is simply to put its services out to competition and try to find the best way to deal with them.

Mr. Dobson: Can the Minister tell us the last time the district auditor commended Camden's refuse collection services?

Mr. Gummer: I think that the hon. Gentleman knows that in the decisions about these matters I have to consider as a whole the various information which I receive about Camden. I will tell the hon. Gentleman much more directly. I know very well that if Camden runs a good service it has nothing to fear from going out to competition. It has something to fear only if it runs a bad service. Why does Camden want to employ somebody to make sure that it does not lose the contract? We want competition to ensure that the people of Camden and of all the other boroughs—*[Interruption.]* The hon. Member for Bootle (Mr. Roberts) and his views about religion are well known. He is an expert on the subject. *[Interruption.]* From a seated position, he continues about it.

Mr. Allan Roberts (Bootle) *rose*——

Mr. Gummer: The hon. Gentleman has been spouting his views on religion from a seated position for some time. The hon. Gentleman must listen to this——

Mr. Allan Roberts *rose*——

Mr. Gummer: I am not giving way. *[Interruption.]* There is nothing abusive about that. I am sure that he has very good views about religion.

The three authorities—Camden, Greenwich and Lewisham—have in total budgeted to spend over £2 million on lesbian and gay, women's and race committees in 1988-89. The Government are committed to equal opportunities, but I doubt whether highlighting matters by having a women's committee or a gay and lesbian committee is anything other than expensive and counterproductive. That £2 million could be better spent, even on the very subjects that are supposed to be covered, than on such committees.

Last, but by no means least, I would not want hon. Members to think that I had forgotten Thamesdown. Indeed, one cannot easily forget the Thamesdown councillors after the riveting account in the rate support grant debate on 19 January by my hon. Friend the Member for Swindon (Mr. Coombs) of their "naughty but nice" activities. There was, he said, "money for everything". Rather than cut back on its extravagances, Thamesdown resorted to creative accounting, selling the largest park in the centre of Swindon. All this was to finance every kind of extravagance, including grandiose twinning schemes with central American countries. I wonder whether the people of Thamesdown would prefer to own their own park rather than find themselves twinned with parts of Nicaragua.

I return to the draft order. At an individual authority level, the changes in the rates of these four authorities range from a reduction of 16 per cent. in Lewisham to an increase of 11 per cent. in Greenwich. Taken together with the rate limits already accepted by Hackney, Southwark and Tower Hamlets, the rate reduction is equivalent to £40 million.

I believe the rate limits specified in the order to be reasonable and appropriate to the individual authorities concerned in all their circumstances. I believe, too, that the overall result for local ratepayers is good. There is every sign that authorities are buckling down to the task of living within these rate limits. I ask the House to have regard to ratepayers' interests in this final year of rate limitation. I remind hon. Members that many of those who are asked to pay rates are less well off than many for whom the services are provided. We have to remember that many ratepayers find it difficult to pay the very high rates which have been levied in many parts of London. I say that with some feeling, coming from the London borough of Ealing, but the coming of rate limitation has brought down the rates in many authorities. Many authorities have learnt to live within those rate limitations, and many of them have found that it is perfectly possible to provide the necessary services without hitting the ratepayer in an unacceptable way. I commend the order to the House.

10.55 pm

Mr. David Blunkett (Sheffield, Brightside): I feel a sense of nostalgia this evening on the fifth occasion of rate orders being laid against authorities. If it were not so late, there would be a great deal that I could say, but I want to put on record that I do not think that this House should sit, except in very unique circumstances, after 10 pm, and, given that the weight of numbers overrides the weight of reason on these occasions, there is little point in trying to persuade Government Members that the rate capping that they have imposed over the last five years has been both futile and unsuccessful.

It has been futile because each action that they have taken has led them inexorably into another turn of the screw and another piece of legislation, and there is no question whatsoever that what has been imposed through rate capping has distorted the making of budgets, the planning of the financial management of authorities, the use of capital resources, and the stretching of ingenuity in a quite unhelpful way in terms of delivering services and improving the lot of those whom we seek to serve.

If I might just go over the history of rate capping, with which I am all too familiar, it was, of course, way back in the early 1980s that the suggestion was made that local authorities' expenditure and rates should be fixed from the centre, a suggestion which is unmatched anywhere else in the world, and which is unjustified financially and politically. We went through with the right hon. Member for Henley (Mr. Heseltine) the performance of putting forward proposals for a referendum, which were then withdrawn on the ground that the electorate might actually vote to spend money and provide services rather than agree with the Government.

[Mr. David Blunkett]

We then came to the rate capping issues of 1984-85 and promises that authorities, if they behaved responsibly and responded to Government demands that services should be reduced and the rates lowered, would actually be treated in a responsible fashion. Tonight we see the results of that: five years of rate capping. The four authorities that we are dealing with tonight find that each Government budget and rate set for them determine that they will be rate capped the following year, because the Government set the criteria. The Government have set the rate for five years, rigged the criteria in the first place, then adjusted it. That is what they did. That resulted in the inevitable. The authorities being debated tonight could not escape from rate capping, whatever they did. Their spending and their rate levels were fixed by the Government and they could not free themselves from that yoke.

Ironically, those authorities which used ingenuity in the first year of rate capping and used means that have since been condemned and outlawed by the Government actually escaped from the second and subsequent years of rate capping. For instance, deferred purchase deals, which have been abused so roundly by the Government, not only ensured that the accepted spending levels were lower because of the recognition of income for that criteria to be applied, and that those authorities which used it effectively escaped from rate capping, but maximised their grant income. A more stupid system one could never have imagined.

Of course, when we changed Secretaries of State, and the present Secretary of State for Education temporarily assumed the mantle of the Department of the Environment, he pronounced, in May 1986, that he found rate capping intellectually indefensible. He did not last more than two months after that. He was moved on to pastures new where he could perform more readily in relation to his prospects.

None of us could intellectually accept, justify or defend rate capping, because it cannot be defended. Only the authorities whose budgets were already above a certain level were eligible for rate capping anyway—a neat way of ensuring that very high-rating authorities with a lower spending level would automatically escape. That is why the authority in the Minister's constituency has not been rate capped. Since 1981 Suffolk, Coastal has increased its rate by 218 per cent. and its budget by 132 per cent. Small authorities such as Selby have almost equalled it. Selby has increased its rate by 177 per cent. The City of London, of course, has exceeded the expectations of everyone except those who would have a vote in the area, but do not, with a rate increase of 79 per cent. but an expenditure increase of 180 per cent. Brentwood's expenditure has risen by 322 per cent., which I do not think can be matched anywhere.

Hon. Members may say, "It is not the expenditure level but the amount over grant-related expenditure assessment that determines the rate cap." The present Secretary of State for Northern Ireland had something to say about that when he was Minister of State at the Department of the Environment. On 1 April 1980—a very appropriate date to pronounce on the matter—he said that it was not suggested that grant-related assessment prescribed a specific level of spending for any particular authority. He said that he wanted to make it clear that that was not the intention and that he was seeking to find the fairest way to distribute public money to local authorities. It did not take four years to denounce that. In July 1984 the Secretary of State—now Lord Jenkin—summed it up by saying that that was then, and that now was now. In other words, whatever Conservative Members may say, it may not last 24 hours if they feel that the circumstances have changed sufficiently.

Now that we have reached the fifth year, let us examine what is happening to local authorities. Let us take the district of Thamesdown, which has been so roundly abused by the Minister tonight. If its expenditure had been slightly lower in 1984 it would never have been rate capped in the first place, and could have joined the authorities that can spend as much as they like above grant-related expenditure because they do not already fall within the criteria. It could join authorities such as the City of London which have constantly exceeded grant-related expenditure levels—in the case of Brentwood by the enormous figure of 276·7 per cent. The City of London has done so by 99·6 per cent.

I got on to the wrong train on Friday. Instead of going to Southampton I made my way towards Guildford. Luckily I got off at the wonderful junction of Surbiton, but had I gone to Guildford I would have found that its expenditure over GREA was 98 per cent. That seems a peculiar justification for treating certain Labour authorities in hard-pressed urban areas in the way in which they have been treated.

When Thamesdown councillors met the Minister on 24 November they put a reasonable case to him, suggesting that the amount allowed to them for poll tax preparation —£164,000—had fallen short by £500,000, their real expenditure for next year being £658,000 on implementation. The Minister listened carefully and acknowledged that that was a reasonable point. He also acknowledged that it was reasonable to take into account the historic debt of a town that had developed rapidly in the 1960s and 1970s, but when the rate-capping order was laid the case of Thamesdown was ignored.

I do not consider that any of the authorities had a fair and reasonable hearing because they were condemned to rate capping from the beginning as they were unable to avoid meeting the criteria. Given their existing expenditure, the extent of their problems and the fact that those in London have to cope with the preparations for the transfer of ILEA and taking over education, and taking into account the fact that, using the GDP deflator, there has been a cut of more than 17 per cent. in their expenditure, it would not have been unreasonable for the Government to have lifted rate capping completely in the final year before the poll tax and to have allowed local authorities to budget sensibly.

Poll tax was suggested as the antidote to rate capping. The Green Paper "Paying for Local Government" contained no suggestion that there would be poll tax capping. Only when the hon. Member for Sheffield, Hallam (Mr. Patnick) asked a planted question on 28 October 1987 did the Government reveal that they had changed their mind, that the poll tax was not so accountable, responsive and democratic after all and that poll tax capping would have to be introduced.

The hon. Member for Hallam is not here tonight because he has one of the occasional days off that Conservative Members get under their rota system.

Mr. Skinner: Bisques.

Mr. Blunkett: I would call them beasts rather than bisques, if that is not an unparliamentary term.

The hon. Member for Hallam knows all about rate capping because just after Sheffield was rate capped in 1985, and a tremendous debate took place in the city, just two months after the rate was set there were two local government by-elections. The other two Tories who contested the Broom Hill ward in Sheffield decided to bail out, given the political climate. Both seats fell to the Labour party for the first time in history and in 1988 so did the seat held by the hon. Member for Hallam. That was the democratic verdict of the people of Sheffield on the introduction of rate capping. They will reach the same verdict on the poll tax and poll tax capping.

The Minister should make absolutely clear what criteria will be applied for poll tax capping. How will authorities know whether their expenditure levels and poll tax levels will subject them to the poll tax regime? If they do not know, they cannot plan and will be condemned after the event. They will not have a chance to plan sensibly with financial management that assists the people of their areas, as all the treasurers and members of the Chartered Institute of Public Finance and Accountancy have said for many years. Those are important questions, because we are involved not in a game, but in issues affecting the lives of people who need home helps, want decent education, care about what happens to the under-fives, want to invest in the future of their children and want to live in a decent environment. Everyone wants those things and steps need to be taken to ensure that expenditure is handled fairly, reasonably and competently. Of course, housing rents need to be collected and no one could justify the Minister's figures. But when we compare those figures with the activities in which some Conservative authorities are indulging, the matter is brought into perspective.

It is not just the sale of cemeteries for 15p, or the £1 million handout to the chief executive of Westminster city council; it is the contempt that authorities such as Westminster show towards the people whom they are supposed to serve. Some Conservatives in local government—for example, Philip Merridale in Hampshire—have bailed out because they have had enough of the abuse, intimidation and degradation that is handed out to them.

A number of local authorities were taken before the district auditor over rate capping. Lambeth and Liverpool were surcharged. Islington still awaits the district auditor's decision. Lambeth—in my view, quite outrageously—is threatened again, four years later, with a return visit of that kind. If anybody deserved to be taken in front of the district auditor and to be accused of wilful misconduct and the threat of surcharge, it is Lady Porter and her colleagues on Westminster city council.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I hope that the hon. Gentleman will not stray too far from the terms of the order.

Mr. Blunkett: I accept your judgment, Mr. Deputy Speaker. The sums of money that were allegedly lost because of delayed rate making under the rate-capping regime and the action that was taken by those councillors to defend services bear no comparison with the millions of pounds to which I have just referred.

Let us look to the future. After the turning of the screw, capping, abolition, the Local Government Bill, the poll tax and the Local Government and Housing Bill, the Government may now realise that enough is enough. They have introduced 50 Bills that affect local government in one way or another—and if they do not realise that, the electorate will make their views clear. They want to be free to decide for themselves. They want the dead hand of the state to be removed. They want to be able to enjoy diversity, to take advantage of pluralism and to raise money and spend it on services that will benefit them. Those issues will be so important that they will form a major plank in ensuring that once and for all we get rid of the Minister and his colleagues.

11.3 pm

Mr. John Maples (Lewisham, West): The hon. Member for Sheffield, Brightside (Mr. Blunkett) chose to defend rate-capped authorities in reasonable terms, but he has completely failed to come to grips with what so outrages my hon. Friends and me. It is not that these authorities are choosing to levy high rates to help poor people in their boroughs; it is the outrageous waste, inefficiency and extraordinarily distorted sense of priorities that they have demonstrated. If the hon. Gentleman cannot come to grips with that fact, it is an amazing reflection on his party's attitude to local government—that it condones some of the matters to which the Minister referred and some of the matters that affect Lewisham.

The best thing about the order for my constituents and me is that it still contains a rate limitation on the London borough of Lewisham. That will be welcomed by the borough's residents. They are intelligent and perceptive people. At least, they were in 1970 and 1983, although they had a lapse in between. It was during the time that they had that lapse that they found that in every year when there was no council election their rates increased by 20 per cent. That happened four or five years in a row, until the rates reached almost astronomical proportions. If they had continued to increase at that rate, rates for the average householder in Lewisham would now be about £1,200 a year. Rate capping has meant that during the last five years rates in Lewisham have remained fairly constant. There is to be a 9 per cent. cut this year, which will be worth between £50 and £60 for each household in the borough.

The Labour party petitioned for a redetermination. It wanted the rates to be increased by 19 per cent., which would have resulted in an additional £100 rates burden on each household. The difference between rate capping and what the council wanted to do is well over £3 a week for the average ratepayer in Lewisham.

We have discovered during the last five years in Lewisham that, despite the prediction that the world would come to an end, the borough has managed to survive within its rate-capped limit and that at last it is beginning to take some of the tough decisions which, if they had been taken some time ago, would have made their financial position now much easier.

I will give some examples of the waste and inefficiency to which I referred and of some of the distorted priorities that we find in rate-capped councils such as Lewisham. In the housing department, a basic function of local government, the rent arrears in Lewisham are £7·5 million, what I thought was an astronomical figure until the Minister mentioned the level of rent arrears in other boroughs such as Brent and Southwark.

[Mr. John Maples]

The rate arrears of non-council tenants in Lewisham are also £7·5 million. We have 80 tenants who owe over £3,000 each and one tenant, who has not paid any rent for seven years, now owes £8,500 to the council. We have 132 overseas students each of whom owes over £600. Nobody can suggest that this policy is helping poor, deprived and disadvantaged people in Lewisham.

To continue this saga of horror stories from the housing department, we have plenty of empty properties, but one house has been empty and totally unoccupied for 14 years, since December 1975, even though we have a homeless family problem in Lewisham. We spend £30 million subsidising the rents out of the rates, which is an average of £15 per house. Labour Members know this because we had a public meeting about it and they were surprised to learn that that was the level. The level of subsidy is running at £750 per house.

This is evidence of rank bad management. It is not evidence of an attempt to move resources from the better-off in society to the less well-off. It is no wonder, with that record of bad management, that, even with the money that is spent by the housing department, the tenants are unhappy. They cannot get repairs done, they can never get a transfer and there is a mass of empty houses and a long waiting list of homeless families who want them.

The council is not short of money. It is short of the ability to direct that money in a sensible way. There are many other stories of inefficiency and an extraordinary sense of priorities in Lewisham. We have a children's home containing two children and 11 staff. We spent £500,000 on a construction industry training programme sponsored by the council to train 30 people, which managed to lose £500,000, so it cost us £17,000 for each person trained over the course of a year.

Staff sickness in the transport department of the council is running at an average of two months per employee per year and, unsurprisingly, the level of sickness went up when the employees discovered that they could still collect their bonuses regardless of whether they went sick. Early last year we had 1,500 more staff than we had in 1979, yet we are supposed to have been subjected to the most awful cuts. We have a council propaganda sheet on which the council spends £80,000 a year, a fraction of the budget that its PR department manages to spend.

It also has an extraordinarily warped sense of priorities because at the same time as it is threatening to cut basic social services the council has taken on 10 staff from the London strategic policy unit at a cost of £150,000 a year. We have a mobile creche with a £74,000 grant which works out at a unit cost of £1,000 an hour. During a council committee meeting at which Conservative councillors asked for that grant to be examined for its efficiency and effectiveness, the council refused to do that, but at the same time froze the grant for disabled people's holidays at £25,000. That is Lewisham council's sense of priorities. It is prepared to spend £150,000 on a political propaganda unit and freeze the budget for disabled people's holidays at £25,000.

A few months ago it looked as though the council was going to abolish its rates and sex equality units, a piece of news which was greeted with joy by my constituents and the other voters of Lewisham. But that joy was premature because they found that they were not being abolished. A new equality unit, which would cost more—£250,000 a year—was being set up in their place.

My right hon. Friend mentioned our borough artist. We had one a few years ago who cost £10,000 and who produced a bit of art. The present one is getting £11,000 and his only task is to advise on whether there is scope for putting art in public places. Lewisham is also spending £12 million on a new town hall. All that comes at a time when my constituents are being told how short of money is the council, that vital services are being theatened, that repairs to council property cannot be effected, and so on.

A report that the council itself commissioned shows that it cannot keep the borough's streets clean. Pensioners in lunch clubs are made to do their own washing up to save money—and, I repeat, the grant for disabled people's holidays has been frozen. But there is plenty of money available for the pet political projects of Lewisham council's Labour group.

One of the good points about rate capping is that it forces down the level of the community charge. The first exemplifications suggested that, after the safety net expired, Lewisham's community charge might be nearly £700. Simply as a result of rate capping in the last two years, the figure is now below £600. The council's Conservative group believes, as I do, that a community charge of £300 is attainable, but to achieve that there must be a safety net reduction over four years of £300. That is £54 million——

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will not go too far down that road. The order makes no mention of the community charge.

Mr. Maples: I shall be careful not to stray out of order, Mr. Deputy Speaker. I was merely endeavouring to explain to my right hon. Friend the beneficial effects of rate capping in Lewisham and that to reduce future expenditure to a level that ratepayers will find acceptable we must make savings of £54 million on a budget—after we take responsibility for education—of £400 million.

Such a saving is distinctly achievable—mainly by paying regard to the items I mentioned. The council makes no effort to redeem part of the enormous debt that it has run up over the years—which now totals £450 million, and costs nearly £50 million per year in interest—yet there is a simple way of doing so. If the council gets rid of some of the right-to-buy backlog that it refuses to process, it could easily clear a substantial part of that debt.

Rate capping has been good for Lewisham. For four years it has been welcomed by the residents of the borough, and it will be again this year. The council is finally seeing sense and finding ways of saving money, and, despite its blackmail tactics in respect of cuts in social service provision, it is realising that sensible economies can be made. I am delighted that my right hon. Friend is taking power to continue capping of the community charge, but I hope that, come next year, we shall be able to offer him a far better alternative—a Conservative-controlled council, so that no further such action will be necessary.

11.22 pm

Mr. Matthew Taylor (Truro): This is the first time that I have had an opportunity to speak in the House on the subject of rate capping, and it may be appropriate to begin by making clear my party's position—which is one of

opposition to such powers being given to the Minister. We oppose it in the same way that we opposed it on each occasion in the past. I shall explain why that is, and why the House should not agree to the order—any more than it should have accepted earlier orders.

I am opposed to rate capping because it is an attack on the principle of local democracy, and because it is a crass way of trying to meet the needs of areas having special and particular problems—some of the poorest, most needy areas of the country. The right hon. Gentleman the Minister refers to needs and expenditure assessment, but they are in each case a matter of his assessment and that of his Government—not of the local people who are forced to suffer the impact of such changes.

No one defends the excesses of the Labour Left that the Minister attacked. I agree with much of what he said, and accept the veracity of many of the examples he gave of local government going wrong. However, I will defend to the last the right of local people to decide whether they agree with their council's actions—rather than the Minister, or this or any Government, making that decision for them. I defend also the needy, who have seen services cut back—yet they have no power, through the ballot box or by making representations to their councillors, to influence what happens. In effect, the Minister and the Government have taken that power to themselves. That should not come as any surprise because throughout the Government have taken the same attitude. They say that they have identified problems in local authorities and identified local authorities which are getting matters substantially wrong, and their response is to take power to sort matters out rather than let the local electorate make their choice.

Mr. Nicholas Bennett (Pembroke): As the hon. Gentleman should be aware, in the boroughs of Lewisham, Greenwich and Camden especially, less than one third of the electorate pay rates. We intend to change that by introducing the community charge which will affect all voters, creating a direct correlation between those who vote and those who pay for the services that they receive. Why did the hon. Gentleman's party vote against that?

Mr. Taylor: I shall come to that later.

First, let me quote the Secretary of State for the Environment in 1987, who commented very much along the lines of the hon. Gentleman, when he said:

"We must either have more and more central control or local electors must exert real local control. We vote for local control."

The hon. Gentleman is trying to say that through the poll tax local control will be given to people in a way that does not exist under the present rating system. That is the justification that Ministers have given. They have said that rate capping is needed because local authorities are unrepresentative. They have referred to near one-party states. They have frequently said that such a step was necessary because so few people contributed to the rates, so few people responded to high rate increases.

The problem is that we now find that the Government are to introduce poll tax capping. If what the hon. Gentleman was saying is correct, they would not have had to do that. The truth is that the Government do not believe that that is what it is about. The Minister sincerely believes that he knows better than the local people what should happen; that it is necessary for him to reserve the power to override the electorate. It is not rate capping or poll tax capping; it is electorate capping. The Government are telling the local electorate the point beyond which they cannot go.

That should not be much of a surprise because it has been reflected in a host of other Government policies, whether restricting councils' abilities to build housing to meet local needs, the abolition of the local business rate to create a national business rate, or rule after rule on expenditure, quite apart from rate capping.

I do not deny that there are a handful of extreme Labour-controlled authorities which have acted wrongly, as the Minister said. I do not deny that on occasions, as a result of some policies, Labour-controlled authorities have given the Minister the opportunity to criticise them for maladministration and extravagance, allowing the Government to introduce their policies. But it is not for the Minister to judge that. The principle of local government is that that judgment lies with the local electorate. That is why we have local government. Otherwise we would have a local bureaucracy. We do not need to elect people to translate Government decisions.

Let me deal now with poll tax capping——

Mr. Deputy Speaker: Order. I remind the House again that there is nothing in the order about the community charge.

Mr. Taylor: I hope that you, Mr. Deputy Speaker, will allow me to develop the argument because it relates specifically to why we should not pass this order tonight. It reflects entirely on the argument that we have been given for passing it tonight, just as we have been given it in the past.

Last year we were told that this would be the penultimate occasion when a rate-capping order would be before the House and it was supposed to be the last time that councils came under such control. The introduction of the poll tax would make it unnecessary for this sort of control to be exercised.

On each occasion the Minister has justified its introduction by saying that it is because he and the Government believe that local authorities are not adequately controlled at present that ratepayers are not significant in the local elections, that there is a need to make the local authorities accountable and that they do not respond as they should to the needs and desires of local people. All of that was thrown out of the window; it was shown to be quite false justification. Yet we heard it again tonight when the Government introduced poll tax capping. It has all proved to be a disreputable misleading of the House.

Mr. Patrick McLoughlin (Derbyshire, West): Will the hon. Gentleman clarify for us once and for all what his party's position on this is? Is he saying that, regardless of what any council did, the Liberal party would not impose any restrictions upon local authorities? Could we be quite clear on that?

Mr. Taylor: We would not have poll tax capping or rate capping or any other sort of capping of the ability of local authorities to raise expenditure; that is their local decision. But we would want one fundamental change that the Government have avoided on every occasion. They specifically excluded it from what Widdicombe was allowed to look at and from all consideration of local

[Mr. Taylor]

authority expenditure. It is the one glaring, obvious way of making local authorities more accountable to their electorate, of ensuring that one-party states do not exist and that every person in a local authority area is able to have his or her voice heard properly. That is proportional representation, and there are people of that view now throughout the House. But the Minister is not even prepared to look at it. He was not prepared to have Widdicombe even consider whether that would be the most appropriate way of bringing local authorities under control.

That is why the Minister has to resort to these measures, because he wants to exercise that control centrally and he thinks that he knows better. He dare not trust what local authorities do. He feels free to criticise them for being unrepresentative, but is not prepared to ensure that they properly reflect what people want.

The result is that we debate again tonight what we have debated in so many different ways before: yet another in the battery of powers that the Minister feels obliged to adopt as an attack on local democracy. We are seeing an unwillingness to create genuine local democracy in which people are free to take decisions that reflect the needs of their area as they see them rather than as the Minister sees them.

11.32 pm

Mr. Simon Coombs (Swindon): I have listened with great interest to the hon. Member for Truro (Mr. Taylor) and would say only this to him. The level of support for democracy which has brought all right hon. and hon. Members to the House is far greater than that which has elected the councillors whose behaviour the House attempts to control with this order tonight. It is therefore reasonable that we should say that democracy is indivisible and that we on the Government Benches have a mandate to carry out this policy.

I sometimes wonder whether Members of the Opposition ever wonder why the local authority in the constituency which I represent is so frequently to be found on the list of rate-capped authorities. One can understand why London boroughs might be there, with the problems they have, but surely the fastest growing town in western Europe ought not to be on the list of rate-capped authorities.

The fact is that Thamesdown has been on the list in each of the five years that we have had to consider orders of this nature. Right from the start Thamesdown borough council was opposed to the idea of rate capping and made it abundantly clear, with a strong political propaganda campaign, that if the borough council were rate-capped it would be the end of services and support for a vast range of activities which it regarded as essential. I have to tell the House that, after five years, none of those threats has come to pass. The threat to withdraw grant from a variety of voluntary bodies and the threat to take away services from the disabled and the elderly have not come to pass.

When I stood for re-election to the House in 1987, after three years of rate-capping, I was told that such was the disgust of my electors with my support for the policy that I would be thrown ignominiously from the House. I remember the hon. Member for Blackburn (Mr. Straw) saying that from the Front Bench. Conservative Members who follow these matters will know that, as a result of my support for this policy and others, I was re-elected with a majority of three and a half times greater than in the first place. I took that as an endorsement of rate capping from a turn-out of 75 to 80 per cent. of the electorate, because the people of Thamesdown participated to a far higher degree in that election than in the local elections, which returned my political opponents. There we had turn-outs of 30 to 40 per cent.—half those in the general election. The reason is that only one third of the population of Thamesdown pays rates. The other two thirds had a vested interest in voting in councillors committed to high-spending policies using the money raised by the minority—the ratepayers in the borough—and they continue to do so. Frankly, I am not surprised by that and that is why I welcome the change in the philosophy of local government finance.

Mr. Harry Barnes (Derbyshire, North-East): The hon. Gentleman referred earlier to the much-vaunted mandate on these matters that the Conservative Government had after the last general election. But there was nothing in the Conservative manifesto on poll tax capping. The terms in which poll tax capping have been laid down are contrary to the Conservative's position at the last general election.

Mr. Coombs: I am not sure that I can see how to answer the hon. Gentleman's question, Mr. Deputy Speaker, without transgressing the strict rules that you have laid down for the debate. However, I shall return to the point later and crave your indulgence then.

I want first to deal with the point raised by the hon. Member for Sheffield, Brightside (Mr. Blunkett). He said, rightly, that Thamesdown councillors had come to see my right hon. Friend to press their case and that my right hon. Friend listened carefully to what was said, but was not able to make a redetermination. The hon. Gentleman should know that under the rules approved by Parliament the local authority in question has to apply formally for a redetermination. The simple fact is that over the five years of rate capping Thamesdown council has never made that formal application. It is the only rate-capped council that has never asked the Minister formally to redetermine its rate. I believe that if it had done so, it would have been allowed to increase its rate, but it has never tried. We must look to the councillors of Thamesdown to tell us why they will not do what Labour councillors in every other rate-capped borough have done naturally year upon year.

Instead of doing that, the councillors of Thamesdown have indulged in creative accountancy and have found ways of keeping within the rate limitation imposed on them by Parliament, but at the same time they have continued to allow expenditure to rise in a variety of ways. My right hon. Friend referred to twinning with a town in Nicaragua and I could mention the quite unbelievably unattractive statues that now adorn most public places in Thamesdown. As far as I am aware, nobody wants them.

The most recent attempt to get round the law is the method of raising finance known as factoring. I understand that that is to be the subject of a test case shortly, so it may not be proper to say what is likely to happen.

My right hon. Friend also referred to the idea of selling assets and observed that the borough councillors in Thamesdown had decided to sell a large public park in the centre of the town. That was a little unfair on them—it is

only a small part of a large public park in the centre of Thamesdown. However, that is a step that other Labour councillors may want to follow in future. The only people who are determined to stop them are the Conservative councillors who represent the ward in question.

Under its Labour masters, the borough council has never been prepared to consider a sensible policy of disposing of assets. The wealth of Thamesdown has been created over many years by its success and by its location as an attractive place in which to relocate industry. The borough has been the beneficiary of that wealth, but it has never been prepared to capitalise on it because Socialists say that all property belongs to them and should never be used for the wider benefit of the community—[HON. MEMBERS: "Rubbish."] Well, if Opposition Members who scoff at that can tell me any other good reason for hanging on to a shopping centre in the centre of the town and if they believe that is the right and duty of a Labour council to be responsible for shopping in the town, let them say so instead of scoffing from sedentary positions.

The order is essential, and may I say in answer to the hon. Member for Derbyshire, North-East (Mr. Barnes) that the successor policy of charge capping is also essential. If we were not to have rate capping in Thamesdown this year, the local labour councillors admit —in private—that the rates would rise by over 60 per cent. My hon. Friend the Member for Basildon (Mr. Amess), who is sitting next to me——

Mr. Blunkett *rose*——

Mr. Coombs: I shall give way in a moment.

My hon. Friend the Member for Basildon has just told me that, as a result of his local authority being taken out of the provisions of tonight's order, rates in Basildon will rise by 74 per cent. That is the alternative for my constituents if we do not pass the order. I am not prepared to vote against an order that protects my constituents from a rates increase of over 60 per cent.—nor am I prepared to see them submit to that level of increase with a new regime of local authority finance next year. It is right that under the community charge we shall see greater accountability, but that will not happen straight away. Therefore, it would be foolish to withdraw the protection of capping in the first year of the new system.

The hon. Member for Brightside said that if Thamesdown had been only a little more moderate in its spending in 1984-85, it need not have been rate-capped. What does he call 90 per cent. above GRE? What does he call the reduction that would have been needed from 90 per cent. to 10 per cent. of GRE to avoid being rate-capped? I do not call that a small reduction in expenditure. It would have been catastrophic. Of course, there was no way in which the council could have escaped it in the first year, but now I am happy to report that the overspending on GRE is down to a modest 37·3 per cent.—still the highest of the four authorities listed in the order, and still impossibly above any level that could be acceptable.

Mr. Blunkett: At the risk of wasting my breath, the point that I was making earlier was that the level that had been set by the Government at which rate capping would start to apply was such that districts such as Thamesdown, having spent slightly less in the years before 1984, would have been exempted for ever, like Suffolk, Coastal and Brentwood and Guildford, or any of the other authorities that have increased their spending and rates far in excess of Thamesdown, Greenwich, Lewisham or Camden.

How does the hon. Gentleman square what he said earlier about rate capping being necessary because not everybody pays rates and therefore some people could vote for increased spending without feeling the pain of that with what he has just said, which is that in any case it does not matter because poll charge capping would be justified anyway?

Mr. Coombs: I come back to what I said before: the level was 90 per cent. above GRE, compared with the target of 10 per cent. set at the beginning of the rate-capping saga. That is is an enormous disparity, so it is no good the hon. Gentleman talking about other councils. Under those circumstances, Thamesdown was bound to be rate-capped, and it has never managed to avoid it since because it has not been prepared to tackle the overspending it has indulged in every year since 1984-85. If the hon. Gentleman reads again what I have said this evening he will realise that there was no contradiction between his second point and my remarks.

I join my hon. Friend the Member for Lewisham, West (Mr. Maples) in welcoming the order for the protection it affords my constituents from the depredations of a high-spending Labour authority. I welcome, too, the introduction of a new local government finance system which will give every person in Swindon a vested interest in watching how his money is being abused and wasted by the local authority. I am sure that that will result in a year or two's time in Labour councillors beginning to lose their seats.

11.46 pm

Mr. Paul Boateng (Brent, South): The hon. Member for Swindon (Mr. Coombs) had the gall to lecture us about democracy and to parade his own re-election as having been a manifestation of the people's will triumphing over the excesses of local government. If the voting procedures being applied under the Housing Act 1988 had been applied to the hon. Gentleman's election—if those who abstained were counted as having voted in the affirmative, and the undead were given a vote—he would not be here today. So his lecture was shot through with the double standards that are typical of Conservative Members when they talk about local government. There is one rule for local councils, and another for the Government: one rule for Conservative councils, and another for Labour-controlled councils.

I apologise to the Minister. I was serving time on the Committee examining the Water Bill during his speech, but I left word with my hon. Friends to let me know if he attacked Brent. You, Mr. Deputy Speaker, have given Conservative Members generous latitude to explore the foibles and failings of other boroughs and the Minister cannot resist the temptation to get Brent in too when discussing the rate capping of other authorities. The Government never miss an opportunity to be vindictive about Labour authorities, or to drag in arguments that they believe can be used against local government in general.

The Minister should not have chosen Brent as an example of a council with excessive rent arrears. Those who advise him can tell him about the measures that Brent has introduced to curb arrears. He knows of the action

[Mr. Paul Boateng]

that has been taken to step up the collection of arrears and to move against people who fail to pay their rent or rates. He should be generous enough to admit that Brent is trying to come to grips with its problems. But he has not shown that generosity when talking about Thamesdown, Camden, Greenwich or Lewisham.

The measure is not to do with protecting ratepayers and residents. It is about superimposing the will of the Government on that of the locally elected representatives of the people. It is about substituting the will of the grey-faced, grey-suited men sitting in their little offices and cubby holes in Whitehall, where my constituents cannot get at them—with their calculations of what we should spend on the care of the elderly and of children, or on education, or on the gamut of services that should be run locally—for the will of the elected representatives.

The Minister launched an attack on Brent while talking about Thamesdown, Camden, Greenwich and Lewisham. We know that he could not resist that opportunity. But he ought to consider the experience of Brent. Rate support grant has been reduced during the lifetime of this Government from 65 per cent. of the borough's net needs to some 38 per cent.

Can Conservative Members put aside for a moment their spite and vindictiveness against a steadfast Labour authority? Can they imagine the impact of that reduction on the meals on wheels service or on care for the elderly and the disabled? Can they imagine the impact on bed and breakfast accommodation in my borough? When they talk about empty properties, they really ought to look at their own abysmal record. The biggest owner of empty properties in the country is none other than Her Majesty's Government. They should take that reality on board and not come here to lecture us about democracy and value for money. We know about democracy, we know about value for money, and that is why we are opposing the order.

Mr. Gummer: I knew that the hon. Member for Brent, South (Mr. Boateng) was not in the Chamber when I opened the debate. I made the comparison with another Labour authority in reply to a point that one of his hon. Friends raised with me.

I do not believe that my attack on Brent was vindictive. The vindictive attack was by his neighbour, a Labour Member, the hon. Member for Brent, East (Mr. Livingstone) who referred to it as being worse than the Pol Pot regime. I remind the hon. Gentleman that my point was directed to rate-capped authorities. One of the most important points was that they should collect the rents in arrears. The hon. Gentleman is right to say that the local authority in Brent has said that it will take some new action, but after all that follows newspaper revelations that it did not know who its tenants were, let alone collected the rents, and that keys to flats in Brent were on sale in Nigeria. It was only after those revelations, which were not denied by the borough of Brent, that the changes took place. I do not think that that is vindictive.

Mr. Boateng *rose*——

Mr. Gummer: No, I do not think that the borough of Brent is in any position to complain, until it has changed its ways. Some of the worst examples of those with rent arrears were among the elected councillors of Brent, which was why it was difficult for the officers to get support when they set out to make those changes.

Mr. Blunkett *rose*——

Mr. Gummer: I have only three minutes to reply, and I do wish to reply to the hon. Gentleman's question. It is only fair of me to do so.

The hon. Member for Sheffield, Brightside (Mr. Blunkett) said that it was very unfair because several authorities, including my own authority of Suffolk, Coastal did not get themselves rate capped. That is not surprising, considering that it has the 206th lowest rate in Britain. It is below the national average. If there is a high percentage increase, it depends where one starts from; if one adds a penny to 2p one could say that that is a 100 per cent. increase. But the real question is what is the level of rates. I find it difficult to compare the 206th lowest in Britain with the position of rate-capped authorities.

Taking Lewisham as an example, if we had allowed Lewisham to put the rate at the level that it wanted, it would have put another 46p in the pound on top of our proposed limit. That would be £100 per household. That is why we are defending the people of Lewisham. The hon. Member for Brightside attacked the City of London. Let me point out to him that the local authority there increased the rate by a mere 4 per cent. and that the domestic rate in the City, even after allowing for the ILEA precept, is the second lowest in the country. How dare he make the suggestion that he made?

I am sorry that his hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) is not here, because I was rather careful not to answer him until I had received the exact facts. The truth is that Camden did indeed draw my attention to what the auditor had said, but it quoted only one sentence from the letter, so I asked for the full letter. I got the full letter, and it turns out that the auditor stated that in 1987-88 Camden's street sweeping costs per kilometre of road were £9,000 per annum, compared——

It being one and a half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 14 (Exempted Business).*

The House divided: Ayes 176, Noes 109.

Division No. 109] **[11.55 pm**

AYES

Alison, Rt Hon Michael	Browne, John *(Winchester)*
Amess, David	Buck, Sir Antony
Amos, Alan	Burns, Simon
Arbuthnot, James	Burt, Alistair
Arnold, Jacques *(Gravesham)*	Butler, Chris
Arnold, Tom *(Hazel Grove)*	Butterfill, John
Ashby, David	Carlisle, John, *(Luton N)*
Baker, Nicholas *(Dorset N)*	Carlisle, Kenneth *(Lincoln)*
Baldry, Tony	Carrington, Matthew
Batiste, Spencer	Carttiss, Michael
Bendall, Vivian	Cash, William
Bennett, Nicholas *(Pembroke)*	Chope, Christopher
Blaker, Rt Hon Sir Peter	Churchill, Mr
Boscawen, Hon Robert	Clark, Dr Michael *(Rochford)*
Boswell, Tim	Clarke, Rt Hon K. *(Rushcliffe)*
Bottomley, Peter	Conway, Derek
Bottomley, Mrs Virginia	Coombs, Anthony *(Wyre F'rest)*
Bowden, Gerald *(Dulwich)*	Coombs, Simon *(Swindon)*
Bowis, John	Cope, Rt Hon John
Brazier, Julian	Currie, Mrs Edwina
Bright, Graham	Davies, Q. *(Stamf'd & Spald'g)*
Brown, Michael *(Brigg & Cl't's)*	Davis, David *(Boothferry)*

Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hind, Kenneth
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lightbown, David
Lord, Michael
Macfarlane, Sir Neil
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Morris, M *(N'hampton S)*
Moynihan, Hon Colin
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Pawsey, James
Peacock, Mrs Elizabeth
Raffan, Keith
Renton, Tim
Riddick, Graham
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rowe, Andrew
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Twinn, Dr Ian
Waddington, Rt Hon David
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Michael Fallon and
Mr. Sydney Chapman

NOES

Adams, Allen *(Paisley N)*
Alton, David
Armstrong, Hilary
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cryer, Bob
Cunningham, Dr John
Darling, Alistair
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fields, Terry *(L'pool B G'n)*
Foster, Derek
Fyfe, Maria
Galbraith, Sam
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Win *(Bridgend)*
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Henderson, Doug
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Sean *(Knowsley S)*
Illsley, Eric
Ingram, Adam
Jones, Martyn *(Clwyd S W)*
Lamond, James
Leighton, Ron
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Morley, Elliott
Mullin, Chris
Murphy, Paul
O'Brien, William
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Roberts, Allan *(Bootle)*
Rooker, Jeff
Shore, Rt Hon Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Nigel Griffiths and
Mr. Jimmy Dunachie.

Question accordingly agreed to.

Resolved,

That the draft Rate Limitation (Councils in England) (Prescribed Maximum) (Rates) Order 1989, which was laid before this House on 14th February, be approved.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.]

AGRICULTURE

That the draft Code of Recommendations for the Welfare of Goats, which was laid before this House on 23rd January, be approved.

That the draft Code of Recommendations for the Welfare of Farmed Deer, which was laid before this House on 23rd January, be approved.

That the draft Code of Recommendations for the Welfare of Livestock-Sheep, which was laid before this House on 23rd January, be approved.—*[Mr. Heathcoat-Amory.]*

Question agreed to.

WAYS AND MEANS

WEIGHTS AND MEASURES (AMENDMENT) BILL

Resolved,

That, for the purposes of any Act resulting from the Weights and Measures (Amendment) Bill, it is expedient to authorise the payment of sums into the Consolidated Fund. —*[Mr. Heathcoat-Amory.]*

RIGHT OF REPLY BILL [MONEY]

Queen's recommendation having been signified—
Resolved,

That, for the purposes of any Act resulting from the Right of Reply Bill it is expedient to authorise the payment out of money provided by Parliament of—

(a) any sums payable under the Act by way of reimbursement for loss of earnings suffered, or expenses incurred, by members of the Press Commission established by the Act;

(b) the remuneration and expenses of the Right of Reply Advisor so established and of the Secretary and staff of that Commission; and

(c) any increase attributable to the provisions of the Act in the sums payable out of money so provided under any other Act.—*[Mr. Heathcoat-Amory.]*

PETITION

Mr. Charles Bester

12.7 am

Mr. David Alton (Liverpool, Mossley Hill): I have the honour to present a petition which has been signed by 58,789 Christians from churches of all denominations situated in all parts of this country. The petition is addressed

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland assembled.

The Humble Petition of residents of the United Kingdom showeth

That we call for the release of Mr. Charles Bester, the 18-year old Christian gaoled by the South African authorities for six years following his refusal on conscientious grounds to join the South African Armed Forces.

Wherefore your Petitioners pray that your honourable House request the Government to make appropriate representations . . . to have Mr. Bester freed.

And your Petitioners, as in duty bound, will ever pray, &c.

This petition has been organised by the Jubilee Campaign, which works for prisoners of conscience. Mr. Bester is an 18-year-old Anglican facing a harrowing ordeal of six years' imprisonment, which must seem like a lifetime for someone of his youth, for refusing to take up arms against his fellow countrymen.

As a Christian, he unequivocally rejects apartheid as being morally repugnant. He is supported by 93 Members of Parliament of all parties, who have signed early-day motion 176, and by the Archbishop of Capetown, Desmond Tutu, Sir Richard Attenborough and Mr. Donald Woods, all of whom sent messages of support to a meeting held in Westminster earlier today in the Jubilee Room.

I trust that her Majesty's Government will take every possible step to support the petition.

To lie upon the Table.

Transplant Organs

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Heathcoat-Amory.]*

12.9 am

Dame Jill Knight (Birmingham, Edgbaston): Our doctors, like our policemen, are wonderful. They can save lives or sight, which would inevitably have been lost just a few years ago—or at least they could have, but they cannot, because the necessary organs are not available. Instead, these precious pieces of human tissue are discarded wastefully and uselessly every day. They die in the bodies they are part of, though they could give life to another human being.

At present 3,700 people are waiting for kidneys, 420 for hearts, 48 for livers and 600 for corneas to give them sight. That does not mean that we need 4,768 donors—the total number of needed organs—because one donor could give two kidneys, one heart and so on. We are not talking about an impossible target. It could, I think, easily be achieved, and the time has come when we must resolve to achieve it.

It is over two and a half years since the Hoffenberg report on the subject was published. Recommendations were made but to my knowledge none has yet been adopted, and I believe that the matter is now urgent. People are dying needlessly; impoverished peasants are being prevailed on to sell their kidneys; doctors are talking about breeding animals to use their organs in human beings; other doctors are talking about using the organs of aborted babies for the same purpose. That is the stuff of scandal.

Where shortages exist, human ingenuity works automatically to overcome those shortages. When the matter is one of life and death, entrepreneurs will go to any lengths to provide the missing items. If something is not done, the scandals will get worse.

What, then, should be done? Should the "required request" be brought in—that is, should a legal obligation be placed on hospitals to ask relatives whether the dying person's organs can be used? Sir Raymond Hoffenberg did not recommend that in his report, although the committee discussed it. It is possible, however: there is nothing illegal about asking. Some hospitals already do it, and I am told that the practice exists in many American states, where it is said to result in many more organs becoming available. But what worries me, and what I think worried the Hoffenberg committee, is that not all hospitals can deal properly with the matter—which is, after all, highly delicate and acutely sensitive. The agony of the bereaved, or those about to be bereaved, must be respected; it cannot be trampled on. That must be considered and balanced with the desire to save someone else's life.

I am ready to agree that sometimes the bereaved are comforted by the thought that the death has not been a total waste. Not all, however, feel that way. Besides, how on earth would such a directive be policed? Any law that cannot be enforced is a bad law. I do not see how anyone could be certain that the law was being carried out if Parliament directed that it should be. Instead the Hoffenberg report recommends a strong campaign of information, both for the general public and for hospital personnel, to encourage more people to become donors, and I urge that course on the Government.

I cannot agree—and nor did Hoffenberg—with the suggestion that everyone going into hospital should be asked whether he would be willing to donate his organs. I can envisage truly horrendous circumstances arising. Someone might go in for a relatively minor operation, perhaps to have a bunion dealt with, and be asked first the name of his next of kin and then whether he would donate his organs. That course would, I feel, spread alarm and despondency, and I cannot agree with it.

I think that the time to ask the donor volunteers is when people are fit, well and flourishing and not expecting to die. Let us have a sustained poster campaign. Posters could be very well designed and very effective. They could be placed in health clubs, universities and sports facilities. Let us also use television. I am sure that if we embarked on the kind of campaign that the Hoffenberg committee recommended we would find more donors.

Only 20 per cent. of people carry donor cards. We could easily quadruple that, and with the right publicity and effective appeals we could make it the norm and not the exception to carry a card. Some people favour introducing a system which assumes that everyone is willing to be a donor unless they specifically say that they are not. The committee rightly discarded the opting-out system. I pay tribute to the committee and the sensitivity with which it approached a highly sensitive subject. We are dealing with individual freedom and everyone has the right to decide what is done with their bodies and their organs. The opting-out system would not always allow that.

Even when a person carries a donor card, his organs may not always be used, first because if a person is involved in an accident in the street, it is normal practice for him to be rushed into an intensive care unit, where all his clothes are quickly removed, bundled up and taken away. It is not usually the practice to search the injured person's clothes for a donor card, which gets left in the clothing. Secondly, the next of kin must agree, although the person has signed a card to say that he is willing to donate his organs. The next of kin may be the person's wife, who is likely to have been involved in the accident with the injured person. I am told that one difficulty is when they cannot ask the next of kin whether he or she is agreeable. Sometimes the next of kin is too upset to agree or cannot be found quickly enough, because obviously such cases are urgent and if organs are to be used successfully they must be removed within a fairly short time. A great deal could be done to improve hospital practice when donors are known to have agreed to the use of their organs.

The Hoffenberg report said that:

"organ donation should always be considered when brain stem death is diagnosed".

I do not have time to discuss that point, but it is extremely important because there has been a great deal of controversy as to whether that is right or wrong. Many people have been made nervous by the suggestion that life support machines may be switched off too quickly, with more thought for the person to be helped by the organs than for the person donating them. That, too, is a matter of extreme sensitivity.

Some say that we could ask on the census, but I know that my hon. Friend the Minister will say that the Government have turned their face against that suggestion for very good reasons which I do not have time to go into.

The committee suggested that the donor card should be attached to the driving licence. I think that there would have to be an EEC agreement on that, since driving licences come under EEC regulations.

[Dame Jill Knight]

The report is not very long, but it is all very interesting. The main thrust of the report is on a national and local campaign to inform the public of the need for more organs and the ease with which they can be donated. The report concludes:

"The goodwill of the public can be maintained and increased by publicity about the successful long-term results of transplantation. The wishes of potential donors should be made better known. Health professionals should be encouraged to respond to the generosity and compassion of the public."

The public are most wonderfully generous and compassionate. When they see that there is a need, and when they understand the length and breadth of that need and its importance, they respond, but they need to be given a lead by the Government. I think that they need to be given that lead now.

Sir Michael McNair Wilson (Newbury) *rose——*

Mr. Deputy Speaker (Mr. Harold Walker): Does the hon. Member have the leave of the hon. Member for Birmingham, Edgbaston (Dame J. Knight) and the Minister to take part in the debate?

Dame Jill Knight *indicated assent.*

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman) *indicated assent.*

12.16 am

Sir Michael McNair Wilson: I am most grateful to my hon. Friends.

I congratulate my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) on her admirable speech on a most important subject. She referred to the kidney donor card. All of us have congratulated ourselves on the number of cards that have been issued. At least 8 million cards were issued in 1987 and 1988. However, when I asked Ministers how many of those carrying donor cards have ended up as kidney donors, they were unable to supply me with that information. That suggests to me either that the card carries no weight with the medical profession, which therefore does not seek it out when people are taken into hospital, or that the card does not have the force of law that donors believe it carries when they sign it.

If that is the case, we should look into the matter and ensure that the card is what it purports to be—the consent of the person carrying the card to have his or her organs taken in the event of death without recourse to next of kin. I understand that in law there is no requirement for hospitals to ask next of kin to remove organs.

We know how many cards have been issued. We do not know how many cards are being carried by donors. There is no national, centralised computer register of donor cards, so I do not think that the Minister will be able to tell me that the Department knows that X number of cards are being carried in people's pockets. All that I was able to glean from his predecessor was the statement:

"We wish to see an evaluation of the registers being established by the Manpower Services Commission, for example, in Birmingham and Sheffield, and of a similar scheme operating in Wales before giving further consideration to this question."—[*Official Report*, 14 July 1988; Vol. 137, c. *364.*]

I do not think that that is good enough. I wholeheartedly endorse what my hon. Friend the Member for Edgbaston said. If only we could garner all the kidneys and other organs that are available but that are being lost through neglect, we should not have the problem of the waiting list to which she referred.

12.18 am

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman): I congratulate my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) on her success in the ballot and on choosing a subject that is of such great importance to a growing number of patients. I congratulate also my hon. Friend the Member for Newbury (Sir M. McNair-Wilson) on his brief but trenchant contribution. I pay tribute to him for his fortitude over his own personal disabilities and the great experience, consideration and sympathy that he always brings to these debates.

As transplant surgery becomes increasingly successful, demand grows and we have to concentrate on ways of stimulating the donation of organs. As a Government we have been extremely active in this area during the last year, and in a few minutes I will explain both what we have been doing and the sensitivities which many people feel on the subject.

The United Kingdom record on organ transplants is a credit to all those involved in it. Although we do not yet have firm totals for 1988, provisional figures for the number of transplants show that it was another record year. Last year, the National Health Service carried out 1,544 cadaveric kidney transplants, 332 heart and heart-lung and 212 liver transplants. For kidneys, this implies a rise of 35 per cent. compared with five years ago. Heart and heart-lung transplants rose sixfold, and liver transplants over tenfold over the same period.

Compared with our European neighbours, we are among the leaders both in terms of transplants performed and the technical excellence of our programmes. In terms of numbers of kidney transplants per annum, Germany and France are slightly ahead of us but have about the same activity rate per million of population.

We do not have good figures on the number of heart and liver transplants performed in other European countries, but we know that our programmes are held in high regard by our neighbours. We commenced our transplant activities much earlier than other European countries.

Despite the record figures, the numbers waiting, particularly for kidney transplants, are too high, and I agree with my hon. Friends about that. We are not alone in this. Most countries have substantial waiting lists and in many they are growing significantly. In round terms, the United Kingdom waiting list for kidneys is 3,500, that for hearts and heart-lungs stands at 400 and livers at between 40 and 50. The figures given by my hon. Friend the Member for Edgbaston probably included those for the Republic of Ireland, whereas I am giving figures for the United Kingdom. In the case of cadaveric kidneys, about 35 per cent. of patients wait for less than a year. Those with rare tissue types may face a much longer wait because of the difficulty of providing a well-matched donor.

Organs for transplant can be obtained from two sources. They can be donated after death or from living organs. Live donation applies only to kidneys. Since

humans are endowed with two kidneys, and it is quite possible to function with one, close relatives sometimes donate a kidney. Where the genetic relationship between donor and recipient is very close, this can often produce a good match and lead to a successful graft.

With other organs live donation is not possible, except in one special and rather interesting case. In recent years our surgeons have been successfully transplanting the heart and lung as a single unit. This is often carried out on patients whose lungs are in chronic failure, as happens, for example, with cystic fibrosis. In such patients, the heart is often in good condition, so instead of wasting it the cardiac surgeons put it into another patient needing only a heart transplant. Providing the donor consents—and why should they refuse?—this is one way of maximising the use of available organs.

Our largest heart transplant centre, Harefield hospital, has performed these so-called "domino" operations successfully in significant numbers in the last two or three years, and we pay tribute to their skill. However, this is a special case. The point remains that live donation is essentially possible only with kidneys. But live donation, even between close relatives, is not our preferred source of supply of kidneys. European Health Ministers held a special meeting on transplantation in November 1987, and agreed that

"the use of organs from living donors should be restricted and, where possible, gradually eliminated."

The best way of making this happen is, of course, to boost donations from those who have died to make live donation less necessary. In the United Kingdom we are fortunate in not having to rely heavily on live kidney donors; in 1987 well over 90 per cent. of our transplants were from those who had died.

One source of organs is totally unacceptable both to this and other European Governments. This is the purchase of kidneys from unrelated donors. Recent allegations of trading in organs have evoked feelings of disgust in virtually all of us, and the Prime Minister has denounced the practice in this place. Hon. Members will be aware that the health authorities concerned have moved quickly to investigate the allegations, and that the cases have been referred to the General Medical Council, which will consider whether professional misconduct has occurred. We are urgently considering legislation.

The Government have been concerned about the shortage of cadaveric organs for some years. In 1986, as my hon. Friend said, the Department of Health sought advice from the Royal medical colleges on why there was a shortfall, and ways of remedying it. The colleges set up a working party under the chairmanship of Sir Raymond Hoffenberg, the then president of the Royal College of Physicians, which reported in 1987. The working party stressed that many factors contributed to the shortage, and accordingly made recommendations covering several areas. We have acted on two proposals in the report which appear to be the key points.

The first recommendation was that each health authority should have an operational policy for organ donation, including procedures for identifying potential organ donors an referring them to the transplant units. Associated with that was the recommendation that a national audit be undertaken of deaths in intensive care, to show how many potential donors exist and the reasons why sometimes donation does not take place.

In December 1988, we issued a health circular giving effect to that recommendation. Health authorities were asked to report to the Department by 30 June this year, confirming that procedures have been drawn up. They began the audit on 1 January. It is too early to reach a conclusion, but we shall be reviewing the first three months' data so that any problems encountered in conducting the survey can be sorted out. After six months, we expect to see some useful pointers emerging—but given the relatively small number of donors, it may be one year before reliable patterns can be discerned. The audit will run for two years, with the possibility of extending it if necessary.

I hope that my hon. Friend accepts the value of the action we have taken to establish in as many cases as possible the circumstances surrounding a death, the existence of a donor card, procedures followed by the intensive care unit and by the doctors and nurses involved, the reactions of the relatives concerned—all of which will enable us to reach a conclusion as to how best we can improve the methodology and hospital procedures.

The working party's other key recommendation concerned publicity. Numerous surveys showed that the public generally are in favour of organ donation. About three-quarters of the population state that they would be willing to become donors after their death. But those sentiments are not always translated into action. The working party recommended more publicity both among the general public and among the medical profession. In response, we increased the Department's publicity expenditure. In the current financial year, 1988-89, we are allocating about £250,000 for that purpose. That sum is split between publicity directed towards the professions and that aimed at the general public.

My hon. Friend the Member for Edgbaston asked whether that was the right order of magnitude and whether we would consider also the use of television and poster advertising. I give my hon. Friend an assurance that I shall look further into how that money is being spent, and at how best to improve the carrying of the message to the general public of the donor programme's importance.

In 1988 we distributed more than 14 million donor cards, compared with about 5 million in 1987. In October 1988, in collaboration with the Healthcare Foundation, we began an initiative to make donor cards available in high street stores. In January, I was delighted to participate in a venture by the *Reader's Digest*, which carried an article on transplants coupled with the issue of more than 5 million donor cards. In the spring, we plan to release a video, displays and leaflets for use by transplant co-ordinators, who perform valuable education and publicity work.

The donor card has attracted its critics. My hon. Friend the Member for Newbury asked me questions on that aspect, which I shall answer in a moment.

Dame Jill Knight: I am delighted to learn that so many donor cards have been made available. However, my hon. Friend the Member for Newbury (Sir M. McNair-Wilson) made the point that we do not know how many cards were signed, or the addresses of those who signed them. As far as I know, no register is kept of those people. Can something be done about that?

Mr. Freeman: My hon. Friend reminds me of the criticisms made by my hon. Friend the Member for

[Mr. Freeman]

Newbury. The first concerned the status of the card and whether it is a valid legal document. I assure my hon. Friends that it is, and that it conveys the necessary consent to the doctors concerned. However, as was mentioned, the clothing of the victim of a tragic accident is sometimes removed, and the card goes unnoticed. In such circumstances, it is quicker for the nurses and doctors involved to consult the victim's relatives. The donor card stands on its own as a valid legal document, which is all that is needed in the absence of relatives.

The second question that my hon. Friend asked is whether we can have a computer register of those who sign the donor cards so that we know exactly who in the general public have them. It has occurred to me that we have no firm record of who holds the millions of cards in existence and of their age profile. However, the prime purpose of the card is as a signal to the friends and relatives of an individual that that individual wants his organs donated. Thus the donor card has two purposes. One is as a personal declaration to the medical profession and the other is as a signal to friends and relatives.

The donor card has proved a valuable peg on which to hang numerous publicity campaigns, both local and national, but I shall reflect on my hon. Friends' suggestion about a computer register. However, as I am sure they understand, it is fraught with difficulties.

In the last minute available to me let me deal briefly with the "required request" legislation. Various American states have enacted laws in recent years which require hospitals to request the donation of organs in all suitable cases. Those were followed by federal legislation along the same lines in 1987. Some believe that we should enact similar legislation here. The Hoffenberg working party advised us that there was a better approach, which I have described already, and we intend to give those measures time to work before considering any other proposals. American evidence on the effect of its legislation is unclear. It is by no means certain that the laws have had a sustained impact on donation which we cannot achieve by alternative means.

I would be most reluctant to move down the path of opting out at present. We have to carry British society with us in that regard. Although that is the practice in France, I should hesitate to move down that path at this time.

I hope that I have shown that the Government have been vigorously tackling the issue of organ donation in the past few years. For the sake of all those waiting for transplants by our skilful surgeons we need to encourage the public to a greater consciousness of the value of donations after death, and our medical professions need to review hospital procedures to ensure that all possible acts of generosity in agreeing to donations at times of often tragic circumstances are followed up. I hope that 1989 will see yet another advance in transplant activity.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes to One o'clock.

House of Commons

Wednesday 22 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

Rent Arrears

1. **Mr. Summerson:** To ask the Secretary of State for the Environment what information his Department has on local authority rent arrears in London.

The Minister for Local Government (Mr. John Gummer): Rent arrears to local authorities in London rose by 24 per cent. in 1987-88, from £84 million to £104 million. They are mainly concentrated in a small number of Labour-controlled inner-London boroughs. One third of the total arrears in England and two thirds of the national increase last year was in the worst 10 authorities, nine of which are London boroughs.

Mr. Summerson: In the light of those staggering figures, does my right hon. Friend agree that if local authorities were more efficient in collecting their rents not only would their housing revenue accounts be in better shape, but they would be less assiduous in making ever-increasing calls on the taxpayer for more and more money?

Mr. Gummer: I am sure that my hon. Friend is right. For instance, in Labour-controlled Barking and Dagenham, arrears constitute 3·2 per cent. of the rent roll. In Brent, the figure is 46·9 per cent. in terms of rent and if rates are added it is nearly 100 per cent. That may, of course, be because three Brent Labour councillors together owe amounts of rent which must add up to £8,000.

Mr. Cohen: Is the Minister aware that in the Labour-controlled London borough of Waltham Forest rent arrears have been more than halved from the level under the previous Tory-Liberal controlled council and that the only reason for rent arrears across London increasing has been the cuts in social security benefits, especially housing benefit?

Mr. Gummer: That last comment is not true. It is interesting to note that the 10 authorities with the highest rent arrears are Brent, Lambeth, Southwark, Islington, Hackney, Haringey, Liverpool, Waltham Forest—the eighth highest—Greenwich and Camden. They are all Labour authorities, they are all a disgrace and they should all be put right.

Mr. Nicholas Bennett: Is my right hon. Friend aware that the leader of Brent council owes £2,000 in rent arrears, and that the vice-chairman of the Lambeth housing committee owes £1,500 in rent arrears, having collected £29,000 in council attendance allowances in two years? When will my right hon. Friend put into the Local Government and Housing Bill a clause which bans people from remaining councillors if they wilfully owe rent and rates to their local authorities?

Mr. Gummer: I understand that my hon. Friend is a member of the Standing Committee on that Bill, so he will be able to express his views on that matter. I think that he is wrong about the leader of Brent council who I believe is not now in arrears— *[Interruption.]* I do not want to go into the history of this as it would be embarrassing. I agree with my hon. Friend about the Lambeth example, in respect of which my comments in the House were attacked by the Opposition but supported by the local representative of the National and Local Government Officers Association.

Mr. Soley: Before Conservative Members turn their hatred on other councillors, will the right hon. Gentleman explain why the Secretary of State's own research shows that council housing is far better managed than housing associations? Why has the Audit Commission commended Brent council on its rent collection procedures and recommended that the Government help by recognising that those arrears have accrued over three different Administrations—including Conservative ones—and that it should have the burden lifted from it? Does the Minister agree with the housing movement generally that the reason for increased rent arrears is housing benefit cuts, or does he agree with the former Under-Secretary of State for Social Services, the hon. Member for Enfield, Southgate (Mr. Portillo), who said that the real reason was that rents had been put up by the Government?

Mr. Gummer: The hon. Gentleman is, as usual, wrong. On housing management, the Maclennan report states:

"In general, tenants regarded housing associations as better providers of management services than councils".

The hon. Gentleman should be ashamed of himself for trying to defend Brent—the council which does not even have a list of its tenants, the council which found that its council house keys were being sold in Nigeria to students who were coming here, and the council which has rent and rate arrears amounting to nearly 100 per cent. of its roll. Brent council should also be ashamed of itself.

Mr. Gow: What action has been taken through the courts—by fellow councillors who do not belong to the loony Left, by fellow ratepayers who resent district councils cheating them, or by the district auditor—to prevent the scandal from continuing?

Mr. Gummer: People should be taken to court by the councils to which they owe the rent. The problem is that if councillors do not support their officers' attempts to take people who do not pay their rent to court, the officers cease to be able to do their job properly. The trouble is that all those who do not pay their rent put a burden on others who may be much less well off. In a world of generous housing benefit, those who need help get it through the housing benefit system.

Homelessness

2. **Mr. Roy Hughes:** To ask the Secretary of State for the Environment what is the latest available figure for homelessness; and what was the figure in 1979.

10. **Mr. Boateng:** To ask the Secretary of State for the Environment if he will make available extra moneys to local authorities, to assist them with any increased housing or advice needs consequent on the rises in mortgage interest rates and the report of the Audit Commission on bed-and-breakfast accommodation.

15. **Miss Lestor:** To ask the Secretary of State for the Environment if he will give the latest figures for homelessness in England and Wales.

The Parliamentary Under-Secretary of State for the Environment (Mr. David Trippier): In the 12 months to September 1988 English authorities accepted responsibility for 116,220 homeless households; in 1979 the figure was 57,200. For Welsh figures I refer the hon. Members to my right hon. Friend the Secretary of State for Wales.

We have already made nearly £50 million in additional resources available to authorities in 1988-89 specifically to help the homeless, together with £680,000 to voluntary groups providing advice and assistance. Our review of the homelessness legislation will take account of current trends and the constructive conclusions of the Audit Commission's study.

Mr. Hughes: Does the Minister appreciate that the leading cause of this distressing social problem is repossession due to mortgage arrears? Quite apart from the situation in London, is he aware that in Wales the rate of repossessions due to mortgage arrears is seven times higher than it was in 1979? Is it not time that the Government took active measures to tackle this problem, first by lowering interest rates and secondly through a major public housing drive?

Mr. Trippier: The hon. Gentleman must have prepared his supplementary question before he read the report from the Building Societies Association, which was widely covered in this morning's press. I am pleased to note that figures published today by the BSA show that mortgage arrears and possessions in the second half of 1988 continued to decline. The director general of the BSA, commenting on those figures, said:

"Statistical analysis shows no relationship between interest rates and either possessions or arrears. In general an increase in interest rates, even a substantial one, does not change a good borrower into a potential possession case."

Mr. Boateng: As the plight of those who languish in bed-and-breakfast accommodation is not a matter of party political controversy but is accepted by all, will the Minister assure Members in all parts of the House that he intends to undertake the review recommended by the Audit Commission of the regulations relative to leasing arrangements, which prevent councils such as my own, which the Minister has commended, from entering into arrangements with the private developers to provide other accommodation for people who otherwise languish in bed-and-breakfast accommodation? Will he also accept the Audit Commission's recommendation that those boroughs which have a particular problem in relation to people in bed-and-breakfast accommodation should receive a special allocation of resources so that they can deal with the problem? Will the Minister give specific assurances on those matters?

Mr. Trippier: I must disagree with the hon. Gentleman as I believe that policy on bed-and-breakfast accommodation is a matter of political difference both within the House and outside. The latest figures for London show that there are some 23,300 empty council dwellings, which is three times as many the number of homeless families in bed-and-breakfast accommodation. There is a direct correlation not only between those figures, but between the number of empty dwellings in London and the number of people registered as homeless. It is hypocritical for the hon. Gentleman to give the Government advice on housing when he should be spending more of his time giving advice to his local authority to improve its housing management as outlined by my right hon. Friend the Minister for Local Government. Until that authority has cleared up the mess in its own backyard, I suggest that the hon. Gentleman should try to specialise in an area in which his own local authority is not an embarrassment to him.

Miss Lestor: Has the Minister yet had time to examine the Barnardo's report and to consider the plight of young people coming out of care and joining the ranks of the homeless because they cannot afford to live and to pay rent? Is it not time that the Minister liaised with the Department of Employment about the position of those young people in regard to YTS? They cannot exist on the money provided and they are being treated as though they lived at home when they have come out of local authority care and literally have nowhere to go?

Mr. Trippier: The hon. Lady's specific point is directly a matter for the Department of Social Security, but I have seen the report to which she refers. It certainly contains some messages that we should examine carefully in our current review of homelessness, which is nearing completion and on which we are almost ready to make a statement.

Mr. Heddle: Is it not a national scandal that more than 130,000 council-owned properties were empty last night, of which more than 30,000 have been empty for more than 12 months? Does my hon. Friend agree that the Audit Commission has produced a damning report on the inefficiency of certain local housing authorities? What steps is my hon. Friend taking to ensure that Brent and other Labour-controlled councils apply the efficiency suggested in the Audit Commission report?

Mr. Trippier: I agree entirely with my hon. Friend. As I said, we found the report by the Audit Commission—and Professor Maclennan's report which was released only this week—helpful in that regard. There is an inescapable correlation between the total number of empty properties in Britain and the number of those registered as homeless, particularly as the figures are almost the same. Until local authorities improve their efficiency in managing public housing stock, the position will not improve.

Sir George Young: My hon. Friend will be aware of substantial investment by his Department in hostels in London which have provided shelter for people who would otherwise be homeless. Will he liaise with his colleagues at the Department of Social Security to see whether relatively minor changes can be made in the income support regulations to safeguard the revenue flow which underpins those hostels?

Mr. Trippier: I know that my hon. Friend has raised that issue in the past and I understand the message that he

seeks to convey. I will certainly draw it to the attention of my right hon. Friend the Secretary of State for Social Security at the earliest opportunity.

Mr. Malins: Does my hon. Friend agree that because of homelessness many families with children in south London live in bed-and-breakfast accommodation in quite appalling conditions? Does he agree that we should be moving towards the abolition of bed-and-breakfast accommodation and in the meantime considering legislation to force landlords of those bed-and-breakfast places to improve standards and conditions for families who have to live in them.

Mr. Trippier: I recognise the important contribution that my hon. Friend has made to that subject, both today and in the past. Bed-and-breakfast accommodation is incredibly expensive.

Dr. Cunningham: It is inefficient.

Mr. Trippier: The hon. Gentleman is absolutely right —it is inefficient. We should like more Labour-controlled authorities to use their empty housing stock. Greenwich seems to deal with the matter most satisfactorily, in contrast to more extreme Left-wing authorities which quickly use bed-and-breakfast accommodation. I welcome the joint Association of London Authorities and London Boroughs Association working party report which is providing tighter controls on hotels used by London boroughs.

Mr. Soley: That is a disgraceful response. The Government should be ashamed of their attitude to homelessness. They know that 6 per cent. of Government-owned properties are empty, compared with 3·1 per cent. for housing associations and 2·5 per cent. for local authorities. The Minister knows that the figures that he gave for building societies are misleading because building societies are not the only lenders. One in 10 homeless families are homeless because of mortgage repossession. He also knows that the real reason why homelessness has doubled in Britain and men, women and children have to sleep in cardboard boxes is the lack of low-cost accommodation to rent or for sale. That is what is wrong with the Government's policy.

Mr. Trippier: It is strange that the hon. Member for Hammersmith (Mr. Soley) should even comment on this issue as his local authority has not used the £27 million that it has drawn in capital receipts to carry out repairs to existing stock although it has a significant number of dwellings awaiting major repairs. *[Interruption.]* It is hypocritical of the hon. Gentleman to suggest, as he has today and on previous occasions, that there should be an increase in money for public housing when in their last three years of office the Labour Government cut public housing expenditure—*[Interruption.]*

Mr. Speaker: Order. Let us try to settle down a bit.

Gloucestershire County Council

3. **Mr. French:** To ask the Secretary of State for the Environment when he next plans to meet representatives of Gloucestershire county council; and what subjects he proposes to discuss.

The Secretary of State for the Environment (Mr. Nicholas Ridley): I have no immediate plans for a formal visit, although I frequently meet local councillors.

Mr. French: When my right hon. Friend meets representatives of Gloucestershire county council—which, as he will know, is controlled by the Liberals with the support of Labour—will he ask why, in the past three years, the council has increasd its rates more than 50 per cent. while Gloucester city council which is controlled by the Conservatives, plans to reduce its rates by 18 per cent. this year.

Mr. Ridley: I will certainly ask those questions, but I can answer some of them now. The spending by Gloucestershire county council under the control of the Liberal and Labour parties over the full four-year period has increased by 46·2 per cent. against an RPI increase of 20·8 per cent. In addition, the council's debt has increased by 70 per cent. and it is planning this year to take £10 million from balances to try to disguise the necessary rate rise on the eve of the elections.

Covent Garden Opera House (Extension)

4. **Mr. Sedgemore:** To ask the Secretary of State for the Environment whether he intends to call in the application for the Covent Garden opera house extension.

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): No, Sir.

Mr. Sedgemore: In the light of the current farcical circumstances in which an internationally renowned institution is being squeezed between a car park and an office development, and bearing in mind that the royal opera house has no intention of proceeding with its existing application and has budgeted for a planning inquiry in its second application, is it not time that the Minister called the application in? Is it not time that the Minister put an end to the deception and deceit of the operatic manipulators and ensured that the development which finally takes place will be in the interests of the opera house and the surrounding area?

Mr. Chope: The hon. Gentleman has made some rather hysterical comments about a matter which is well within the competence of the local authority.

Mr. Allan Roberts: Very quickly, does the Minister agree that the royal opera house—*[Interruption.]* I am being as quick as I can. The royal opera house now admits that the extension scheme does not provide for the type of improvements that are needed—in fact, there will be only 17 extra seats, but 300 extra parking spaces. In the light of those facts, given that this is a sensitive conservation area of national significance, will the Minister agree to call the application in?

Mr. Chope: The local council is well aware of the possible changes. That is why it has not granted planning permission and is having further discussions with the royal opera house. That seems perfectly reasonable.

Football League Clubs

5. **Mrs. Mahon:** To ask the Secretary of State for the Environment if he will make a statement on recent

meetings held by the Minister for Sport, the hon. Member for Lewisham, East (Mr. Moynihan) with the chairmen of the Football League clubs.

7. **Mr. John Carlisle:** To ask the Secretary of State for the Environment what discussions he has had with the football authorities on the appointments to the Football Membership Authority.

The Parliamentary Under-Secretary of State for the Environment (Mr. Colin Moynihan): My right hon. Friend and I had a useful and constructive meeting with the chairmen of many of the league clubs about the Football Spectators Bill on 17 January and I met them again on 26 January. I met the president of the Football League and chairmen of the Football Association on 10 February to discuss aspects of the Bill and the wish of the football authorities to form the Football Membership Authority.

Mrs. Mahon: In view of the overwhelming opposition to the scheme and the decision in another place on Monday, will the Minister tell the Prime Minister that it is a non-starter and that many league clubs are already in serious financial difficulties? Will he make a name for himself by standing up to the Prime Minister?

Mr. Moynihan: On the first point, the answer is no. On the second point, there is no good reason to believe that the scheme will have an adverse financial impact on clubs, even the smallest. A number of companies have already offered to set up and run the scheme at no cost to the clubs or the supporters. If the football authorities and clubs take a positive approach to marketing the scheme, financing it will not be a problem and the scheme can produce an income stream to football.

Mr. John Carlisle: Does my hon. Friend recall the words of Mr. Ted Croker, then secretary of the Football Association, when he asked my right hon. Friend the Prime Minister last summer to remove her tanks from his lawn? Is it not extraordinary that Opposition Members, the football authorities and a few misguided Conservative peers now seek to frustrate legislation which will remove hooliganism in and around football for ever?

Mr. Moynihan: Yes, and I firmly believe—as I am sure all my hon. Friends do—that Britain, the home of football, must set an example to the football-playing world.

Mr. Pendry: When the Minister met the football authorities, did they help him to unravel a problem, of his own making, for thousands of Northern Irish citizens who have Irish passports and who support Manchester United or Celtic Football Club? They will have to show their passports when they go to Old Trafford, but not when they go to Celtic Park; they will have to show their passports when Manchester United plays Celtic in a friendly, but not when Celtic plays Manchester United in a friendly, and they will have to show their passports when England plays Eire but not when Scotland plays Eire even though Eire is managed by an Englishman. If that problem was unravelled at that meeting, will the Minister now unravel it for the rest of us?

Mr. Moynihan: I will certainly do that. The hon. Gentleman is talking nonsense. If anybody wishes to see two league teams playing against each other, he will either have to be a member of the national membership scheme or a guest of the club. In those circumstances, there is no need for the use of passports.

Mr. David Evans: Does my hon. Friend agree that the amendment passed in the other place to the Football Spectators Bill is nonsense and unworkable? Does he also agree that if Liverpool were in the scheme and Tranmere were not, a Liverpool fan who was banned from his own ground and from watching his country abroad would be able to go to Tranmere and cause mayhem?

Mr. Moynihan: My hon. Friend has raised two important points. The Government will give careful consideration to the impact of the amendment. On phasing, the Government have made it clear on many occasions that the position that my hon. Friend has just outlined is accurate. Phasing would require Charlton, a first division club which shares a ground with Crystal Palace, a second division club, to install and dismantle the technology at Selhurst Park every week, according to which team was playing at home. That would be nonsense.

Mr. Menzies Campbell: Why is the Minister so grudging in his acknowledgment of the steps taken by Football League clubs to combat hooliganism in the past three or four years? If he thinks that those steps are insufficient and his own proposals are self-evidently correct, will he allow a free vote when the Bill come back, in a much emasculated form, from the other place?

Mr. Moynihan: On the evidence of the last point, I am convinced that if it were not for the Whipping of the Labour Benches, more Labour Members would support the Government on this important issue. I have made it clear on many occasions that the Government welcome the moves that the football authorities have taken, not least in building on the package of measures announced in February 1987. We saw last season that that was simply not enough and that we needed to come forward with additional measures to tackle a problem that has tarnished our image abroad and which continues to have a major detrimental effect through hooliganism being associated with the sport in this country.

Mr. Latham: If we must proceed with the scheme, may we at least have an assurance that the members of the Football Membership Authority, to which Question No. 7 refers, will be selected from people who attend football matches in places other than the directors' boxes?

Mr. Moynihan: I agree with my hon. Friend and I was grateful to the representatives of the FA and the League whom I met at my last meeting, who said that they wished to be approved as the Football Membership Authority. The Government keenly wish to see that and I am glad that the football authorities do too.

Mr. Denis Howell: Was it with the Minister's authority that, following the Government's defeat in another place on Monday, the No. 10 propaganda department yesterday called the press to a briefing to the effect that unless football ignores the will of Parliament as expressed in the Lords, sanctions will be taken against it, including refusing to allow the football authorities to operate the football membership scheme? Is not that contemptible blackmail? Furthermore, is it not a serious contempt of Parliament and a possible breach of privilege? What explanation can the Minister provide for that scandalous behaviour?

Mr. Moynihan: The only time that I would have used the word "contempt" yesterday was with reference to the contemptible nonsense that the right hon. Gentleman spoke on Radio 4 when he was defeated by my hon. Friend the Member for Welwyn, Hatfield (Mr. Evans). The right hon. Gentleman's account of the press briefing from No. 10 is absolute nonsense—*[Interruption.]* We have made it clear that we shall consider carefully the effect of the amendment passed in the Lords and make a decision on that, and we shall, no doubt, announce it shortly—*[Interruption.]*

Mr. Speaker: Order. Members should come into other Question Times which are always held in silence. I cannot think what has gone wrong today.

Mr. Riddick: Has my hon. Friend seen the letter from the president of the Football League, Mr. Dunnett, to the Football League clubs? Is he aware that the letter is full of distortions and half-truths and, in some cases, downright lies? The letter states:

"Football supporters will be the only people in the country"

who have to carry identity cards. But everybody in this place has to carry identity cards. Does my hon. Friend think that Mr. Dunnett is deliberately misleading people, is simply in ignorance of the facts or is putting into practice the habit of misleading people that he no doubt learnt here as a Labour Member?

Mr. Moynihan: I regret that many of the statements made in that letter were misleading. I understand that a number have already been taken up, not least by my hon. Friend the Member for Welwyn, Hatfield. I am certain that on another occasion I shall be able to respond in full to that letter, although it was not addressed to me.

Mr. Speaker: May we now proceed in good order?

Bathing Water

6. **Mr. Win Griffiths:** To ask the Secretary of State for the Environment if he will give the cost of full implementation of the European Economic Community directive on bathing water and the date when he expects the directive to be fully met.

Mr. Ridley: We have asked water authorities to assess the feasibility of bringing all their bathing waters up to European Community standards by 1995. The detailed compliance programmes and the resulting cost to water consumers are not yet clear.

Mr. Griffiths: Will the Minister confirm that the cost of complying with the bathing water quality directives and of getting rid of all the dangerous derogations in the drinking water quality directive will be about £2 billion? Will he also confirm that the report in *The Daily Telegraph* today that the Minister had achieved the agreement of Brussels to 1995 being a reasonable time by which we should comply with the bathing water directive is absolutely untrue? When I telephoned Brussels this afternoon, I was told that when officials there read the report in *The Daily Telegraph* they laughed because they felt that the reporter was not telling the truth all the time. Would not 1992 be a far more reasonable date?

Mr. Ridley: I am afraid that I am not responsible for what the hon. Gentleman reads in the newspapers. However, I can give him some information. The Welsh water authority plans to spend £100 million to improve its bathing beaches in the next six years to bring all Welsh waters up to standard. That £100 million will have to be serviced and paid for by Welsh consumers. The total annual spend in England and Wales is currently over £100 million. Over that period, the hon. Gentleman can estimate the total cost of the operation, which does not include improving the quality of water so that it meets the drinking water standards, which will cost considerably more. Indeed, the hon. Gentleman's figure was probably an underestimate of the total cost. I make it clear that these costs will have to be borne by water consumers and are nothing to do with privatisation.

Sir Anthony Meyer: Is my right hon. Friend aware that there is also great concern on the Conservative Benches about the condition of some of our beaches and that many of us will be watching with great care the debates on the Water Bill to ensure that the mechanisms in that measure provide as powerful an incentive to the new water authorities to clean up the beaches as those which exist under the present arrangements?

Mr. Ridley: I can, happily, assure my hon. Friend that the new arrangements, with the National Rivers Authority in place, are infinitely preferable to the older arrangements under which there was no proper control of the investment and standards achieved. I can also comfort my hon. Friend by telling him that the savage and massive cuts in sewerage investment made by the last Labour Administration have been completely reversed and that there are now major programmes in place to finance the necessary improvements.

Mr. Matthew Taylor: Is the Secretary of State aware of the deep concern in the south-west about the condition of the beaches in the area? Is he aware that in that one area, 54 beaches are being investigated for pollution of the water, that 23 regularly fail to meet European bathing water standards and that there is a strong demand for the Government to provide adequate investment nationally to clean our water, our beaches and our environment rather than to follow the massively unpopular path of simply privatising for profit?

Mr. Ridley: We have got there already; the massive investment programme for which the hon. Gentleman calls is in place, restoring the cuts made by the Labour Government.

Mr. Oppenheim: Bearing in mind that it costs money to clear up our seas and drinking water, may I ask my right hon. Friend to agree that it is wholly in character for the Opposition to be demanding that clean-up and, at the same time, complaining about increased charges to pay for it?

Mr. Ridley: The difficulty with the present situation is that Opposition Members are demanding higher standards, with which I agree, and at the same time denying the resulting financial consequences, which they try to blame on something else.

Dr. Cunningham: Why have the Government deliberately understated the scale of the problem of polluted beaches by designating only 391, when the Royal Commission on environmental pollution recognised that there were 600 beaches in Britain popularly used by

swimmers? Why did the Minister for Water and Planning stupidly mislead the public today on Radio 4 by saying that there was no health risk unless people could see sewage in the water? Will the Minister admit that colliform bacteria, salmonella, entero viruses and pathogenic micro-organisms are invisible to the naked eye?

Is it not clear that Government policy proposes insufficient control over private monopolies and can offer no deadline for the elimination of polluted beaches, as the chairman of the North-West water authority admitted to me in a recent letter? How can the Secretary of State say that the controls in his legislation are adequate when he has promised in advance immunity from prosecution to the private monopolies that he intends to set up? Will he confirm that all identified bathing waters will receive the same environmental quality objectives before privatisation takes place?

Mr. Ridley: The question on the Order Paper concerns meeting the European Community directive, and that is the question I answered. The number of beaches that qualify under that directive is contained in the numbers that were given in a written answer yesterday.

As to beaches that have not yet been cleaned, I confirm that swimming in contaminated water carries only a very small risk of disease. The system of controls—which the hon. Gentleman ought to understand by now, because he has been debating them long enough in Committee—is infinitely better than anything we have had before. The hon. Gentleman knows that to be the case, and I believe that even he agrees that if a programme of compliance is in place and adhered to, enforcement and prosecution should not take place until that programme is deviated from.

City Grants

8. **Mr. Wilshire:** To ask the Secretary of State for the Environment how many applications for city grants his Department has received to date.

20. **Mr. Andrew Mitchell:** To ask the Secretary of State for the Environment what level of funding his Department has made available to date for city grants.

Mr. Trippier: Since city grant was launched on 3 May 1988, my Department has received 86 applications, of which 31 have been approved, with a total grant requirement of £25 million.

Mr. Wilshire: The interest shown so far is proof that the Government are operating a good scheme and keeping their promises. Does my hon. Friend agree that action and achievements are the best test of success? If so, can he give the House any good news about the number of jobs created by the scheme? Also, does he have any evidence that Labour local authorities are behaving in their usual way, by whingeing and whining, rather than taking every opportunity to do all they can to help?

Mr. Trippier: Approved city grant projects will provide more than 500 homes and nearly 5,000 jobs, and will bring about 115 acres of land back into use. Labour authorities are improving, albeit slowly, but, in respect of economic development a number of them still suffer from delusions of adequacy. It is clear that they could play more of a proactive role with the private sector. Although they do not have to make a contribution, as they once did under urban development grant, I have made it abundantly clear that we shall not consider a city grant application until it receives planning permission.

Mr. Mitchell: Is my hon. Friend aware that businesses in Nottingham, where many of my constituents work, have been extremely successful in winning city grants, with less than £5 million of public money dragging in behind it more than £13 million of private money? That underlines the success of the city grant scheme and clearly demonstrates that Nottingham remains an attractive area for inward investment.

Mr. Trippier: I could not agree more. I have been overwhelmed by the number of applications that I have received from the private sector in Nottingham and the surrounding area. That success should be carefully considered by other areas that have not been so successful in securing city grants, and have not recognised that, as the private sector can now apply direct to the Department of the Environment, bureaucracy has been cut to a minimum.

Urban Development Corporations

9. **Mr. O'Brien:** To ask the Secretary of State for the Environment how many times the urban development corporations have met jointly with his Department; what matters were discussed; and if he will make a statement.

Mr. Trippier: Representatives of urban development corporations often meet Ministers and officials of my Department and discuss a wide range of issues.

Mr. O'Brien: Does the Minister accept that the Government refused to accept the recommendation of the Employment Select Committee to widen the UDCs' remit or terms of reference? A report in *The Economist* on 11 February stated that the developers of Canary wharf can claim £1 billion in tax subsidy through enterprise zone concessions. The sum of £1 billion of taxpayers' money is equal to more than one year's expenditure from rates and balances by West Yorkshire authorities to provide services in that county area. What guarantees can the Minister give that UDC objectives will be better targeted towards the real needs of inner cities, and that public money will supplement local authority programmes rather than private developers?

Mr. Trippier: It is untrue to say that the Department of the Environment did not respond to the Select Committee on Employment and failed to recognise that there is a need to develop community activity and training. Our response clearly emphasised that, in the UDC set-up at that time, we were doing precisely that. As to enterprise zones, I did not notice any Labour Member holding back from making an application to the Department of the Environment for an enterprise zone in his or her constituency. As the Opposition did not divide the House at that time, I should have thought that they would recognise the benefits that have accrued.

On the hon. Gentleman's latter question, the main purpose of urban development corporations is to transform the landscape physically and to promote economic regeneration. That they are doing very successfully.

Mr. Devlin: Is my hon. Friend aware of the new mood of confidence on Teesside where the urban development

corporation has announced five major projects, including a major scheme to put a barrage on the River Tees and to bring a Ministry of Defence agency to the area? When does he expect to be in the region to see these successes for himself? Does he agree that the role of urban development corporations is to concentrate on bringing the private sector into inner-city areas and to break the stranglehold that the public sector has had for too long?

Mr. Trippier: I welcome what my hon. Friend has said. It is my intention to visit Teesside development corporation very soon. I hope that I will see my hon. Friend there. In addition to the successes that he has catalogued to the House, there is a joint venture with the Tees and Hartlepool port authority to develop the former Smiths dock in Middlesbrough into a centre of excellence in offshore technology. An estimated 1,000 new jobs will have been created by the end of 1989.

Mr. Fatchett: When the urban development corporation in Leeds is discussing important planning matters, such as a possible development by a Canadian organisation, which would transform a substantial area of south Leeds, why does it hold the planning discussions in private? Why should the press and the public not be invited to those meetings? Is it simply that the urban development corporations have something to hide?

Mr. Trippier: The hon. Gentleman will know that many of the matters that are discussed in planning committees and in local authorities, too, are of a commercial and confidential nature. All development corporations would, in any event, liaise with the local authority and take its views on all planning matters. I must make the point to the House, if hon. Members are unaware of it, that we have appointed a number of Labour councillors to that development corporation, so they will have a say in what is going on.

Commons Commissioners

11. **Mr. Barry Field:** To ask the Secretary of State for the Environment what information he has as to when the Commons Commissioners last met; and what was discussed.

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley): The Commons Commissioners' function is judicial. It does not require them to hold meetings.

Mr. Field: As I understand that the Commons Commissioners comprise barristers and solicitors of some seven years' standing, that the body costs £260,000 a year to run, with expenditure per case amounting to £712, and that just over seven cases per week are dealt with, is my hon. Friend satisfied that the organisation is offering value for money?

Mrs. Bottomley: Indeed. Since the Commons Commissioners were set up as a requirement of the Commons Registration Act 1965 they have settled 13,000 cases arising from disputes on the registration of 1·5 million acres of common land. While the cases in the Isle of Wight have all been settled, there are outstanding cases with which the Commons Commissioners are dealing, mostly in south Wales.

Mr. Favell: Is my hon. Friend aware of the plight of home owners whose houses were incorrectly registered as common land 24 years ago and who, since then, have had extraordinary difficulty in selling their houses?

Mrs. Bottomley: The Commons Commissioners are aware of the misregistration of houses to which my hon. Friend has drawn attention. There are proposals to legislate on that when a suitable opportunity arises.

Mr. Skinner: Is there any way in which the commissioners can investigate the case of the cemeteries that Westminster city council sold? Would those cemeteries be regarded as common land? Could they be restored to the council under the general auspices of common land? If so, the Government should be doing something about it. There is a scandal or two at Westminster, not only with selling the cemeteries but involving the £1 million that the council paid to the chief executive. I think that there is——

Mr. Speaker: Order. I do not think that that has much to do with the question.

Mrs. Bottomley: No, Sir.

Public Health

12. **Mr. Harry Greenway:** To ask the Secretary of State for the Environment if he has any proposals to seek to improve standards of litter removal, street cleaning, refuse collection, the control of dog mess and the extermination of rats and other rodents; and if he will make a statement.

Mrs. Virginia Bottomley: These are local authority responsibilities. They have the necessary powers, and it is for them to ensure that proper provisions are made to meet local needs.

Mr. Greenway: Does my hon. Friend agree that uncleared dog mess, uncleansed streets and uncollected refuse are bound to lead to a serious deterioration in the environment, and to the breeding of rodents? Will she also bear in mind that rats reproduce from two to 800—sometimes more—in a year? Is she aware that the people of Ealing, including my constituents, suffered the effects of no cleansing of any kind for two weeks, while the Labour-controlled Ealing council has increased the rates by 35 per cent. and intends to reduce street cleansing? Will the Government force Ealing council to act on this matter?

Mrs. Bottomley: The Government are well aware of the predicament faced by the ratepayers of my hon. Friend's constituency where, even when there has been an £8 million increase in Government grant, they have to face enormous rate increases. I am sure that my hon. Friend's constituents would be much happier if Ealing council spent more time employing rat-catchers than setting up inquiries into the possible deprivation of Irish women in Ealing.

Mr. Bidwell: Can the Minister envisage a time when the hon. Member for Ealing, North (Mr. Greenway) is likely to praise the Labour administration in Ealing? Is she aware that only recently, the Ealing authority won the London award for the cleanliness of its streets? Is she questioning the method of assessing these matters in the London area?

Mrs. Bottomley: We hope that all local authorities will give proper care and attention to environmental health, cleansing their streets, dealing with litter and enforcing proper rodent control.

Mr. Churchill: Will my hon. Friend get together with her hon. Friend the Minister for Roads and Traffic to do something about the appalling amount of litter on motorways? Where does responsibility lie for cleaning up motorways? Does it rest entirely with local authorities? If not, will my hon. Friend ensure that more is done on that front?

Mrs. Bottomley: I think that the responsibility rests with my hon. Friend the Minister for Roads and Traffic. We are committed to improving the cleanliness of our surroundings. We are further increasing the funding of the Tidy Britain Group which is investigating a number of projects and analysing the most effective way of cleaning up various areas—including transport areas—so that we can learn the lessons which I shall then draw forcefully to the attention of my close and hon. Friend the Minister for Roads and Traffic.

Mr. Hardy: Will the Minister confirm the suspicion that the question of her hon. Friend the Member for Ealing, North (Mr. Greenway) raised, which is that there has been an enormous increase in rodent infestation during the past 10 years? Does the hon. Lady consider that the Government-sponsored initiative UK 2000 has had the desired or desirable impact? Does not the experience of that initiative lead her to accept that local authorities should be supported, encouraged and assisted to achieve the cleaner Britain that market forces alone cannot achieve?

Mrs. Bottomley: Local authorities are receiving much more money this year. Their expenditure has risen to more than £28 billion, and they are receiving an extra £1·1 billion from the Government.

The hon. Gentleman misunderstands the role of UK 2000, which is involved in various environmental projects. The group entrusted to deal with litter and promote cleanliness is the Tidy Britain Group, which, we hope, will come forward with practical, realistic and effective programmes. As for rodent control, there seems to be evidence that the recent warm winters have resulted in a growth in the number of rats.

Mr. Bowis: Does my hon. Friend agree that, to deal with litter-dropping we need a much greater education programme, many more receptacles of an adequate size to contain it and a greater willingness by authorities to prosecute?

Mrs. Bottomley: Tackling litter requires the active commitment and enthusiasm of many Government Departments and, above all, groups within the community. Education and the provision of litter bins both play a key part. We are investigating whether further steps should be taken on enforcement.

Mr. Speaker: Mr. Jeff Rooker.

Mr. Allan Roberts: It is an outrage.

Mr. Speaker: Order. There are no fewer than eight Opposition Front Bench spokesmen. If I call Front Benchers all the time I shall never be able to call any Back Benchers.

Mr. Roberts: On a point of order, Mr. Speaker.

Mr. Speaker: Order. It is not a point of order. I reacted to the hon. Gentleman's comment of "outrage".

Mr. Roberts *rose*——

Mr. Speaker: Order. I shall take it afterwards. Mr. Jeff Rooker.

Nature Conservancy Council

13. **Mr. Rooker:** To ask the Secretary of State for the Environment when he next expects to discuss protection of wildlife and field sports with the Nature Conservancy Council.

Mr. Ridley: I recently agreed a concordat with the NCC which effectively protects both wildlife and field sports, as the hon. Member suggested.

Mr. Rooker: When the right hon. Gentleman met the Nature Conservancy Council, did he ask whether its recent grant of over £70,000 to the Kent Wildfowling Association was the first ever state handout for the purchase of land for blood sports? The next time that he meets his friends on the NCC, will he take up with them their policy of not giving grants to organisations that genuinely seek to protect and conserve nature by refusing to allow blood sports on those lands? Surely the gunmen of Kent can buy their own land.

Mr. Ridley: I understand that before offering grant the NCC satisfied itself that that grant would promote nature conservation and would give good value for money. I strongly support the general basis on which the NCC operates, which is that it is possible successfully to combine conservation and British field sports. Unlike the hon. Gentleman, I bear no grudge against field sports.

Mr. Bellingham: Will my right hon. Friend ignore the rubbish talked by the hon. Member for Birmingham, Perry Barr (Mr. Rooker), who does not understand the countryside? Does he agree that the best way in which to protect wildlife is to encourage field sports?

Mr. Ridley: I have no doubt that my hon. Friend is right, and the NCC's concordat is testimony to the fact that it thinks so, too.

Mr. Tony Banks: Is it true that the hon. Member for Crawley (Mr. Soames) plays in his car on his way home the sound of hounds in full——

Mr. Speaker: Order. This question is addressed to the Secretary of State, not to the hon. Member for Crawley (Mr. Soames).

Mr. Banks: But I want to know whether that is the general attitude. If the hon. Member for Crawley can go home playing the sound of——

Mr. Speaker: Order. The hon. Gentleman cannot ask a question like that.

Mr. Ridley: If my hon. Friend the Member for Crawley (Mr. Soames) does as the hon. Genttleman claims, he is in very good company. The hon. Member for Copeland (Dr. Cunningham) believes that foxhunting should be abolished everywhere, except in his own constituency.

Councillors

14. **Mr. Squire:** To ask the Secretary of State for the Environment what is the Government's estimate of the number of local government councillors who are currently employed by other local authorities in positions which would be prohibited under proposed legislation.

Mr. Gummer: The number of councillors in any local authority to whom the restrictions will apply will depend on the extent to which they have been disregarding the tradition of the political neutrality of senior local authority staff. This information is not collected by my Department.

Mr. Squire: Does my right hon. Friend agree, none the less, that there is clear evidence of widespread political abuse, particularly where a councillor is subsequently employed as an officer by another authority? Does he further agree that perhaps one of the saddest consequences has been a decline in the quality of chief officers in many authorities, with resulting damage to local government in general?

Mr. Gummer: I am sure that if we want to encourage the best kind of local authority officers they must not feel that there are political reasons for the appointment of senior officers. Nor must they feel that people who are clearly involved in party political activities in one borough pretend to be independent in another.

I also believe that it is impossible for ordinary people to feel comfortable if they go to a local authority officer knowing that in another authority that officer takes party political views of a kind of which they do not approve.

Mr. Blunkett: Will the right hon. Gentleman confirm that under the legislation being referred to, a psychiatric social worker receiving London weighting would fall into the category of "excluded from political activity"; would not be able to stand for election to say, the London borough of Richmond or a constituency such as the Isle of Wight; and would not be elected to Parliament for Surrey, South-West—unlike his hon. Friend the Parliamentary Under-Secretary, to whom all those things apply?

Mr. Gummer: I confirm that in the country as a whole, people are quite clear. They do not believe that someone can be an independent officer on one authority, paid by the local ratepayers, and be a party political figure elsewhere. Universally, people condemn the Labour party for backing jobs for the boys and girls.

Mr. Ian Bruce: Does my hon. Friend agree that the hon. Member for Sheffield, Brightside (Mr. Blunkett) could give the Government a great deal of advice about this abuse of local authority power? He could do that because Sheffield became the Socialist Republic of Sheffield and employed vast numbers of people from other local authorities. That practice spread throughout the north of England. That is an abuse and it is high time that it was stopped.

Mr. Gummer: I have made it quite clear that whether Conservatives or Socialists do that, the practice is wrong. It is clear to the rest of the country that the public are wholly opposed to the way in which the Labour party is defending what has become corruption in local government.

Mr. Speaker: I shall now take the point of order of the hon. Member for Bootle (Mr. Roberts).

Mr. Allan Roberts: On a point of order, Mr. Speaker. I accept that Back Benchers have rights—*[Interruption.]* and my talent is that I have been a Back Bencher longer than I have been a Front Bencher. However, your ruling today implies that Mr. Speaker decides which subjects the official Opposition Front Bench should respond to. Not only that, but Mr. Speaker decides which Front-Bench spokespersons respond to Ministers' replies. I would like some thoughts or responses about this point.

Your ruling also, it seems to me Mr. Speaker, rules out the possibility of the Opposition Front Bench being able to respond to a new factor that emerges during the Ministers' answers and which might have very significant implications, calling for a statement from the Opposition. The Front Bench must have that flexibility.

You were factually inaccurate, Mr. Speaker. There are not eight Opposition Front Benchers, there are only six. There are fewer shadow Ministers than there are Ministers at the Department of the Environment. Having had an indication through the usual channels, or through your assistant, that if I was brief on the first question, I would be called on the second—otherwise I would not have risen on the first question—it seems that you have treated the Opposition Front Bench unfairly. Very serious precedents are being set.

Mr. Speaker: First, let me say that every hon. Member must catch the eye of the Chair. However, I have an indication about the subjects in which the Front Bench would like to participate. As a general rule, it is only fair to Back Benchers that Front-Bench spokesmen should rise only once. I try not to call any hon. Member more than once at Question Time except perhaps the No. 1 spokesman on the Opposition Front Bench. The hon. Member for Bootle (Mr. Roberts) is not the No. 1 spokesman and every time a Front-Bench spokesman rises, a Back-Bench Member is excluded.

Dr. Cunningham: Further to that point of order, Mr. Speaker. We recognise that these are difficult decisions for you to have to take, but my hon. Friend the Member for Bootle (Mr. Roberts) has an important point. It must surely be for Opposition Front Benchers to decide, in the light of answers and circumstances, who may want to seek to catch your eye—*[Interruption.]* Shut up, you fool.

Mr. Speaker: Order. I hope that that was not directed at me.

Dr. Cunningham: No, Mr. Speaker. I should have said "Shut up, you hon. Gentleman."

Perhaps the best way to resolve these matters would be for us to discuss them with you in private.

Mr. Speaker: That is a very good suggestion.

Points of Order

3.32 pm

Mr. Jack Straw (Blackburn): On a point of order, Mr. Speaker. This morning, outside this House, the Secretary State for Education and Science announced his first decision to nationalise schools and bring them into central control. The announcement concerned two schools—one in Tameside and the other in Skegness. Although the policy has flopped, and most of the very few schools that sought to opt out of the current arrangements and into central control are to be found in Conservative areas, this policy was announced by the Government as a flagship policy. Can you, Mr. Speaker, say whether you have received from the Secretary of State for Education and Science any indication that he is willing to make a statement to this House, as we have requested? If not, is it not a gross abuse of the House that the Secretary of State is unwilling to make a statement about a policy that has failed; although he claimed that it was crucial to the Government's approach?

The Secretary of State for Education and Science (Mr. Kenneth Baker): I am not known for being hesitant in bearing good news to this House. The news this morning was very good indeed, in that these are the first two grant-maintained schools. If I am expected to make a statement every time I announce that a school is becoming grant-maintained, I will be monopolising the time of the House, because this policy will be very successful.

Mr. Robert Sheldon (Ashton-under-Lyne): Further to that point of order, Mr. Speaker. One of these schools, though not in my constituency, is in a neighbouring constituency. Is it fair that this decision was made without consulting the Members concerned?

Mr. Kenneth Baker: When it comes to school reorganisations or amalgamations, the procedure is that the individuals are informed, as they and the governors and heads of the schools were this morning. We have followed the procedures.

Several Hon. Members *rose*——

Mr. Speaker: Order. Today we have a Bill under a guillotine motion. I will call one hon. Member from the Government side of the House. Mr. Thurnham.

Mr. Peter Thurnham (Bolton, North-East): On a point of order, Mr. Speaker. We are very pleased indeed with the announcement this morning about those two schools, and we look forward very much to an announcement about St. James's Church of England school in Bolton.

Mr. Straw: Further to that point of order, Mr. Speaker. Surely the legitimate interest of Members on both sides of the House in the decisions of the Secretary of the State indicates the need for a statement. What we now know is that the Secretary of State, instead of doing what would be sensible and rational—make one announcement of all his decisions for 1989—is trying to drip-feed these decisions out—*[Interrupion.]* Oh, yes, he is trying to drip-feed these decisions out to suggest that a policy that has flopped is some kind of success. Can we have an undertaking from the Secretary of State that when these decisions are being made he will announce them to this House?

Mr. Speaker: It is not a matter for me.

Mr. Richard Holt (Langbaurgh): On a point of order, Mr. Speaker. You will recall that eight or nine days ago I raised a point of order about the fact that I had placed in the Table Office a question to the Foreign Secretary. I asked for information about the movements of the Foreign Secretary in relation to the Manx Government. That question was transferred, for some reason best known to other people, to the Home Office. The Minister said to me that when he had the answer he would let me know. Well, I have had the answer from the Parliamentary Under-Secretary of State, telling me that the Home Secretary has met people. That is very interesting, but it has absolutely nothing to do with the question I asked.

Since this is the correct day to table questions to the Secretary of State for Foreign and Commonwealth Affairs, I have today retabled the question, with slightly altered wording in order to get it through the machinery. Will you, Mr. Speaker, kindly take it upon yourself to see that, this time, I get an answer from the Foreign and Commonwealth Office as to the activities of the Secretary of State for Foreign and Commonwealth Affairs?

Mr. Speaker: I am not responsible for which Minister answers questions, but I can say to the hon. Member, as I think I indicated to him, that the Isle of Man comes under the Home Office.

Mr. Holt: It does not.

Mr. Speaker: Well, that was my understanding. I will not enter into a debate about it, because I might be wrong.

Mr. Tom Pendry (Stalybridge and Hyde): Further to the earlier point of order, Mr. Speaker. The Secretary of State said very clearly to this House a few moments ago that Members of Parliament from the Tameside area had been informed of his decision concerning Audenshaw school. As one of those Members—I speak for my right hon. Friend also—I have to say that we were not so informed by the Secretary of State.

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 10 MARCH

Members successful in the ballot were:

Mr. Graham Riddick
Mrs. Audrey Wise
Mr. Neil Thorne

BILL PRESENTED

Company Donations to Political Parties

Mr. Ken Eastham, supported by Mr. Don Dixon, Mr. Robert Litherland, Mr. Doug Hoyle, Mr. James Lamond, Mr. Jim Callaghan, Mr. Ernie Ross, Mr. Eric S. Heffer, Mr. Lawrence Cunliffe and Mr. George Howarth, presented a Bill to give shareholders and trade unions the right to block company donations to political parties: And the same was read the First time; and ordered to be read a Second time upon Friday 24 February and to be printed. [Bill 82].

Employment Age Discrimination

3.39 pm

Mr. Barry Field (Isle of Wight): I beg to move,

That leave be given to bring in a Bill to abolish age discrimination in employment.

The aim of my Bill is to abolish age discrimination in employment. I hope that it will assist those who are in if not the evening then the late afternoon of life to find jobs. An information note issued by Hay MSL Management Consultants in November 1987 showed that, where an age was specified, 88·5 per cent. of advertisements showed an upper limit of 40 whereas only 2·5 per cent. advertised for candidates aged 46 or over. A recent report in *The Sunday Times* showed that over half the advertisements carried an age specification and not one carried an age requirement for the over-50s.

The Sunday Mail has run a long campaign about age discrimination, and it is a salutary thought that, at the last general election, the average age of Members of Parliament was 49. It is worth pondering the fact that a large number of Members of Parliament would never get the opportunity to be interviewed for a position here were they to seek employment in the normal market place. I am glad to be able to present the Bill from the Conservative Benches, because my right hon. Friend the Prime Minister practises, as always, what she preaches and she has started Sir Leon Brittan, at the age of 49, on a second career in Europe. We look forward tomorrow to learning that William Hague has been elected in his place in the Richmond, Yorks constituency.

In *The Guardian* on Saturday 4 February, a typical advertisement placed by a leading industrial company advertised for an industrialist journalist in Runcorn. It stated:

"If you are an experienced professional journalist with industrial experience and are aged 25-40, this challenging opportunity will appeal to you."

To fit in leaving school, having taken A-levels, training as a journalist and obtaining industrial experience by the age of 25, one would have to move with great speed. A recent survey by the Federation of Recruitment and Employment Services found that 56 per cent. of employers admit that they tend to recruit from the under-40 age group. What employers are really saying is that they want an 18-year-old with 30 years' experience.

There has been a steady decline in the economic activity of the over-55s. The sharpest drop has been among men aged 60 to 64, where employment fell from 83 per cent. to 54 per cent. between 1971 and 1985. There are some good reasons for this decline such as improved occupational pension schemes, with provsion for early retirement. Above all, until recently, it was seen as an act of social and moral generosity to give up one's job and retire early so as to create a vacancy for a young person or even a school leaver.

All that has changed rapidly. Because of the succeess of the Government's economic and industrial policies, unemployment is falling fast. The overtime in manufacturing industry last month, at 14·8 million hours per week, was the highest since January 1980.

An even greater problem facing the nation is the decline in the birth rate after the boom of the 1960s. In the 1980s there were 4·7 million 17 to 21-year-olds. By 1995-96, that figure will fall by 3·4 million, a drop of 1·3 million, bringing that age group down from 8·4 per cent. to 5·4 per cent. of the total population. In its evidence to the Employment Select Committee, the CBI forecast that the percentage of men and women within 10 years of retirement, who made up 28·7 per cent. of the work force in 1987, will rise to 31·2 per cent. by 1995.

According to the rules of the House, a private Member's Bill may not amend taxation, but I must express the hope that, in his Budget, the Chancellor will honour our long-standing pledge to abolish the earnings limit for pensioners. About £85 million in lost revenue, to allow pensioners to earn, and to keep their pension, would remove a long-running sore affecting those among the nation's "grey power" who have the energy and the inclination to continue to work. This measure, coupled with raising the level at which people commence paying national insurance contributions from £43 to £55 a week, would not only be a natural adjunct to my Bill but, remarkably, would leave the Treasury £5 million better off.

Grey power is the force of the future. For far too long the country has lacked an understanding of the rich, untapped reservoir in the over-40s. Older employees are often grateful for job opportunities. They bring stability, experience, loyalty and dedication. What they do not bring are baby problems, boyfriend problems or girlfriend problems. Very often, they are halfway through their mortgage repayments, so financial pressures do not make them conscious of the next pay rise. They act as a stabilising influence and have highly defined ideas and ideals about customer service, customer satisfaction, employee loyalty and a conscientious approach to all their duties. In London, we have all had experience of the shop assistant who is too busy varnishing her nails or telling her chum who she danced with last night to find time to serve paying customers. We have all experienced the surly, monosyllabic young man who greets all customers with, "Yeah, what yer want?".

This Bill is Parliament's answer to Phyllosan. It will prevent age discrimination in employment and ensure that all employees and job applicants are only as old as they feel and not as old as they are made to feel—and feel unwanted at that. Like Phyllosan, the Bill will "fortify the over-40s". It will free the over-40s, the over-50s and the over-60s to continue to work for their benefit and for the benefit of our nation.

Question put and agreed to.

Bill ordered to be brought in by Mr. Barry Field, Mr. Irvine Patnick, Mr. David Davis, Mr. Anthony Coombs, Mr. Tony Favell, and Mrs. Maureen Hicks.

EMPLOYMENT AGE DISCRIMINATION

Mr. Barry Field accordingly presented a Bill to abolish age discrimination in employment: And the same was read the First time; and ordered to be read a Second time upon Friday 17 March and to be printed. [Bill 81.]

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Speaker, I have an important point of order to raise on this Bill because, clearly, a large number of hon. Members have a vested interest in it. I would like your ruling that people in the 40, 50, 60 and 70 age range—because of that vested interest and the direct pecuniary interest raised by the Bill—will not be prevented from voting on it, since that would give it no chance at all.

Mr. Speaker: The Bill was not opposed and we did not have a vote on it.

OFFICIAL SECRETS BILL

(ALLOCATION OF TIME)

Resolved,

That the Report [21 February] of the Business Committee be now considered.—*[Mr. Kenneth Carlisle.]*

Question, That this House doth agree with the Committee in its resolution, *put forthwith, pursuant to Standing Order No. 80 (Business Committee) and agreed to.*

Following is the report of the Business Committee:

That—

(1) the order in which proceedings on consideration are taken shall be as shown in the Table set out below;

(2) on the allotted day given under the Order [13th February] to proceedings on consideration and Third Reading each part of the proceedings shall, subject to the provisions of that Order, be brought to a conclusion at the time specified in the second column of the Table set out below.

TABLE

Proceedings	*Time for conclusion of proceedings*
New Clause No. 1 (Authorised publication) Amendment No. 9	5 pm
New Clause No. 2 (Public interest defence), Amendments 8, 1 to 7 and 13	6.30 pm
Amendment 10	7.15 pm
New Clause No. 3 (Protection of personal information), Amendments 11 and 12, remaining proceedings on consideration	8 pm
Third Reading	10 pm

Orders of the Day

Official Secrets Bill

[ALLOTTED DAY]

3.51 pm

Mr. Speaker: Bill, as amended, to be considered.

The first new clause to be debated is new clause No. 1, with which it will be convenient to take amendment No. 9.

Mr. Jeff Rooker (Birmingham, Perry Barr): On a point of order, Mr. Speaker. You have just read out "Bill, as amended". Is there an amended reprinted version of the Bill, because nothing is available in the Vote Office?

Mr. Speaker: I understand that one word was changed.

Mr. Rooker: Therefore, the Bill we are considering is not "as amended". A version of the Official Secrets Bill, which has been passed by the Committee of this House, is not available for hon. Members to consider on Report. That is a consequence of the guillotine. If a Bill is not available—it does not matter whether the alteration is one word, one paragraph, or one clause—you have no right, Mr. Speaker, to put to the House that we carry on with these proceedings today.

Mr. Speaker: The Bill is available at the Table. I understand that this is the authoritative copy.

Mr. Rooker: Where is ours? There is nothing available for hon. Members. You, Mr. Speaker, are a Member. There is nothing available for hon. Members. Are we expected to debate and vote on a Bill which is not actually before us? We would not allow that in local government or anywhere else. There is no urgency. The Bill does not have to be debated today. We have no right to pass legislation that is not before the House. You cannot ask us to rely on a copy that the Clerk has on the Table. Are we supposed to queue up in rota and pass it around the House?

Mr. Dennis Skinner (Bolsover): I move that the House stand adjourned.

Mr. Speaker: Order. The Business Committee discussed the timetable. That was agreed and the matter was not raised there.

Mr. Robin Corbett (Birmingham, Erdington): On a point of order, Mr. Speaker. This matter was never before the Business Committee. The only question discussed at that Business Committee was the timetable for the proceedings on the remaining stages of the Bill. The question whether the Bill, as amended, would be available for hon. Members was not raised. In fairness, that matter was not raised by the Opposition or by the Government. The assumption was, of course, that the Bill would be available to hon. Members.

Mr. Bob Cryer (Bradford, South): Further to that point of order, Mr. Speaker. As I understand it, the Business Committee report, which the House has accepted on the nod, as it were, does not contain any reference to the alteration. You mentioned, Mr. Speaker, the Business Committee report, but there is no reference in that report to the alteration to the Bill. Therefore, even using the two

documents—the unaltered Bill and the Business Committee report—would not provide hon. Members with the necessary documentation. I should have thought that it would be a breach of Standing Orders for you, Mr. Speaker, to submit to the House the Bill, as amended, when clearly it is not available as amended. It may appear a relatively small matter, but there is an important principle. We deal with important legislation. When legislation passes through the House, it applies to every citizen. Surely we must set standards of conduct which are above every possible criticism. Omitting a word can be extremely serious, and the House should accept the proposal of my hon. Friend the Member for Bolsover (Mr. Skinner) to adjourn until printed copies are available for every hon. Member.

Mr. Roy Hattersley (Birmingham, Sparkbrook): On a point of order, Mr. Speaker. I am conscious that in your intitial response you said that you had been informed that there had been only one word altered in the Bill. I want to submit to you the importance of that. It would be intolerable were a situation to arise where you had to judge whether the difference between the Bill presented to Committee and the Bill coming out of Committee were a significant one. With respect, it is neither for you, Mr. Speaker, nor for anyone else to decide whether an amendment is important. It is for the House to work on the assumption that all amendments have some significance and, therefore, that the Bill will have been changed substantially by any amendment, which I believe is comparatively true in this case.

We are suffering the problem of having not a guillotine, but an absurdly rushed one. Last week we had two consecutive days of discussion under the guillotine and we have moved on to Report and Third Reading within a week of the Committee stage being completed. That is an affront to the House and it makes the whole operation appear to be demonstrably as shabby and second-rate as it will be if the Government persist in going on with it under the circumstances.

I note that the Leader of the House is here and I hope that he will listen——

Mr. Skinner: He is not bothered.

Mr. Hattersley: I wonder whether the Home Secretary could draw the Leader of the House's attention to the fact that we are discussing matters directly relevant to him. The Leader of the House should know that the House is now put in an intolerable position. If we pursue this issue of principle and procedure we shall cut into the time allowed for the Bill to be debated on Report. If the Leader of the House appreciates the importance of the discussion that will now take place it is possible for him to assure us that at 10 o'clock or at some other time he will add on however long this procedure discussion takes, so that we do not lose any of the extremely limited time we have for Report and Third Reading.

Mr. Nicholas Budgen: (Wolverhampton, South-West): Further to that point of order, Mr. Speaker. We are legislating for a generation; we are not legislating for the next five years. The question is whether the Bill will have the authority and legitimacy that will be necessary if prosecutions are to succeed in front of juries. Any juryman who saw our proceedings now would not feel the proper sense of respect and authority that the law-making process should have. Nothing will be damaged if we delay consideration of the Bill for another week or fortnight. I suggest that those who wish to protect our proceedings and wish to give proper delay and solemnity to the consideration of the Bill will be helping the Government and future Governments to secure that authority which, currently, the Bill lacks.

Mr. David Winnick (Walsall, North): Further to that point of order, Mr. Speaker. Even if this were a relatively minor piece of proposed legislation, I would argue, in common with my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), that the principle remains the same. You should also bear in mind, Mr. Speaker, that this is an extremely controversial Bill and you are aware that it has been much contested. That is all the more reason why the documents that we have before us on Report should be accurate.

I hope that I can secure the Home Secretary's attention, as the Government have made much about the rule of law, but I submit that the rule of Parliament is also important and relevant. We are expected to debate on Report a controversial Bill which, as the hon. Member for Wolverhampton, South-West (Mr. Budgen) said, is likely to stay on the statute book for many years to come. My hon. Friend the Member for Perry Barr has already explained to you, Mr. Speaker, that the Bill is defective. Therefore, it would be wrong to proceed on Report to discuss it, especially as there is no urgency for it, for all the reasons that you know, Mr. Speaker. In those circumstances I hope that you will agree to reflect on the matter, as it would be wrong for us to proceed on this basis.

Mr. Jonathan Aitken (Thanet, South): Further to that point of order, Mr. Speaker. The suspense is killing us —what is the one word that has been changed, or is that an official secret?

Mr. Speaker: It might be helpful to know that. It is not infrequent, when a Bill has been amended by a change of word, as in this case, for the whole Bill not to be reprinted. It might be for the convenience of the House if I say that the change in Committee was made to clause 2(2)(a) on page 2 when

"prejudices the capability of"

was changed to

"damages the capability of"

Mr. Skinner: On a point of order, Mr. Speaker. In relation to the point made by my hon. Friend the Member for Bradford, South (Mr. Cryer), Standing Order No. 69 refers to the report of a Bill from Committee to the whole House and states:

> "At the close of the proceedings of a committee of the whole House on a bill, the chairman shall report the bill forthwith to the House, and when amendments shall have been made thereto, a day shall be appointed for taking the bill as amended into consideration".

That has not occurred. The Government have been exceedingly sloppy about this affair and they have been caught out by the Opposition. As you know only too well, Mr. Speaker, it is not your job to support the Executive when they have made mistakes. They have obviously made an error, and in view of that I believe that the motion that I originally put, namely that the debate stand adjourned until further notice, should apply.

4 pm

Mr. Michael Foot (Blaenau Gwent): Further to that point of order, Mr. Speaker. Now that the House knows the scale of the single word to which we refer, it is clear that it is not a minor matter, but a matter on which there was considerable discussion in Committee. The Government sought to claim that they were making a big concession by agreeing to the alteration of that word. Having made that big concession with which they were seeking to curry favour, for them to come before the House without having bothered to change the Bill is an important issue. The only proper way for the matter to be dealt with is for the debate to be adjourned.

The Leader of the House has been present, but has not said anything. As the person responsible for the situation, he should ask for the House to be adjourned. As everyone has said, it is perfectly possible for the Bill to be discussed next week or the week after without any damage to the discussion. It would inconvenience only the Government, and the Government have inconvenienced us by producing a defective Bill. I appeal to the Leader of the House to get you out of the scrape, Mr. Speaker, as these are points of order for you, by admitting the folly of the Government and agreeing to withdraw the Bill until another day.

Mr. Graham Riddick (Colne Valley): Further to that point of order, Mr. Speaker. Will you say who is responsible for ensuring that that amendment is made to the Bill before the House considers the amended Bill on Report? Am I right in believing that, far from its being the responsibility of the Government, it is the responsibility of the authorities of the House and that Opposition Members who are saying that the Bill should not proceed today are attacking the authorities of the House, and the matter has nothing whatever to do with the Government?

Mr. Speaker: The authorities of the House have carried out the normal practice. As I have already stated, when very minor amendments have been made to a Bill it has not been the practice for the entire Bill to be reprinted.

Dr. David Owen (Plymouth, Devonport): Further to that point of order, Mr. Speaker. I am sure that you said inadvertently that it was a minor amendment, and that on reflection you would agree that it is a significant matter. It is not the case of an "and" or "if" being missed out in an earlier drafting and then reinserted. The amendment goes to the core of the Bill.

We had a major debate, and it is still in contention that the word "damage" is insufficient and should be prefaced by the word "seriously". Far from its being minor, it is a significant amendment. We all understand how the error has occurred, but whether it is the responsibility of the Government or the authorities of the House, the ultimate responsiblity must lie with the Leader of the House.

The Leader of the House faces the clear fact that the Bill is now not in order. It is not "as amended". Were this normal legislation, there would be agreement on both sides of the House not to push the point in a pedantic way, but the Bill is deeply offensive to many right hon. and hon. Members on both sides of the House. Having discussed an important issue on which the full procedures of the House have not been fulfilled, and having faced a guillotine motion on a constitutional Bill of great significance, surely the House is within its rights in demanding that the Bill is not proceeded with today and is brought back at another time.

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): Further to that point of order, Mr. Speaker. You explained to the House most helpfully that the Bill as originally presented has been amended by the change of one word on page 2—*[Interruption.]*—it would be more courteous and helpful to the House if the hon. Member for Birmingham, Erdington (Mr. Corbett) allowed me to complete my sentence. Therefore, since the Bill was published and since Second Reading, the Bill has been altered by one word. As I understand it, you, Mr. Speaker, outlined the normal practice on occasions when such a minor alteration is made. It has nothing to do with the substance of the alteration, but involves the number of words that are altered. One word has been altered and it is the normal custom of the House to continue with proceedings on the Bill without reprinting it. I believe that we should continue the normal procedures of the House and get on with considering the Bill. There are important issues to be discussed and I believe that we should not delay any longer.

Mr. Speaker: The Leader of the House is correct. Perhaps I should correct what I said about its being a minor amendment. I am not concerned with the importance of the word, which I accept is a major issue. The amendment is minor in that it alters only one word.

We passed the timetable motion a few moments ago and we are now in timetable time. It would be wise if the House were to get on with the debate.

Mr. Hattersley: On a point of order, Mr. Speaker. You will notice that, apart from the Leader of the House, not one right hon. or hon. Member who has spoken has not expressed concern about the situation. I reflect my own concern about biting into the time allowed by the guillotine. Might I suggest that it is a House of Commons matter. Right hon. and hon Members on both sides of the House have expressed concern, and the way to resolve it is for you, Mr. Speaker, to accept the motion of my hon. Friend the Member for Bolsover (Mr. Skinner) so that the House can decide whether it wishes to proceed and then we can get on with the timetable and the other issues.

Mr. Speaker: I am not able to accept a dilatory motion at that stage. I quote the motion passed by the House on 13 February:

> "No dilatory Motion with respect to, or in the course of proceedings on the Bill should be made on an allotted day, except by a member of the Government, and the Question on any such Motion shall be put forthwith."

I am not empowered to accept the dilatory motion. The House is in some difficulty. Technically, the Bill should have been reprinted, but, as I have already said, when amendments of a minor kind, in terms of the number of words, have been made in the past, it has always been the practice not to have the Bill reprinted.

Mr. Robert Adley (Christchurch): On a point of order, Mr. Speaker. Might not the simple answer to the problem be for you to accept a manuscript amendment to the Bill so that we can debate it?

Mr. Speaker: I think that we should proceed now.

Mr. Robert Maclennan (Caithness and Sutherland): Further to the point of order, Mr. Speaker. I think that there is a question whether there is a Bill that has been amended for the House to debate. If the Bill has not been printed, it is at least arguable, in the light of the Standing Order that the hon. Member for Bolsover (Mr. Skinner) read out, that we are not in a position to debate the Bill. We were advised that such a Bill would appear before us, but it has also been said that the amendment is minor in terms of the number of words, but it is a major issue in that there is no debate on Report if that amendment has not been passed. As that amendment is the sole change that has been made, the Bill should have passed straight to another place. I put it to you, Mr. Speaker, that it is not a Bill that we can debate today.

Mr. Speaker: The Committee reported some days ago, the Bill at the Table is the authentic text.

Several Hon. Members *rose*——

Mr. Speaker: Order. The Chair is in some difficulty because we are really on the timetable motion. I shall hear the points of order, but they are taking time out of the debate.

Dame Elaine Kellett-Bowman (Lancaster): On a point of order, Mr. Speaker. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said that all those who had spoken were opposed to the Bill proceeding. That is simply because the rest of us were quite satisfied to proceed, so we did not bother speaking.

Mr. Bruce Grocott (The Wrekin): Further to that point of order, Mr. Speaker. What seems to me to be most iniquitous is that many of us have been prevented from taking part in a serious discussion which is novel to many right hon. and hon. Members. No one doubts that the points of order are serious, but we are aware of immediacy of the guillotine—never has that word been so precise as it is today—so we are nervous about raising points of order on what everyone understands is a serious matter. I ask for your guidance and consideration, Mr. Speaker. When such discussions legitimately occur, should there not be some mechanism by which the time lost through points of order is made available for debating the Bill, or it will be impossible to raise points of order?

Mr. Speaker: That is not something over which I have control. That would be a matter for the usual channels, which would be the best way of dealing with it.

Mr. Frank Dobson (Holborn and St. Pancras): Further to that point of order, Mr. Speaker. It appears that the guillotine motion refers to a "Bill". The argument is that at the moment there is no such Bill before the House. If there is no such Bill before the House, the guillotine motion cannot apply and, therefore, you can accept a dilatory motion. I should like your ruling on that.

Mr. Speaker: The hon. Gentleman is factually incorrect. The Bill is on the Table.

Mr. Dobson: That is a matter of opinion.

Mr. Speaker: Order. I can help the hon. Gentleman. There is only one Bill, which is the Bill on the Table. The Bills available in the Vote Office are copies of that Bill.

Mr. Dobson: We do not have access to that Bill, which contains the change that we consider to be significant and substantial and a material alteration of the nature of the Bill and the requirements in it. In those circumstances, such a Bill is not before the House in the way that it should be under the guillotine motion and, therefore, the guillotine motion cannot apply and you, Mr. Speaker, should be able to accept a dilatory motion.

Sir Ian Gilmour (Chesham and Amersham): Further to that point of order, Mr. Speaker. This matter could be settled easily if you could quote a precedent, which I am sure is available, for such a set of circumstances. You said that it is common practice, but I am not sure that many right hon. and hon. Members know about that. If you are able to quote a precedent, I am sure that the matter could be settled immediately.

Mr. Speaker: I should need notice of that.

Mr. Rooker: Further to the point of order Mr. Speaker. I am raising this point only because, while listening to the hon. Member for Isle of Wight (Mr. Field) move his ten-minute Bill, I started to look at the amendments in detail. It suddenly dawned on me that I had only the marked copy of the Bill that I used last week and I thought the Bill had been reprinted. I went to the Vote Office and the clerk kindly looked for the new Bill at least three times because I told him that the Bill must have been reprinted because it contained an alteration.

I was reluctant to raise a point of order because of the guillotine motion. However, I realise that we are discussing a Bill that is not before us so I do not see why I or anybody else should hesitate.

You might argue, Mr. Speaker—and the Clerks would agree—that we have passed the motion for the allocation of time and the Business Committee motion. The Business Committee motion makes no mention of the fact that the Bill to which the timetable applies is not printed and before the House. The second motion on the Order Paper says:

"Official Secrets Bill [allotted day]: As amended, to be considered."

When you read out that motion, Mr. Speaker, I interrupted you, because I wished to challenge the words "as amended, to be considered."

The House should decide whether we wish so to consider. There is no motion for us to approve which says that, "Notwithstanding the requirements of Standing Orders of the House that the Bill shall be printed and before the House, the House agrees to carry on." If there is a majority in favour of that, there is nothing the minority can do. We are demanding the right to decide—the right to lose—whether to continue in this unconstitutional way.

Mr. Cryer: Further to that point of order, Mr. Speaker. The question of a dilatory motion is covered in Standing Order No. 34(2). You, Mr. Speaker, said that you were not entitled to accept a dilatory motion under the terms of the guillotine motion. Hon. Members are saying that the copies of the Bill as presented do not conform to the requirements of the guillotine motion and that the Bill should be rejected. Under those circumstances, you would be able to accept a motion "That the Question be now put", because that is not within the terms of Standing Order No. 34(2), which lists dilatory actions as motions, for example, for the Adjournment of the House or debate, or for the Chair of a Committee such as yourself, Mr. Speaker, to report progress.

We have a solution if you, Mr. Speaker, can accept a motion, "That the Question be now put". The copies of the

[Mr. Cryer]

Bill are not adequate because they do not represent the guillotine motion that has been put before the House. That excludes the terms of the guillotine motion which you say inhibits you from accepting the motion for the Adjournment of the House proposed by my hon. Friend the Member for Bolsover (Mr. Skinner). I should have thought that that would have been of help to you.

From both sides of the House, Mr. Speaker, you have heard concerns expressed by hon. Members who feel that the debate should not take place. Hon. Members should be provided with an opportunity to vote, because it would be outrageous for the Government to ignore what, to most hon. Members, is a clear error by them and simply bulldoze the error through the House and use their majority to trample on the rights of Members of Parliament. Surely we should have an opportunity for a vote.

Several Hon. Members *rose*——

4.15 pm

Mr. Speaker: Order. I can probably save the time of the House. There is no motion before the House now. We have passed the timetable motion and I was about to propose the new clause, which would be a motion before the House.

Mr. Budgen: Further to that point of order, Mr. Speaker. Might I suggest that you invite my right hon. Friend the Leader of the House to explain in practical terms what would be lost if the matter were delayed for a week or a fortnight? It is all very well for him to say that in his opinion the technicalities are in order and that as practical people we should disregard a technical difficulty in the Bill as it now stands.

This legislation for a generation has been bashed through on the guillotine. If we delayed a little longer it would provide time for the proper procedural measures to be taken and would give the public an opportunity to reflect on the Bill. They cannot do that if there is not sufficient time between the various stages. Surely my right hon. Friend the Leader of the House can explain to the House and to those of us who usually support him whether anything serious would happen if we were to delay for a week or a fortnight.

Mr. Wakeham: Further to that point of order, Mr. Speaker. In view of the comments of my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen), I should say that when I spoke earlier—my hon. Friend may not have been listening—I supported your ruling that things are proceeding in order and in accordance with our custom. If the House believes that our long-established customs for the way in which we proceed are not satisfactory and should be looked at, we can arrange for the Procedure Committee to look at that to see whether changes should be made. However, as I understand it, we are proceeding in accordance with the established procedures of the House and we should get on with it.

Mr. Foot: Further to that point of order, Mr. Speaker. What the Leader of the House has just said is grossly misleading. If we proceed on the basis on which the Government have presented the Bill to the House today, the Bill will go to another place in this defective form. It is not merely a question of what has happened here.

Mr. Speaker: Order. I can probably help the right hon. Gentleman. The Bill will not go to another place in that form because the alteration is in the Bill.

Mr. Foot: The change has not been made in the Bill before the House. Therefore, what the Leader of the House has proposed in not a remedy. For the right hon. Gentleman to say that there is no fault on the part of the Government in bringing a defective Bill before us adds to the offence. It certainly does not ease the problems.

Several Hon. Members *rose*——

Mr. Speaker: Order. Let me try to deal with the matter. The Bill contains the alteration. The alteration is not made in the copies of the Bill. That is the factual position.

Mr. John Gorst (Hendon, North): Further to that point of order. Mr. Speaker. I have sympathy with the arguments expressed by Opposition Members. However, can you advise me whether in supporting them I am challenging your ruling, which I would not wish to do, or whether I am merely challenging the Government, which I would be prepared to do?

Mr. Speaker: The hon. Gentleman would be challenging a ruling that I had made. I repeat to the House that this has been our custom for many years. When a small alteration, in terms of words, is made, it has not been our custom and practice to reprint the copies of the Bill.

Mr. Skinner: On a point of order, Mr. Speaker. You said earlier in answer to my hon. Friend the Member for Bradford, South (Mr. Cryer) and myself, when we were talking about a vote on the matter, that there were some difficulties. I am sure that you appreciate that it is possible for the Question not to be put. Only a few Fridays ago, you dealt with a matter by saying that the Question, That the Question be not now put—complicated though it is—can be put to the House. The Leader of the House is present and it is quite possible for that Question to be put. I suggest, notwithstanding other advice, that as we have had a recent example and as there was another example when such a matter arose in 1985, it is possible for the Question, That the Question be not now put, to be proceeded with. If we lose the vote, so be it, for it will show that this bulldozing Government have had their way again, notwithstanding the fact that they have not even printed the Bill.

Mr. Speaker: On that Friday, there was a Question before the House. At the moment, there is not. We have only about 40 minutes left, so we should proceed.

Mr. Dobson: On a point of order, Mr. Speaker. What we are concerned about—and the right hon. Member for Chesham and Amersham (Sir I. Gilmour) clearly shares this concern—is whether there is a precedent for a significant change to be made to a Bill and then for the Bill not to be reprinted if it is subject to a guillotine motion. On precedents, we should like to know how many words would need to be amended and what significance they would need to carry before the precedent would not be binding. We find it difficult to imagine that, whereas it is possible to have a substantial number of minor changes to which no hon. Members would take offence and which

they would be willing to nod through, the proposal before us is a substantial change which has been the subject of considerable argument and is likely to be the subject of further argument. What are the precedents that bind you, Mr. Speaker, to make the ruling that you are making today?

Sir Ian Gilmour: Further to that point of order, Mr. Speaker. With respect, the question of precedents is important and I had the impression that you intended to brush my point aside. We do guide our affairs by precedent. I wonder whether in the interval since I asked my first question the authorities of the House have been able to find a precedent because that would assist the House. I hope that we shall hear, sooner or later, of the precedents that are guiding you.

Mr. Speaker: Going back to the days when I had different responsibilities, I can say that it has, for many years, been our custom and practice to operate in this way. It is nothing new. I do not have the precedents to hand immediately, but they are being looked up now.

Mr. Adley: Further to the point of order, Mr. Speaker. You have given the impression that between Committee and Report a Bill is not normally reprinted. Surely it is normally reprinted with the changes made. Am I not right in thinking that it has not been reprinted on this occasion because we had a Committee of the whole House and because there simply was not time?

Mr. Speaker: Those are not the reasons. Sensibly, the issue was to do with the costs of reprinting.

Mr. Budgen: On a point of order, Mr. Speaker. The difficulty is that my right hon. Friend the Leader of the House has not given the House his guidance on the question of the time between Committee and Report. It is, of course, true that, with their vast majority, the Government have steamrollered all hon. Members who disagree with them on this non-party Bill and there is no doubt that that is their privilege. But surely the purpose of delay between Committee and Report is to allow the public as a whole to write to my right hon. Friend the Home Secretary to say, "Mr. Hurd, we notice that in your arguments with those disagreeable Tory rebels you managed to squash them on every occasion with your large and honourable, but ignorant, vote. But, as a matter of fact, I think you lost the argument on some of those issues." If one does not have a sufficient delay between Committee and Report, one cannot have any proper public interest and comment on these matters. That is just another example of the damaging effects of bashing through such legislation in a hurry and with a guillotine.

Mr. Hattersley: On a point of order, Mr. Speaker. I am sure that you will agree, irrespective of your rulings, that this has been a wholly legitimate series of points of order. But I hope you also agree that the House has been put in an intolerable situation. We have virtually lost the debate which would have been initiated by the right hon. Member for Brighton, Pavilion (Mr. Amery). *[Interruption.]* It is no good for the Patronage Secretary to say "Hear, hear." He is responsible for the confusion and I have no doubt that he welcomed it, as the Government's technique throughout the Bill has been to postpone and avoid as much debate as possible.

I want to ask you, Mr. Speaker, for another ruling, which does not simply concern the availability of the Bill. You make your judgments on precedent, not on custom and practice—which are what the Prime Minister is determined to stamp out in British employment. I hope that you will tell us how many words amount to a significant alteration. Is it one, five, 11, 27, or whatever number there happens to be when the appropriate Secretary of State has forgotten to make a reprint?

My principal point is that I hope that the Leader of the House will be agreeable to another procedure, which I put to him through you, Mr. Speaker. It would be intolerable to the House and to the Leader of the House if the first crucial debate were to be extinguished. The Business Committee should be asked to sit again and agree to extend the debate simply by the amount of time that we have spent on legitimate points of order. If the Leader of the House will not agree to do that, he will not make the slightest concession to the wholly legitimate views of the House and the wish to conduct the debate in good order and with proper, democratic discussion.

Mr. Speaker: That is a helpful suggestion. We should now get on with the debate. If the usual channels were to discuss how we may get out of this considerable difficulty, the whole House would be satisfied.

Mr. Wakeham: Further to that point of order, Mr. Speaker. I am perfectly content that we should have discussions through the usual channels.

Mr. Speaker: In that case, we shall proceed with the debate on new clause 1.

Mr. Richard Shepherd (Aldridge-Brownhills): On a point of order, Mr. Speaker. I seek your advice. Page 4 of the Bill refers to the "Security Service Act 1988". There is, of course, no such Security Service Act of that year, so the Bill is clearly incorrect. I assume that it was a slip and I wonder whether a Bill is in good faith when there is no such Act.

Mr. Speaker: It is entirely correct. I think we must get on. New clause No. 1, with which it will be convenient to take amendment No. 9. Mr. Aitken——

Mr. Shepherd: Further to that point of order, Mr. Speaker. I did not understand your ruling that it is correct that there is a Security Service Act of 1988. There is no such Act.

Mr. Speaker: Would the hon. Gentleman please say that again?

Mr. Shepherd: I understand from your ruling, Mr. Speaker, that there is a Security Service Act 1988. There is no such Act. It was only discussed this year, it is still a Bill and it has not yet gone to the House of Lords.

Mr. Speaker: The date refers to the year in which the Bill was presented. That is another drafting convention.

Mr. Shepherd: Further to that point of order, Mr. Speaker. It is intolerable that the Bill refers to an Act that does not exist. We are told that that is no drafting mistake, but an amendment was tabled—*[Interruption.]* There can be no Security Service Act 1988 because no such Act was passed in 1988. An amendment was tabled to correct that, but the Government would not accept it and the correction

[Mr. Shepherd]

does not appear in the Bill. Therefore, we are trying to legislate or to make judgments on a Bill which is misprinted and which refers to an Act that does not exist.

Mr. Speaker: I understand that this is always the practice. The Bill was ordered by the House of Commons to be printed on 30 November 1988.

Mr. Shepherd: It is not an Act. The point is that the Bill refers to the Security Service Act 1988, but there is no such Act.

4.30 pm

Mr. Speaker: If the hon. Gentleman were to discuss this with the experts at the Table, he would probably be able to get an answer.

Mr. Skinner *rose*——

Mr. Eric S. Heffer (Liverpool, Walton) *rose*——

Mr. Winnick *rose*——

Mr. D. N. Campbell-Savours (Workington) *rose*——

Mr. Speaker: Order. We have already spent half an hour on this and the Leader of the House has made a helpful suggestion, which would be for the convenience of the whole House. He is prepared to discuss this through the usual channels.

Mr. Hattersley: On a point of order, Mr. Speaker. You were kind enough to say that my suggestion that the Business Committee should meet would be helpful and now you have described the Leader of the House as helpful. The only way in which the House could be helped would be if the Leader of the House agrees to an immediate meeting of the Business Committee—the first vote should come in 30 minutes. If the House is to be treated sensibly and with respect, the Leader of the House should say now that he is prepared to have a Business Committee meeting so that we may regain the 45 minutes that you, at least, believe has been spent on legitimate points of order. I ask the Leader of the House now to say that he will have an immediate meeting with the Business Committee so that the lost time can be regained.

Several Hon. Members *rose*——

Mr. Speaker: Order. I call Mr. Amery.

Mr. Julian Amery (Brighton, Pavilion): Further to the point of order, Mr. Speaker. May I urge the Leader of the House to take those points seriously? The new clause that I hope to move if the Bill is, by your ruling, still in order is of considerable importance. It is an issue of principle. I do not think that we would even be discussing the reform of the Official Secrets Act 1911 had it not been for a dispute about the principle on which the authorisation for publicaton could be given.

We have had the unusual occurrence in the House that assurances given—in good faith, I know—by the Minister of State, Home Department have apparently been repudiated by my right hon. Friend the Secretary of State so that what stands in the *Official Report* at the moment may or may not still have validity. If it has not, we must have an explanation of why that is so. I do not see how, under the timetable motion, it would make sense for myself and my right hon. and hon. Friends—and, indeed, hon. Members of all parties who share my view—to try to discuss the new clause.

Mr. Budgen: Further to the point of order, Mr. Speaker. May I suggest that it would not be useful to have a discussion between the usual channels while the House continues its discussion of the Bill? The fact is that the most sustained criticism of the Bill has come from Conservative Benches so it would be unwise for the Chief Whip to pretend that he represents the views of Conservative Members who disagree with the Bill. My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) disagrees with an important part of the Bill and it would be wrong for his objection to be disregarded because of some private discussion between the Chief Whips. If the House were to rise for even half an hour or three quarters of an hour, all hon. Members who are genuinely interested could discuss the matter. However, if the Chief Whips get together, they may do a deal that they cannot honour.

Several Hon. Members *rose*——

Mr. Speaker: Order. I call the Leader of the House.

Mr. Wakeham: We are getting ourselves into some difficulties. I respond to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) who wishes to know what can be done to reallocate time and to make the best use of it so that we can have the best discussions. I sympathise totally with that proposition. I suggest that if the House gets on with the first amendment on the Amendment Paper—new clause 1—I can immediately have discussions through the usual channels to decide the best way to proceed. If the best way to proceed is to call a meeting of the Business Committee, I shall favour that, but I want to have discussions about the best way to deal with the difficulties. We should not be told what the answer is before we put the question.

Mr. Hattersley: The Leader of the House must understand that what he is proposing is not a solution. By the time the usual channels—whatever they may be—have met and had their discussions we shall be into our first vote and the right hon. Member for Brighton, Pavilion (Mr. Amery) will not have had the chance to move his new clause in the manner that it justifies.

I remind the Leader of the House that he need not be so fearful. He has a majority on the Business Committee and if the Committee meets, the Government's will will prevail. My proposition has the implicit suggestion that the Government's majority on that Committee will behave reasonably. Therefore, I ask him again to agree that it should meet. It could meet in five or ten minutes' time and return to the House with a new motion which, I am sure, will be carried unanimously. The right hon. Member for Pavilion can then move his new clause properly and in the way in which it deserves and the whole House can proceed in good order.

Mr. Amery: Further to the point of order, Mr. Speaker. I apologise for raising this again. I do not think that the House would find it acceptable if this controversial new clause, which is, I know, embarrassing to my right hon. Friends on the Front Bench, were to be dismissed in a matter of 20 minutes. If we are to proceed, which is of course a matter for you, Mr. Speaker, to decide, it is

necessary that the new clause that I wish to move be given adequate time. Even under the timetable motion, that time is not adequate.

Mr. Wakeham: My proposal would be that we change the times when the guillotine will fall to make up for the time that has been lost in the first debate. If we start the first debate, we can meet and settle this in a few minutes. That is what I propose we do.

Mr. Heffer *rose*——

Mr. Harry Barnes (Derbyshire, North-East) *rose*——

Mr. Speaker: Order. That is a sensible suggestion.

Mr. Heffer: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I shall take the hon. Gentleman's point of order in a moment. I am on my feet and the hon. Gentleman must resume his seat. I have just said that what the Leader of the House has said seems a reasonable solution aimed at getting the House out of the difficulty in which it finds itself.

Mr. Heffer *rose*——

Mr. Speaker: I shall hear the hon. Gentleman.

Mr. Heffer: Thank you, Mr. Speaker. I have been trying for long enough. I put it to you, Mr. Speaker, that you have the power to suspend the sitting while the meeting takes place. I suggest that, because you have that power and because we are getting near to five o'clock when the first guillotine will fall and we cannot have a proper discussion, you suspend the House while the discussion takes place and then report back to the House so that we can then proceed.

Mr. Speaker: There is no point in that. As the Leader of the House has already said what he will do about this, the discussions would simply be wasting further time.

Mr. Riddick *rose*——

Mr. Dobson *rose*——

Mr. Speaker: Order. I call Mr. Dobson.

Mr. Dobson: It appears that the Government Front Bench may be willing to adjust the later business, and obviously we welcome that. However, if the Government were to move a dilatory motion that we adjourn for 10 minutes, which they have the power to do under the guillotine motion, it would be possible to have a seemly and sensible discussion of the Business Committee at which all members of the Business Committee could be present, and it would enable the right hon. Member for Brighton, Pavilion (Mr. Amery) to know that he could have a debate for a reasonable time without being cut off in mid-sentence, and we would know that a Minister would eventually reply to the debate.

The proposition of the Leader of the House is rather ragged and we could end up with a mess at the end of the discussion in the Business Committee. It would be altogether more sensible and seemly if the House were to adjourn for 10 minutes so that agreement could be reached in the Business Committee and the debate conducted in the way in which it should have been conducted all along.

Mr. Riddick: Further to that point of order, Mr. Speaker. Will you say whether any of our proceedings this afternoon are out of order, because it seems to me that everything is in order? The Bill, as amended, is on the Table and the Leader of the House has come up with a sensible and reasonable suggestion. Those who are not prepared to take it are clearly trying to make mischief.

Mr. Wakeham: If it is correct that I can move a dilatory motion—I seek your guidance, Mr. Speaker, before I do anything—in my view it probably is the best plan if we adjourn for 10 minutes, see whether we can resolve the matter and then return.

Mr. Speaker: Order. If it is the wish of hon. Members that the House should suspend informally for 10 minutes —[HON. MEMBERS: "Hear, hear."]—so be it.

4.40 pm

Sitting suspended.

On resuming:—

4.51 pm

Mr. Speaker: The Business Committee recommends that the time set out in the Table of Proceedings be advanced by one hour, so that the first guillotine will fall at six o'clock, the second at 7.30 pm, the third at 8.15 pm, and the fourth at 9 pm. Third Reading will be concluded at 10 pm.

Question put and agreed to.

Ordered,

That this House doth agree with the Business Committee in the said resolution.

Mr. Hattersley: On a point of order, Mr. Speaker. I do not propose postponing debate on the amendment of the right hon. Member for Brighton, Pavilion (Mr. Amery), since the purpose of the operation that has been successfully carried out in the last hour is to give his amendment the opportunity that it deserves. However, I place on record that, while we hoped and believed that the Business Committee would provide that which the House wanted and deserved, it has insisted that the debate concludes at 10 o'clock. Therefore, the House has lost one hour of debate because of the Government's intransigence and incompetence. I do not believe that the House would have been incapable of making an adjustment to the Ten o'clock motion, had that been the will of the Leader of the House, and had the House endorsed it. Instead, the debate has been scandalously guillotined, which is another example of the excesses for which the Government are responsible.

Mr. Speaker: I believe that the House should proceed with the debate.

Mr. Budgen: Further to that point of order, Mr. Speaker. I remind you of my suggestion that if the two Chief Whips got together it would be for the purpose of screwing down Conservative opposition to the Bill. Many right hon. and hon. Members who voted for its Second Reading will wish to express their reservation about the way in which matters have been dealt with throughout the guillotine procedures. We would have had the opportunity to do so on Third Reading, but, as a result of the agreement reached between the two Chief Whips, many right hon. and hon. Members will be prevented from doing so. That is another example of the way in which discussion and dissent is being limited by the guillotine, and of the

[Mr. Budgen]

actions taken by members of the Government and Opposition Front Benches, getting together to keep the awkward squad out.

Mr. Wakeham: I wish to proceed with debate as much as you do, Mr. Speaker, but I say to the right hon. Member for Sparkbrook that the Business Committee did not have the power to extend the Third Reading vote beyond 10 o'clock, as that was in the guillotine passed by the House. The Business Committee had power to adjust earlier guillotines to the convenience of the House, and it did so unanimously. However, it did not have the power to do that which the right hon. Gentleman suggested.

New Clause 1

AUTHORISED PUBLICATION

'(1) A person who has been a member of the security and intelligence services may with the consent of the Secretary of State publish information relating to his former work.

(2) The Secretary of State shall not unreasonably withhold his consent under subsection (1) above provided that the publication can take place without causing or being likely to cause jeopardy to national security directly or indirectly or to cause damage to the work of or any part of the security and intelligence services.

(3) Where a person who has been a member of the security and intelligence services believes that the consent of the Secretary of State under subsection (1) above has been unreasonably withheld he may seek the advice of the Staff Counsellor to the Security Services.

(4) Where the advice of the Staff Counsellor has been sought under subsection (3) above and where it appears to the Staff Counsellor that by omitting specified information the publication could take place without causing or being likely to cause any of the effects in subsection (2) above he shall advise the Secretary of State of his omissions or alterations which in his opinion would be required for this purpose.'.

Brought up, and read the First time.

Mr. Amery: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, it will be convenient to consider amendment No. 9, in clause 4, page 4, line 45, at end insert

'(4A) A person does not commit an offence under subsection (3) above if:

(a) before the time of the alleged offence the information in question had become widely available to the public, whether in the United Kingdom or elsewhere; and

(b) there was no reasonable likelihood that its further disclosure would endanger the safety of a British citizen, or damage the work of any part of the security or intelligence services or have any of the effects mentioned in subsection (2) above.'.

Mr. Amery: I begin by expressing gratitude to those right hon. and hon. Members who earlier raised points of order and, as a result, ensured a rather larger attendance to hear the points to which I wish to draw attention.

The new clause concerns authorisation for publication of memoirs, articles, or whatever, by former or existing members of the security services or those privy to that information, and the basis on which it should be authorised. I do not suppose that there are 50 or 60 people today in a queue to publish their memoirs, but right hon. and hon. Members may agree that the House would not be discussing reforming the Official Secrets Act 1911 had it not been for the case of "Spycatcher" and Mr. Peter Wright. The need for reform has been discussed for years, but that case was the fuse that led to the present explosion and debate.

Before "Spycatcher" and Peter Wright, there was a well understood convention by which members of the secret services who wished to write about their experiences submitted their text to the authorities, who discussed the text with the author and proposed amendments or deletion of names where that was thought necessary in the national interest. That procedure was well understood, and I know dozens of people who followed it with little difficulty. The authorities made objections only on reasonable grounds, and deletions followed in almost every case. If someone had not been prepared to make the requested changes, he or she would have been liable for prosecution under the Official Secrets Act 1911.

When the cases of Mr. Peter Wright and Anthony Cavendish arose, a new principle of lifelong confidentiality was advanced, and instead of discussion of the text, the authors were simply told by the authorities "We cannot talk about it because of your obligation to observe lifelong confidentiality". My right hon. Friend the Home Secretary is the only person who can confirm the claim made by Mr. Wright's lawyers that a text of "Spycatcher" was submitted, but I know from Mr. Cavendish and his publishers that they submitted a text. In both cases, the reply was given, "Sorry. We cannot discuss the matter because of the principle of your obligation to lifelong confidentiality".

On Second Reading, I advanced as mildly as I could the argument for returning to the older and good-natured convention that previously prevailed. To my surprise—because in my 40 years in the House such a thing had never happened to me—a Minister agreed to a proposal that was put to him by a right hon. or hon. Member. My hon. Friend gave me the assurances I sought in great detail. I shall quote only one passage. In the presence of all of us my hon. Friend said:

"So the sole criterion for authorising publication is whether publication of a particular piece of information will jeopardise national security directly or indirectly. It is a judgment about considerations which are relevant today, not about past history or former embarrassments.

If a point of difficulty were to be identified it might still be possible through discussion to agree with the author a change in the text to overcome the problem."

A little later my hon. Friend said:

"If the problem is larger than just a few minor textual changes or if agreement cannot be reached, sometimes authorisation will not be given. My right hon. Friend"—

that was me—

"will understand that authorisation cannot be given on every occasion but I can assure him that this decision would never be taken by one person alone, but by senior members."—*[Official Report,* 21 December 1988; Vol. 144, c. 538.]

5 pm

I had occasion to write to my right hon. Friend about other points that I had raised in the debate and to which my right hon. Friend, naturally, had not had time to reply. When my right hon. Friend replied he said:

"I must emphasise that authorisation to members or former members in respect of disclosures of information about their work will be rare and given only in exceptional circumstances."

As I told my right hon. Friend, I do not see how we can reconcile the statements made by my hon. Friend in the

House and by my right hon. Friend in his letter to me. The second statement was just in a letter to me; the House had not been told.

However, my right hon. Friend has said that a correction was made earlier in Committee. So I searched, with the help of some of my hon. Friends, through *Hansard*. It is true that in the dinner hour on 25 January, my hon. Friend the Minister of State said, rather surprisingly:

"I have little to add to what I said on Second Reading. It will not come as any surprise to those concerned to know that authorisation to members and former members to disclose information about their work will be rare and given only in exceptional circumstances."—[*Official Report*, 25 January 1989; Vol. 145, c. 1104.]

Clearly, what happened was that, in the cold light of day, my right hon. Friend and hon. Friend, having studied the assurances which they had given me, and which were so satisfactory that I almost ran into the Division Lobby to support the Government, saw that their assurances were not compatible with the principle of lifelong confidentiality, on which they had wasted a great deal of public money in the Wright case and rather less in the Cavendish case, and which was fundamental to the Bill. So they have been trying to get out of what they said.

What is to be done? We cannot square the assurances given by my hon. Friend with the statements in Committee and later by my right hon. Friend in his letter to me. The statements cannot be reconciled. What are we to do? this poses a difficult House of Commons problem. We have assurances. They are enshrined in the tablets of the *Official Report*. If they wish to go back on them, the Government will have to explain why, and they will have to allow right hon. and hon. Members to discuss the matter. They have to explain whether they have changed their mind. I hope that on reflection my right hon. Friend will say that he still stands by the assurances given by my hon. Friend the Minister of State. If he wishes to modify them, he should say so.

I draw my right hon. Friend's attention to the new clause. In the clause we are trying to write into the Bill, in view of the uncertainty, the assurances that were given by my hon. Friend the Minister of State. We have tried to put in textually the assurances that he gave. I do not think that we have departed from them in any respect. The new clause could be amended, of course.

I draw the attention of my right hon. Friend to the fact that from the beginning I have been basically on the Government's side. I do not want to see Privy Councillors or a Select Committee determining the conduct of the secret services. Members of the secret services must be under the control of the Executive. Every study that I have made of the American and Canadian systems convinces me that that is right. I point out to my right hon. Friend that the shadow Home Secretary has endorsed the new clause, as has the right hon. Member for Plymouth, Devonport (Dr. Owen), who had more direct, if less lengthy, experience of the secret services than I have had, when he was Secretary of State for Foreign Affairs.

I urge my right hon. Friend either to accept the new clause as it stands or to seek to amend it, through a manuscript amendment or in the other place, but not to repudiate totally the assurances given by my hon. Friend. I urge him not to go back to the old position which was wrecked in Australia and has been made a laughing stock elsewhere. If he likes, he can produce a modified version of the assurances given by my hon. Friend which might be acceptable to some of us.

The point is of importance to the secret services themselves. They have a problem of morale because they work in the dark. No one can tell whether a member of the secret services is succeeding or failing in life. He cannot talk about his work when he goes home at night. Members of the secret services need encouragement. The best encouragement that can be given to them is for them to be able to read from time to time information about what has been done in the past by successful members of the secret services. I have no objection to the information being censored by the authorities concerned who may be more liberal than those who pursued Compton Mackenzie many years ago. He wrote a book, "Water on the Brain", which I commend to all hon. Members. It was a skit on the secret services. I would not want my right hon. Friend and hon. Friend to be the victim of anything like that, although I might attempt to write it if they are not careful.

Dr. Owen: I support the new clause. The right hon. Member for Brighton, Pavilion (Mr. Amery) rightly concentrated on people who have been in the employment at one stage in their career of the security or intelligence services. It is also necessary to consider another category of people in which, I suppose, we all have a vested interest. After all, in clause 1 the person to whom the complete ban applies is not just a member of the security or intelligence services but also, in subsection (1)(b):

"a person notified that he is subject to the provisions of this subsection".

That would cover all Prime Ministers, all Foreign Secretaries, and all Home Secretaries, to name but a few, who have written memoirs. It would probably involve a number of other Ministers at various times.

The formulation given to the right hon. Gentleman on Second Reading—that authorisation would not be unreasonably withheld and that there would have to be proof that the information would jeopardise national security—was a considerable reassurance to many people. Effectively, it meant that there would have to be some mechanism whereby memoirs could be written about past events.

I was not privy to the letter that passed between the Home Secretary and the right hon. Gentleman, but I should be appalled if the authorisation were given only in rare or exceptional circumstances. I could understand that phraseology if it applied to only the initial period. We can all argue about when would be an apt time to allow someone to write his memoirs. After all, we are not the only country in the world with security and intelligence services. Other countries have mechanisms whereby people who have written their memoirs can have them checked and processed.

The new clause sensibly addresses itself to creating a recognised and acceptable method whereby memoirs can be vetted and authorisation is not unreasonably withheld, particularly after the passage of time. Clearly a professional judgment should be made by—to use the Home Secretary's jargon—somebody "inside the circle", and it is accepted that the staff counsellor is "inside". We are asking not for anyone to come in from outside, but for someone who is privy to all the matters concerned to make a reasonable judgment.

[Dr. Owen]

An absolute ban—without any qualification—is unacceptable. The Home Secretary may want to accept modifications to the new clause, and I am sure that the right hon. Member for Pavilion would accept any minor modifications that were needed. However, in principle, there should be some mechanism to assure the authorisation. Without it, the legislation would make us a laughing stock. Are hon. Members really willing to accept that they could be told that they could not reveal any aspect of their work?

The former Prime Minister Harold Macmillan did not feel able to give all the information when he wrote his memoirs—although, like most Prime Ministers, he leaked pretty satisfactorily. Clearly when he talked to his biographer he gave far more information. His most recent biography—particularly its account of events in north Africa—has been given more authenticity, and an area of information has been revealed beyond what is in the official records. Should that avenue of information and knowledge be completely stopped without any say-so?

It may be that writers are no longer Members of the House when their books are issued, and are therefore covered by privilege. Will such writers be abstractly told that their works cannot be published? Will the Home Secretary deal with that category of writer when he replies?

It would be absurd for a Prime Minister, Foreign Secretary or Home Secretary—or other hon. Members—to be affected by the legislation. They should not be made a special case or treated differently from people in the security and intelligence services. I am not asking that politicians should be allowed to make money out of their memoirs while members of the security and intelligence services cannot: the same rule should apply to both. However, it strikes closer to home when hon. Members themselves are affected.

The severity, arbitrariness and authoritarian nature of the provision becomes more clear cut when we realise that hardly a word of Sir Winston Churchill's wartime memoirs could have been given authorisation under the Bill. It has been acknowledged that he went well beyond the bounds of reason and probably revealed far too much in his memoirs. He certainly did not have them checked. That precedent was followed by many people. I plead guilty to making a number of arbitrary judgments about what it was reasonable to disclose, and I think that it is healthy that we are not bound by provisions. However, I would live with a general mechanism such as that proposed in the new clause.

I am not asking to be treated differently from anyone else, but the absence of the necessary mechanism in the Bill places intolerable restrictions not only on future hon. Members but on people who work in the security and intelligence services.

5.15 pm

Mr. Aitken: As the debate has rolled forward I have wondered increasingly, listening to the Government's arguments, whether to cry or to laugh. On the whole, I have decided to do the latter. The burlesque nature of the episode was highlighted by the farce that we witnessed this afternoon over points of order.

The Secretary of State for the Home Department (Mr. Douglas Hurd): Hear, hear.

Mr. Aitken: I am glad to hear my right hon. Friend the Home Secretary loudly saying, "Hear, hear". I am about to take him on the third act of the comic opera that he has staged for us—the way in which he and my hon. Friend the Minister of State have conducted this part of the argument. They remind me of the famous character of Uncle Podger in Jerome K. Jerome's "Three Men in a Boat." Uncle Podger was a somewhat hamfisted individual who, when asked to perform the simplest task such as hanging a picture or knocking in a nail, produced disastrous results. He smashed the window, cracked the sculpture and created mayhem and chaos as the hammer broke and flew off in the wrong direction.

Uncle Podger has been at work on this part of the Bill. We need do no more than study exactly what was said about the perfectly sensible argument deployed by my right hon Friend the Member for Brighton, Pavilion (Mr. Amery). As he reminded us, he first deployed it on Second Reading. Clearly the doctrine of lifelong, eternal, absolute confidentiality, in all circumstances and at all times, cannot stand up to serious examination without sooner or later, as the right hon. Member for Plymouth, Devonport (Dr. Owen) said, making those who administer the law a laughing stock. There are hundreds of good reasons for saying that such a doctrine cannot be sustained, as my right hon. Friend the Member for Pavilion illustrated on Second Reading. When he tried to discover whether there was any flexibility in the Trappist vows that we were being asked to write into law he received an assurance from my hon. Friend the Minister of State whose words bear repeating once more, that

"the sole criterion for authorising publication is whether publication of a particular piece of information will jeopardise national security directly or indirectly. It is a judgment about considerations which are relevant today, not about past history or former embarrassments."

My hon. Friend the Minister went on to make it absolutely clear that the matter would be handled in a reasonable manner and that authorisation would sometimes be given. He ended with the words—in view of the fact that his right hon. Friend the Member for Pavilion was threatening rebellion, the wise words—

"Following those reassurances, I hope that my right hon. Friend the Member for Pavilion will be persuaded to join us in the Division Lobby tonight."—[*Official Report*, 21 December 1988; Vol. 144, c. 538.]

Didn't the Minister of State do well? Yet less than a month later those assurances were completely repudiated—not just by my right hon. Friend the Home Secretary in what I am sure he thought was a top-secret letter exchanged between him and my right hon. Friend the Member for Pavilion, but up popped the Minister of State, with an apparently straight face—[HON. MEMBERS: "In the dinner hour".] Yes, it was the dinner hour. He opened with the words:

"I have little to add to what I said on Second Reading."—

hardly the usual phrase with which to announce a 180 degree U-turn. He continued:

"It will not come as any surprise"—

but, my goodness, there were enormous surprises to come—

"to those concerned to know that authorisation to members and former members to disclose information about their work will be rare and given only in exceptional circumstances."—[*Official Report*, 25 January 1989; Vol. 145, c. 1104.]

That was a tremendous surprise. Not since Archbishop Cranmer thrust his hands into the flames has there been a more spectacular example of public recantation. I thought

that we might get an apology or explanation for such a major volte face, but apart from the poor old Minister of State appearing in the role of Uncle Podger, embarrassed and being made to eat humble pie, we have not.

This is a serious matter. Humble pie is clearly not a diet to which my hon. Friend the Minister of State is accustomed. He wears his embarrassment lightly, but I hope that I can shame him into seeing the necessity to honour his original words, which were infinitely sensible compared with the later correction.

It is not right that ministerial memoirs should be blocked for all time. I am looking forward to the second volume of the memoirs of my right hon. Friend the Member for Pavilion. My right hon. Friend's memoirs were memorably reviewed by a colleague with the opening line:

"Julian Amery was born with a hand-grenade in his mouth."

In his old age he seems to have lobbed it in the direction of the Treasury Bench instead of at the Albanians or whoever it would have been in the old days.

In all seriousness——

Mr. Gorst: Before my hon. Friend moves on in all seriousness, will he remind me exactly what happened to the boat in "Three Men in a Boat"? I cannot quite recall.

Mr. Aitken: I think that we have two men in a sinking ship this afternoon. They are really in trouble with this new clause.

Perhaps hon. Members remember the brouhaha over "My Country, Right or Wrong". That was a BBC radio programme, of ultimately stunning tedium, in which several members of the Security Service such as Lord Dacre, Lord Annan, Mr. John Day, with the right hon. Member for Morley and Leeds, South (Mr. Rees)—who would be a proscribed person under the Bill—contributed a few thoughts as to how the security services might be better run and whether there should be oversight or better management. That is publication and it is covered by the all-singing, all-dancing eternal doctrine of absolute confidentiality.

I have a more private and perhaps more illuminating example. Some months ago certain Conservative Back Benchers met at a suitably clandestine rendezvous, the Flyfishers club in London, with certain former senior members of the Security Service. We did not say anything improper, outrageous or anything which affected national security. We had discussions about how the security services might conceivably be a little better run and improved in future. Memoranda of some interest were exchanged. Would those publications mean that we shall all be in the dock? Would we all be in trouble under the terms of the Bill? We would be unless a sensible amendment along the lines suggested by the Minister of State is introduced.

Mr. Hugh Dykes (Harrow, East): Did Chapman Pincher give permission for the meeting to take place?

Mr. Aitken: I do not think that Chapman Pincher had heard of it, I am happy to say.

Unless the new clause is accepted, we shall be encapsulating a doctrine which is insulting to good Crown servants. It is quite wrong that disclosures cannot be made in any circumstances. The new clause provides that authority should be given on reasonable grounds which have nothing to do with national security and if it cannot damage the Security Service. The wording of the new clause almost exactly follows the words used by my hon. Friend the Minister of State. The new clause is sensible and wise and I commend it to the House.

Mr. Hattersley: I want principally to speak in support of amendment No. 9, which has been grouped with this new clause. Before I do that, I support the new clause moved by the right hon. Member for Brighton, Pavilion (Mr. Amery). I hope that he will not find it offensive, indeed he will probably find it positively helpful, when I say that the new clause is a comparatively modest improvement on the Government's proposal because, if it is passed, the Government will in the end remain the arbiter of what is published. I hope that some Conservative Members as well as some of my colleagues will believe that the very modesty of the right hon. Gentleman's proposal should commend it to the House in the Division this evening.

In common with the hon. Member for Thanet, South (Mr. Aitken), I regard myself as too old to cry and I have decided to laugh about the Bill. However, I am sure that the hon. Gentleman would agree that, in admitting that, we both confess a taste for black humour. To paraphrase another cliché, some people will laugh all the way to prison as result of the proposals in the Bill.

That may occur when people believe that they have a right or duty to reveal what happened during their distinguished careers in the secret services and then find that the present ban is so absolute and total that they are required to write nothing, or write things which, while legitimate when applied to any normal person making an objective judgment, become a criminal offence under this Bill.

I hope that the Government will be able to accept the new clause. Not to do so offers a ban which is so total, absolute and unqualified that it renders the Government oppressive and absurd at the same time. The Government gain no advantage, even from their own point of view, in putting themselves or any of their successors in that preposterous position.

The new clause changes the emphasis. It accepts that there are occasions when publication is right, proper and acceptable. However, it then goes on—and I understand the principles on which the right hon. Gentleman proceeds—to claim that publication must be organised in such a way that the interests of the nation are not jeopardised. For all its modesty, the new clause contains the essential element which has been lacking from so much of the Bill—the ability to distinguish between publishing information which is harmful and information which is harmless. Harm is defined, as the right hon. Member for Pavilion has rightly said, ultimately by the Home Secretary. When the appeals and complaints of the various subsections are exhausted, the Home Secretary will decide. If the Home Secretary is not prepared to accept this modification, that shows that not only does he wish to prevent publication of that which may harm, but in relation to the Bill he insists on the right to prevent publication of harmless material.

Mr. Gerald Bermingham (St. Helens, South): Does my right hon. Friend agree that this goes even further? Under the list of notified persons, the Prime Minister of the day is entitled to silence former colleagues or former officials of

[Mr. Gerald Bermingham]

another party. It brings in a form of dictatorship and censorship over what people can know. Is that not very dangerous?

Mr. Hattersley: My hon. Friend must not tempt me into exploring all the dangers inherent in all the provisions. I agree with him and will go further. One of our objections to the rules as they now stand is that not only do they allow the Government to suppress things which should have been made public, but, as the Government can allow publication according to their judgments and criteria, they can positively encourage the publication of authorised memoirs, material which serves the Government's purpose, as distinct from fulfilling the proper purposes described by the right hon. Member for Pavilion.

Amendment No. 9 is intended to extend the harm test about which the Home Secretary has spoken so often and which he has told us in a sense is an alternative to the public interest defence. In the debates on prior publication, the Home Secretary told us that the harm test is relevant to a defence, but should not, and cannot, be used as conclusive proof of evidence. Amendment No. 9 seeks to extend the Home Secretary's principle into two areas where, at the moment, the fact of publication is an offence, irrespective of whether the publication causes harm or can be demonstrated to cause harm.

I know that the Home Secretary has constant semantic difficulties over this issue. I warn him that I am not asking for "serious harm" which is a concept to which he is wedded outside this place, but which he opposed in Committee. I refer simply to "harm test" as he defines it. Under amendment No. 9, the harm test should be extended to two areas to which it does not apply at present.

As the Bill stands, any information related to a warrant under the Interception of Communications Act 1985—to put it colloquially, that is telephone tapping—or any information concerned with or related to a warrant under the Security Service Bill is automatically prohibited from publication. We did not have the opportunity to debate why that should be so and the guillotine made it impossible for us to argue, as we would have argued, that the absolute rule—nothing can be published ever—should not have applied to those two categories of information.

We want to extend the harm test to, as an obvious example, a telephone tap. I want to refer to an example which has been referred to many times in Committee. A man may discover from a member of the security services that his telephone is being tapped illegally without the permission of the Home Secretary or that it is being tapped under warrant with the Secretary of State's permission. It seems wholly unreasonable that he should be prevented from discussing that if the discussion does not harm the national interest. We simply ask that the harm test be extended in those two particulars.

Since time is short, the Home Secretary may not want to intervene now, but he owes it to the House to give a considered explanation when he makes his speech.

5.30 pm

Sir Ian Gilmour: I should like very briefly to support the new clause and the amendment, which are, of course, joined by a common feature—the Government's obsession not to admit error over the Wright case. That follows in both cases. I think we all know that Peter Wright did submit his memoirs to the Government and that a great deal of trouble would have been saved——

Mr. Budgen: Is not the tragedy and the irony of these proceedings that they arise principally because section 2 of the 1911 Act lacked authority and could not be used by the Government? By bashing this measure through in such an authoritarian way the Government incur the serious risk that juries may not accord it the authority that it ought to have. Will they not have spent far more time and money than they would have done if they had treated the House with rather more respect?

Sir Ian Gilmour: Of course, I agree with my hon. Friend. Indeed, in our earlier truncated discussions I tried to make something of the same point—that this Bill will soon have very little more legitimacy than the much-derided section 2 of the Act of 1911. The Government have an obsession not to be proved wrong. As I have said, Peter Wright did submit his memoirs.

What my right hon. Friend is suggesting, and what my hon. Friend originally agreed to, is eminently sensible. Quite apart from the very good point made by the right hon. Member for Plymouth, Devonport (Dr. Owen), if the new clause is not accepted the Government will be creating a complete barrier: ex-Ministers will be allowed to publish what they want, and members of the security services will not be allowed to publish anything at all. That is really quite unconscionable, and something that a free society cannot possibly tolerate.

Sir Nicholas Bonsor (Upminster): I do not think my right hon. Friend is right. Surely what the right hon. Gentleman said was that ex-Ministers would not be able to publish their memoirs either.

Sir Ian Gilmour: Either way, I think it would be wrong. What will happen, I think, is that ex-Ministers will publish their memoirs and that no action will be taken. That distinction, as I have said, is one that I do not think is tolerable.

It seems to me that what the new clause provides for is eminently sensible and that the only reason the Government can possibly have for not accepting it is that, by doing so, they would be implicitly admitting error over the case of Peter Wright. The same thing applies, of course, to the amendment. It, too, brings in the question of prior publication, which again was one of the features of the Peter Wright case—in fact, eventually the crucial point, I think. The judges, quite rightly, decided that it would be entirely wrong to keep from the British people what was being published everywhere else.

This amendment seems to me to be eminently sensible. It is quite inconceivable that a case such as that mentioned by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) should be kept quiet. If I were involved in such a case I would certainly publicise it, as, I think, would most other people. I hope very much that my right hon. Friend will accept both the new clause and the amendment.

Mr. Merlyn Rees (Morley and Leeds, South): I support the principle of the new clause and of the amendment. The wording of both may need further attention and adjustment; nevertheless, I hope that the Government will consider them sympathetically and, if need be, come back to the question in another place. None of my hon. and

right hon. Friends can argue that the wording is necessarily exactly right, but the major point in both the new clause and the amendment is made in subsection (2) of the new clause, which says quite clearly:

"The Secretary of State shall not unreasonably withhold his consent . . . provided that the publication can take place without causing or being likely to cause jeopardy to national security directly or indirectly or to cause damage to the work of or any part of the security and intelligence services."

That is a major aspect of both which leads me to believe that, in looking for more flexibility, I can support the principle in both. I hope that the Home Secretary will look at those two points.

I referred a moment ago to the actual wording. I must say that I am sceptical about the use of the words "Secretary of State". I do not want to develop the point, but I have to say that a Secretary of State is a bird of passage. As Home Secretary, I was informed that I could not see security information which arose under the previous Administration. There may be former security service officers or politicians who wish to publish a book years later. In these circumstances a new Secretary of State may not be able to make a judgment except on the advice of people talking second-hand or of people who were involved in the activities years previously. Of course, those people will tend to have closed minds. The words "Secretary of State" mean more than an individual occupying that position, so they ought to be reconsidered.

I should like briefly to consider also the word "consent". Both the amendment and the new clause keep referring constantly, and properly, to consent under subsection (1) and consent of the Secretary of State. I wish to refer to one aspect of the Franks report which I do not believe has had sufficient airing. I should like to know whether the advice that we were given by the Home Office in 1972 still applies. I agree that that was given under the catch-all section 2, but in case the Home Secretary relents and the idea comes up in another place I draw attention to page 14 of the Franks report.

We had come across something that we did not understand, in that many officials, and certainly politicians, regarded themselves as being self-authorisers —that, whatever the legislation said, they could authorise the giving of information. That part of the Franks report —I shall not read it out at this time—arose as a result. Senior civil servants and senior officials of the security services, not to mention Ministers, could authorise themselves in the public interest to reveal information. That authorisation was not given to people lower down and it was not crystal clear where the line lay. Nevertheless, as a result of the information that we were given, we wrote—it was not a recommendation—that Ministers were, in fact, self-authorising, that they decided for themselves what to reveal. That is the existing situation. Is that self-authorisation implicit in the new legislation, whether amended or not?

In this regard I will tell the House what happened to me. I wrote a book about Northern Ireland. I looked at the Cabinet papers—there were not very many which referred to Northern Ireland, though there were acres from Cabinet sub-Committees. I read through them all and through security reports, and wrote what I had to write. I submitted my book to the Cabinet Office, chapter by chapter, and officials there looked at it. I had no complaints at all about what happened. The Cabinet Office suggested that certain things should not be revealed. When I pointed out that I had given the information to the House of Commons 10 years previously, and that it had been published in *Hansard*, it became clear that I could publish it. That was simple.

Previously I had taken out people's names, and certainly I gave the name of nobody in the security services, but it was suggested that all names should be removed—even the names of persons whom I was praising for the excellent job that they had done, because, in the context of Northern Ireland, revealing a name in any way would be dangerous to the person concerned. I accepted most of the changes that were suggested to me, but nobody authorised me to publish—I made my own judgment after people had given me their views on certain aspects of the book.

As the right hon. Member for Plymouth, Devonport (Dr. Owen) and others have said, we shall be running into serious trouble with this tighter Bill if politicians and others wish to write memoirs—unless, of course, there is a time aspect, a sort of innate 20-year rule, or something. I want to be absolutely sure what view the Government take of their own Bill in respect of authorisation and the role of politicians. What the Home Secretary says about that will influence me greatly.

Both the new clause and the amendment have provisions to protect the security of the state, but they allow greater flexibility than the Bill as it stands. I have no great cases for my memoirs, but I know people who have. One day there will be a great argument about the security services, and in the public interest that argument should not be conducted under the legislation that will result from the Bill as it stands, which will not allow information to be published in the public interest. I hope that the Secretary of State will look closely at the amendment.

Mr. Robert Maclennan (Caithness and Sutherland): I support the new clause and amendment No. 9. In earlier debates on clause 4, and in more general debates on the absolute offences under the Bill, the Home Secretary has failed to draw attention to the fact that the defence of prior publication, which he has said is a relevant defence to be considered by a jury, is not available to someone who is accused. The provisions of amendment No. 9 are designed to ensure that the defence of prior publication may be deployed in certain, very narrow, circumstances. Under the amendment, it is not treated as an absolute defence; it is a factor which may be taken into consideration. I cannot see how, in line with the Home Secretary's earlier argument, he can fail to accept the amendment.

If we were debating clause 4 as a whole, we might wish to raise what we did not have time to raise in the guillotined debate, which is why it is necessary to create an absolute offence about telephone tapping when disclosures about other forms of surveillance are not absolute offences. Some such disclosures will not cause harm. It would not be harmful, for example, to reveal that five years ago the phone of a possible suspect had been tapped, but the surveillance had been ended when it was realised that he was not in any way implicated in any wrongdoing. I cannot do more than draw the attention of the other place to the enormities of clause 4 and hope that it will take that to heart.

The amendment would allow the Home Secretary to recognise the force of the arguments deployed in the "Spycatcher" case by at least two of the Lords who considered the matter—Lord Brightman and Lord

[Mr. Robert Maclennan]

Griffiths. The Home Secretary will remember that Lord Griffiths spoke of how the Attorney-General had admitted that, despite the fact that "Spycatcher" had received worldwide publication and was available in this country to anyone who wished to read it, the law forbade the press, the media or anyone else to comment on any part of it, saving only that which had already been referred to in the judgment of the courts. He said that if such was the law, the law would be an ass. If we do not accept amendment No. 9 tabled by right hon. and hon. Members on both sides of the House, the law will, indeed, be an ass. I seek the Home Secretary's assurance that if we have not got it quite right, he will take the point on board and table his own version in the other place.

It is in respect of clause 4 and the ban on repeating information that has already been disclosed so that no conceivable harm can be caused that the Bill is most likely to fall foul of article 10 of the European convention on human rights. The Home Secretary has not given adequate justification for the blanket ban. Therefore, we look to him to accept amendment No. 9, if not in the letter, at least in the spirit.

Mr. Winnick: Despite what the right hon. Member for Plymouth, Devonport (Dr. Owen) said, I would imagine that even this Government would draw the line at trying to ban the memoirs of former Ministers, so we are dealing basically, despite what the Bill says, with those who serve in the security and intelligence services. Much has been made of the Wright case. The right hon. Member for Brighton, Pavilion (Mr. Amery) said that the Wright case was probably one of the reasons for the introduction of the Bill. That was a long-running saga, and if Ministers had been involved in secret collusion with Wright, they could not have done more to make him a millionaire. Without that publicity, the book would probably have sold only a modest number of copies, instead of becoming a bestseller. The Government did Mr. Wright a great favour, at the expense of the taxpayer.

I have not read much of Wright's book because I find it too boring. However, I have read another book by a former member of the security and intelligence services, a book that the Government tried to ban. It is called "One Girl's War" and is written by Joan Miller. I know that my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) has read it, because he quoted from it, and a number of other people have read it. I made sure that it was in the Library. I did not buy my own copy. I cannot for the life of me see any reason why the Government should try to ban it.

5.45 pm

Under the Bill, because Joan Miller had been involved in the security services, the book would be banned. However, she was involved in the security services during the war years, hence the title. What possible harm did the publication of that book do to the security and safety of the nation? The Government tried to stop it being published here but did not succeed, any more than they did with Wright's book, although Joan Miller's book came out first. Secondly, under the provisions of the Bill, the Government would have the powers to stop any such publication.

Lifelong confidentiality is nonsense. It has not worked in any other western democracy—certainly not in the United States. If the Government insist on the Bill going through as it is, as they obviously will, because I have no doubt that the amendment and new clause will be rejected at 6 o'clock, sooner or later there will be another Wright case. There will be another saga and a lot of money will be spent for no purpose. Despite the passage of the Bill, if such a book is published abroad with the resulting commotion, it will end up, like Wright's book, in the United Kingdom. The Government of the day will be the victim of a great deal of laughter, as this Government were over the Wright case.

I hope that the Home Secretary will reflect on the matter. He has not thought carefully about any previous amendment. He has been quite obstinate. No matter how moderate either the amendment or the speeches in favour of it, he has said no. I do not have much hope that he will change his view at this stage, but he should at least think about it.

Mr. Hurd: My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) was generous in his comments on our earlier proceedings. I regret that time that could have been spent debating the issues arising out of the amendments was spent on an empty and deeply unprofitable point of procedure.

The starting point from which to consider new clause 1 is the need to ensure that the security and intelligence services work effectively, and out of that need has come what is described as the doctrine of lifelong confidentiality. It is set out in clause 1 and was discussed without restriction of time on the first day of the Committee. It was strongly contested, as it continues to be contested, by critics of the Bill but it was approved. It is no good the hon. Member for Walsall, North (Mr. Winnick) reopening the debate. The decision is clear.

New clause 1 creates a right—I agree that it is hedged about with conditions—that, under certain conditions, cannot be unreasonably withheld. Therefore, new clause 1 sits oddly, as my right hon. Friend the Member for Pavilion agreed, with the lifelong duty of confidentiality. I doubt whether my right hon. Friend would have thought to put this into statute if he were satisfied with the policy, because he is not normally one for putting things in statute if he is satisfied with the policy. He explained to the House why he was dissatisfied.

On Second Reading, my hon. Friend the Minister of State gave an account of the procedure which governs the position when a member or former member is considering writing a book. That account was an accurate description of the steps which a member or former member needs to go through before there can be any question of publication. When a former member proceeds to publication without seeking authorisation, or continues even when permission has been refused, the Government must take action to enforce the duty of confidentiality. As he said, my right hon. Friend the Member for Pavilion wrote to me after the Second Reading debate. On reading his letter, it was clear that it was necessary to say more, not about the procedure but about the policy within which the procedure would take place. That is why my hon. Friend the Minister of State took advantage of the relevant debate on the new clause tabled by my hon. Friend the Member

for Torbay (Mr. Allason). He used the words which have already been quoted and which I quoted when the matter was raised a week or so ago. He said:

"authorisation to members and former members to disclose information about their work will be rare and given only in exceptional circumstances."—[*Official Report*, 25 January 1989; Vol. 145, c. 1104.]

On 31 January, I wrote in exactly the same terms to my right hon. Friend, whom hon. Members knew could not be present at the debate, on the new clause moved by my hon. Friend the Member for Torbay. There is no question of repudiating correspondence. What is in *Hansard* of 25 January is on all fours with what I wrote to my right hon. Friend six days later.

I do not object to the agreeable, able teasing from my hon. Friend the Member for Thanet, South (Mr. Aitken). The last time he spoke on this matter, not having verified all his sources, he was wrong to say that there had been or might have been an attempt to mislead the House, and to say different things in correspondence with my right hon. Friend than was said in Committee. I hope that I have established that that is not so.

Mr. Budgen: Is it not unsatisfactory to announce that some people will be allowed to break the law as a result of some policy that gives protection to a certain class? Is it not better to try to build that exception into the law, rather than leave it to the arbitrary discretion of the Executive?

Mr. Hurd: That is disclosure without authority. I am not sure whether my hon. Friend has been paying the same close attention to the Bill that he paid during earlier stages of the Committee's proceedings. If he looks at clause 1, he will find that that is so.

Mr. Amery: I am a little lost in the argument that my right hon. Friend has been developing. Does he say that what my hon. Friend the Minister of State said in Committee, using the same words as he used to me in his letter, is in effect a repudiation of what he said on Second Reading?

Mr. Hurd: In reply to the Second Reading debate, my hon. Friend was dealing with the procedure that would be followed. That is a statement of the procedure, and I will turn to one or two points connected with it in a moment.

Having received my right hon. Friend's letter, it was clear that something more needed to be said, not about the procedure but about policy, and that was said first by my hon. Friend in Committee and then by me in writing to, and discussing the matter with, my right hon. Friend.

It would not be fair to dwell on specific points in my right hon. Friend's new clause, because he was open-minded about it. He puts the Secretary of State into too prominent a position in deciding these matters. The security and intelligence service concerned would have a central role in considering whether the information could be disclosed. He also got the role of the staff counsellor slightly wrong. I refer him to what my hon. Friend the Minister of State said on Second Reading. The staff counsellor is to provide members and former members of the services with someone who is not a member of the services with whom he or she can discuss concerns and anxieties about their work which it has not been possible to allay through normal staff management channels. That refers to authorisation, as it does to any other matters.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) continues to press his point about article 10 of the European convention. I continue to say that it is entirely compatible with our obligations. Articles 10.1 and 10.2 provide explicitly that the exercise of the right

"to receive and impart information and ideas without interference by public authority . . . carries with it duties and responsibilities".

and accordingly

"may be subject to such formalities . . . as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime . . . preventing the disclosure of information received in confidence".

As the hon. Gentleman will know, there is case law, including the Handyside and *The Sunday Times* cases. I am satisfied that the provisions in the Bill are compatible with that article and with the convention as a whole.

The right hon. Members for Plymouth, Devonport (Dr. Owen) and for Morley and Leeds, South (Mr. Rees) talked as though we were bringing in some new restriction. I want to be entirely accurate. There is one limited respect, and that is the use of the word "purport". There was discussion in Committee about that. There is an extension of the existing restriction, but that is a relatively minor point. In all other respects, the obligation under the Bill is the same as that under the present law. This happens so often in our debates. We are removing so much from the scope of the criminal law and modifying in the direction of openness what remains so extensively with the harm test that when something remains more or less unchanged, according to some hon. Members, it sticks out like a sore thumb.

Mr. Foot: How does this cover ministerial memoirs and reports? Are they covered by the phrase "only in rare and exceptional cases", or is the present situation to continue? The right hon. Gentleman has not made it clear.

Mr. Hurd: It is to continue under the law. We are talking about people who entered work which they knew was secret, and that fact was made totally plain when they entered the work. People who are notified will be in the same position. It cannot be retrospective. There is no expectation of a right of publication, even hedged about with conditions. Of course there are different types of book. We can imagine somebody writing a book about East-West relations, or a politician writing his memoirs and dealing incidentally with work that might fall under this category. I disagree that full-blown memoirs would be a good thing. The policy and principle in clause 1 are accurate and right.

I agree with the importance of amendment No. 9. The situation in respect of warrants has completely changed, compared with the mid-1970s, when the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and other signatories to the amendment were in positions close to these matters. There was then no statutory procedure and, as the right hon. Gentleman knows, no reason in law why the Secretary of State should be involved in organising individual interceptions. There was no commissioner with statutory powers to invigilate the application of that duty by the Secretary of State, no tribunal to whom the aggrieved citizen could turn, and no staff counsellor to whom anxious members of the Security Service could turn. They are substantial changes over the past five years and they completely alter the background of the amendment. With the Security Service Bill, we propose to extend that principle further. That entirely alters the background to the amendment.

[Mr. Hurd]

Clause 4(3) is consistent with what we have done, and the amendment would not be. It would allow free circulation of information about matters such as operational techniques, as long as they had been published previously and as long as their disclosure could be held to meet a form of damage test. It would be signalling that, in certain circumstances, these matters could become general and accepted currency.

The new clause has not taken on board the difficulty in bringing any such matters to court. How could the prosecution introduce evidence without revealing or confirming in some detail information about the use of those provisions which are essential if we are adequately to protect the citizen? *[Interruption.]* The right hon. Member for Sparkbrook knows that the procedures for trial in camera are inadequate to meet that point. We are on the same point that we have had to make before. The Opposition are proposing that irreparable damage could be done and that thereafter the lawyers could argue about justification. The question before the House is whether that is too risky a procedure in this limited area. I have not time to expound yet again to the right hon. Member for Sparkbrook the position of the gentleman who believes that his telephone is being tapped. I shall do so in time for the right hon. Gentleman to comment. I believe that in this narrow and limited area this absolute provision—which I accept—is the correct one.

It being Six o'clock, MR. SPEAKER *proceeded, pursuant to the order [13 February] and the Resolutions this day, to put forthwith the Question already proposed from the Chair.*

Question put, That the clause be read a Second time:—

The House divided: Ayes 197, Noes 309.

Division No. 110] **[6 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Aitken, Jonathan
Amery, Rt Hon Julian
Anderson, Donald
Armstrong, Hilary
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunwoody, Hon Mrs Gwyneth
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Johnston, Sir Russell
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leighton, Ron
Lestor, Joan *(Eccles)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Nigel Griffiths and
Mr. Jimmy Dunnachie.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard

Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. David Lightbown and
Mr. Kenneth Carlisle.

Question accordingly negatived.

New Clause 2

PUBLIC INTEREST DEFENCE

'.—(1) It shall be a defence for a person charged with a offence under this Act to prove that the disclosure or retention of the information, document or other article was in the public interest insofar as he has reasonable cause to believe that it indicated the existence of crime, fraud, abuse of authority, neglect in the performance of official duty or other serious misconduct.

(2) In the case of a Crown servant or government contractor charged with an offence under sections 1,2,3,4,6, or 8 of this Act, subsection (1) above shall only apply if he has taken reasonable steps to comply with any established procedures for drawing such misconduct to the attention of the appropriate authorities without effect.'.—*[Mr. Corbett.]*

Brought up, and read the First time.

Mr. Corbett: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following:

Amendment No. 8, in page 3, line 36 at end insert

'but a disclosure which indicates the existence of a serious threat to the health or safety of the public shall not be regarded as damaging for the purposes of that subsection.'.

Government amendment No.1.

Mr Corbett: This clause is not about spies and espionage, but about public servants who, through their duties, find that the public are being misled or worse. It is also about editors and journalists who, in a free society, have a duty to expose official malpractice. The new clause tries to meet the Home Secretary's ludicrous claim that a public interest defence is somehow a "trump card". Under new clause 2 public interest would be a defence—not the trump card, but one of many in the pack—to put before court, but not the overriding defence claimed by the Minister of State in his letter to *The Independent* today.

The public interest defence could be used only in limited cases where there were allegations of specified types of misconduct. It is not a green light to every whistleblower in Whitehall. There would be no protection, for example, for someone who wanted to argue that Britain's nuclear weapons were against the real public interest. There would have to be "reasonable cause", demonstrated in court, to believe that serious misconduct was taking place. It would not be enough for someone to say "I think that it is happening." The evidence would have to be strong enough to persuade a jury.

6.15 pm

Another test of the defence is that the misconduct would have to be serious enough to justify disclosure in the public interest in the categories listed:

"crime, fraud, abuse of authority, neglect in the performance of official duty or other serious misconduct . . . a serious threat to the health or safety of the public."

The Minister should note that the new clause and amendment No. 8 do not cover the work of the security or intelligence services, the armed forces or any other matters touching the vital interests of the nation.

There is yet another test—I am beginning to sound like the Home Secretary and his hurdles—in that a civil servant could invoke the public interest defence only if he or she had first tried to get the problem dealt with internally, but without success. That touches on the point made by the right hon. Member for Old Bexley and Sidcup (Mr. Heath) who spoke of the public right to know not simply about the wrongdoing, but that the wrongdoing had taken place and had been stopped. I stress that the public interest defence would not benefit anyone whose real purpose was to embarrass the Government and who leaked information without first invoking the available procedures.

The existence of internal Civil Service remedies—the right to complain to the head of the Civil Service—does not remove the need for a public interest defence in the limited form proposed by the new clause. The public interest defence would operate only after reasonable efforts to deal with the problem internally had failed. I stress that that defence is not available to journalists and to other non-civil servants.

Amendment No. 8 relates to the key element of the offence outlined in clause 3—that the offence does not depend on the nature of the information disclosed. That is irrelevant. Again it raised the possible prospect of the Government acting against a newspaper which planned to publish something that was simply embarrassing to the Government. In matters of public safety, such as health or a leak from Sellafield, the Government may decide that they do not want to inform the public immediately although clearly it would be in the public interest that the information should be made public speedily. Yesterday's debate about the dangers arising from salmonella and listeria illustrates the need for such information to be public.

I shall not develop my argument further because of the timetable, but the Home Secretary should consider carefully this narrower, more restricted public interest defence, which seeks to meet many of his main objections. These are modest amendments and would cause the Government no harm if accepted. The Government could still prosecute. All that would happen is that in a narrow band of specified areas a proper public interest defence would be available.

I hope that the Home Secretary will either accept the new clause or undertake to consider the issue when the Bill goes to another place, where we all hope that it will be subject to better scrutiny than the Government have allowed us here.

Mr. Richard Shepherd: This is an important new clause and we touched upon it in some length the other day. The contention is that should a crime, a fraud or an iniquity happen in Government, as the last resort—not the first resort—the aggrieved civil servant may release himself of the burden into the public domain.

This matter has been dealt with by the courts up to the House of Lords where Lord Griffiths conceded that, although he found it extremely difficult to envisage the circumstances where such a complainant had not been dealt with or satisfied internally, in the last instance it was his duty to alert—I believe that that was the word he used—the public to the impending danger.

Throughout the debate on the public defence, the Government have argued that there is no such concept in law. When confronted with the possibility of using the Obscene Publications Act, they told us that that legislation is really defective and should be amended or repealed. They ignored the fact that the very first Official Secrets Act of 1889 included a public interest defence, which was felt to be such an important legal matter involving the freedoms and rights of citizens as well as the protection of Government information that it required the distinction of the Attorney-General moving a Government amendment.

The Government have asserted the proposition that the internal structures of government are so secure and certain that there can never be a failure to remedy crime, fraud or iniquity. That proposition is profoundly distasteful to the House. Only last week, during our debate about prior publication, the Home Secretary drew our attention to hypothesis. Could we not hypothesise circumstances in

which a Government do not enable legitimate existence of fraud or crime to be remedied internally? The amendment seeks to clarify what would happen to the civil servant.

It is really a last-ditch amendment because the Government have rejected almost every other attempt to give balance to the Bill. Had there been a serious injury, it would have been possible to argue whether the injury was serious and that would provide the opportunity for a defence. However, the damage tests consistently have been set at such a trivial level that it is difficult for a defence to secure freedom on those bases. The amendment seeks to avoid the possibility of having to rely on a perverse jury which does not understand the issues, because in the case of an absolute offence it is not necessary ever to reveal what has caused the offence. Under clause 1, if a civil servant has revealed a piece of information, he has to plead whether or not he revealed the information, but there is no opportunity for the jury to examine the merits of the information that he revealed. Unless the jury is perverse, it appears that an automatic conviction would follow.

The amendment challenges the central proposition in the Bill. The Bill claims that the public or national interest is synonymous with the interests of the Government of the day.

Mr. Hurd: Not at all.

Mr. Shepherd: My right hon. Friend the Home Secretary says, "Not at all", but the Bill asserts that the absolute offence applies to any piece of information revealed. Therefore, the determinant of whether it should apply are the Government. They hold to themselves that judgment. The House is in conflict with the assertion in the Bill that the national interest is synonymous with the interests of the Government of the day, as that is unacceptable in a free, liberal democracy. We are trying to repudiate that assertion. We accept that there may be times when the two are synonymous, but there are also times when that manifestly is not true.

I urge my right hon. Friend the Home Secretary to try to give some good wind to the Bill, which has limped so badly through the House, and which will go to the House of Lords in an almost contaminated form and to show that the Government's spirit is more generous in these issues. It is the interest of accountable government and responsible Ministers that they tolerate the access of the citizen to information that gives evidence of crime, fraud or iniquity that has not been revealed or resolved by internal procedures.

Mr. Rooker: The Government, in defending their rejection of new clause 2, must tell us what a civil servant should do when crime, fraud or abuse of authority occurs within Government. I accept that the Secretary of State will say that the Bill frees greater areas of the Government machine and that revealing such informatin will not be a criminal offence.

In issues such as defence procurement, the security of the state is a borderline matter, but vast amounts of public money are spent. Committees in the House have heard that tens of millions of pounds of public money have been wasted because of the operation of the equipment that is purchased, or because of the companies and contractors that supply such equipment double-charging and fiddling on the maintenance. Those issues involve crime and fraud in the normal sense. If civil servants try to follow procedures to bring such matters into the open, surely there must be a defence, or do the Government argue that there is never crime or fraud within the Government machine? That argument does not stand up. Over the years, the House has heard evidence of instances where Government contractors have been hand in glove with those they should not be, or fiddling the taxpayer. That is crude ordinary crime and fraud, not the crime that we discussed earlier involving spies and spooks. Everyone knows what I mean by the crimes that we are discussing here.

How can it be that civil servants who are aware of such crime and trying to put matters right—but failing to do so—are not able to say that it was in the public interest that the information relating to the crime or fraud ought to be made public and therefore they used the public interest defence? The Home Secretary should be a little more forthcoming about the Government machinery dealing with cases involving civil servants than he was during the very short debate in Committee.

Mr. Aitken: I shall say a few brief words about amendment No. 8 which seeks to exclude safety matters from the scope of clause 3. I also wish to express some reservations about Government amendment No. 1.

Amendment No. 8 seeks to do no more than protect our own citizens from being blocked from an alert when some foreign Government may be warning our Government about a major safety problem. Clause 3 deals with two types of disclosure—information about international relations and information supplied in confidence by another Government or international organisation. An offence is committed if disclosure is likely to jeopardise the United Kingdom abroad.

A foreign Government might easily reveal all sorts of important safety information. They might tell us that food exports from that country were suspected of containing food poisoning, or that their national airline or shipping fleet was a possible channel for smallpox or rabies. In my part of Kent, some people fear that the Channel tunnel might be a possible conduit for rabies, and if such information were passed in confidence from the French Government to our Government our people would have the right to know about it. Under clause 3 as drafted, anyone could be prevented from revealing such vital safety information. Without labouring the point unduly, I feel strongly that the huge definition in clause 3 should be qualified by allowing whistleblowing in the interests of public safety and health.

Government amendment No. 1 enlarges the already broad definition of damage in clause 3. Connoisseurs of the rift between the Secretary of State and the Minister of State may have noticed an interesting letter from the Minister of State the hon. Member for Oxford, West and Abingdon (Mr. Patten) in this morning's edition of *The Independent*, effectively saying that the Bill contained good safeguards, including the fact that one could be prosecuted only if one had disclosed something which had caused unacceptable damage to the national interest. My right hon. Friend the Home Secretary has been writing gaily in *The Daily Telegraph* about how "serious damage" is still contained in the Bill. That is a point on which I crossed swords with him in today's correspondence columns of *The Daily Telegraph*. Government amendment No. 1 does not just jettison the words "serious damage" or

[Mr. Aitken]

"unacceptable damage" but enlarges "damage" still further by saying that something can be damaging by the mere

"fact that it is confidential."

What is "confidential"? As I understand it, a Government document or overseas document becomes confidential as soon as that word is stamped on it. This is an unacceptable enlargement. We all know that civil servants in particular, no doubt foreign civil servants as much as anybody, overclassify and stamp matters as confidential when they are not. Therefore, subject to what my right hon. Friend has to say in explaining the Government amendment, I have grave reservations about it.

6.30 pm

Mr. Kenneth Hind (Lancashire, West): I wish to express my doubts about new clause 2. The House has heard the arguments about a public interest defence and I do not propose to repeat them. However, we have decided that secret service officers or those who are notified are pledged to a life in which they do not reveal matters relating to their work, and the new clause drives a coach and horses through that provision. The Security Service Bill contains adequate internal mechanisms for their complaints.

We have to deal with the harm test in relation to all civil servants, who are not notified. That is what the hon. Member for Birmingham, Erdington (Mr. Corbett) was driving at. The harm test still applies to all those people. If they wish, they can make disclosures, providing they are not harmful to the national interest. We have said time and again that disclosures can be made to other Crown servants, including the police and Members of Parliament, provided the Members of Parliament use that information responsibly and pursue it through the proper channels or, if they feel that it is sufficiently important, they can use the privileges of the House.

he real danger in the clause is that there is no consideration of the damage that can be done to the national interest. The person disclosing the information may think that it would be in the public interest. However, although that person may be honest, he may be misguided and may feel that he has reasonable cause to believe that

"it indicated the existence of crime, fraud, abuse of authority, neglect in the performance of official duty or other serious misconduct."

What if that is not so? We are left with untold damage done to the national interest by somebody who acted in good faith when there were clearly other ways of dealing with the matter.

There are adequate safeguards in the Bill due to the harm test. We must not underestimate the importance of the harm test as a defence that can be used by civil servants who are aware of information such as that to which the hon. Member for Erdington referred.

Mr. Gorst: The presumption that lies behind much of what my hon. Friend and others have been saying is that one is concerned with abuses and wrongdoing. That is not necessarily the case when we are dealing with health and safety. I instance the continual outbreaks of Legionnaire's disease or perhaps some other health hazard which has not yet been explored. It may be that, in such circumstances, what is in the public interest is not the revelation of the information so much as the revelation of the procedure which requires reform. We all know that bureaucracies are resistant to changing their methods. It may be that public debate is necessary. I foresee that Governments may wish to suppress that. How would my hon. Friend answer that?

Mr. Hind: My hon. Friend forgets that the Bill is a major liberalising measure—*[Laughter.]* Hon. Members may laugh but they seem to forget that only five categories are covered by the Bill. All other Government matters are now free from prosecution under the criminal law.

On health and safety, the harm test would apply only if something had been disclosed under confidential circumstances by an overseas power. If someone makes a disclosure, he is able to argue in the courts that the disclosure of information affecting health and safety did no harm to the national interest. That is a defence open to him. In assessing whether the prosecution should be brought, the Attorney-General would look at all those factors before making his decision.

The new clause will drive a coach and horses through the spirit of the Bill. It undermines the principle behind it —the harm test. I urge my right hon. and hon. Friends to reject it.

Mr. Hurd: The Opposition, with customary support from some of my hon. Friends, have made a second attempt to produce a public interest defence clause. I acknowledge that it is a narrower clause than before. In unrestricted time we spent an entire Committee session on that principle. The hon. Member for Birmingham, Erdington (Mr. Corbett) was brief and I can be brief, too. However, this is a useful debate because it enables us to encapsulate the main principle involved. The hon. Member for Erdington has done that and so have my hon. Friends.

There is no overarching right of public prosecution in the Bill. The discretion, which now rests with the prosecuting authorities over a huge area, is removed from the bulk of that area and whittled down in almost all the remainder. There is no overarching right of public prosecution in order to protect some vague concept of public interest, let alone to save the Government from a red face. Those are the major changes in the Bill.

Mr. Aitken: I know that it is part of my right hon. Friend's great thesis that the Bill is a liberalising measure and that the discretion of the prosecutors is narrowed to a small area. However, before he goes overboard on that, could he tell us the last occasion on which a prosecution was launched under the 1911 Act in any of the categories outside the five categories that he has, so called, narrowed it down to?

Mr. Hurd: That is not the point. I have just heard an intervention from my hon. Friend the Member for Hendon, North (Mr. Gorst) who is seriously concerned about Legionnaire's disease. My right hon. Friend the Member for Castle Point (Sir B. Braine) was concerned in Committee about environmental safety. My right hon. Friend told us with example after example how he had been told by officials that it was illegal—not wrong—to give him information that he thought he should have about environmental safety. Therefore, we are not talking about something that is abstract. That is a real fear and worry, and according to my right hon. Friend the Member for Castle Point, the Father of the House, officials have

said on numerous occasions that they cannot give the information because it is illegal. We are sweeping that away. My hon. Friend the Member for Hendon, North can sleep in his bed without worries about Legionnaire's disease, safe in the knowledge that if people now say that information in the Department of Health about Legionnaire's disease is confidential and cannot be revealed because of section 2, that argument does not apply. That is true except in the limited case sketched by my hon. Friend the Member for Lancashire, West (Mr. Hind). Of course, it may still be wrong to release that information and there may be disciplinary consequences if it is released. That would be true even in the Labour party and in any other organisation. We are talking about the criminal law.

Mr. Aitken: We are talking about section 2 of the Official Secrets Act 1911.

Mr. Hurd: Yes, but my hon. Friend the Member for Hendon, North said that I was talking about a hypothetical situation. Our speeches in Committee prove that that is nonsense.

Mr. Gorst: I am sorry if I misled my right hon. Friend in that respect. Perhaps I should have made it clearer that I was concerned with information that might be exchanged between Governments. I merely mentioned Legionnaire's disease as an issue that is constantly cropping up and I withdraw the illustration if my right hon. Friend thinks that it misleads him further. I am concerned about information on health and safety matters, exchanged between Governments, which would be disallowed under the Bill. If I am wrong, I hope that my right hon. Friend will say so.

Mr. Hurd: I follow my hon. Friend's narrowing of the point. I am sorry if I interpreted him too widely.

Mr. Richard Shepherd *rose*——

Mr. Hurd: Let me answer one point at a time.

The information to which my hon. Friend the Member for Hendon, North referred would then have to pass the harm test. If he looks at the harm test in clause 3, he will see that he would have to invent a fairly ingenious hypothesis to conceive of circumstances in which the prosecution could argue that the disclosure about Legionnaire's disease, received in confidence from a foreign Government, would prejudice or jeopardise United Kingdom interests abroad. That is the test, not embarrassment to the Government.

Mr. Gorst: What about AIDS?

Mr. Hurd: The same point would apply.

Mr. Richard Shepherd: The important point, which I am sure my right hon. Friend takes on board, is that we are considering only offences under section 2 of the Official Secrets Act 1911, which involves the climate of secrecy in Whitehall. There are, of course, about 80 other pieces of legislation that make the disclosure of information a criminal offence, on environmental matters, pollution controls and similar matters, and such disclosures will remain a criminal offence after the Bill is passed.

Mr. Hurd: I am talking about the scope of the Bill. I hope that I have dealt with the points raised by my hon. Friend the Member for Hendon, North.

I turn to new clause 2, although I believe that it was right for me to have been distracted from it. I shall try to show briefly the damage that might result from the system that the Opposition seek to erect. The Bill protects, quite properly, information that needs to be protected from disclosure. If that protection fails, or anyone is given cause or encouragement to believe that the protection is in some way a paper tiger, the Bill would fail in one of its two main purposes. It would give a signal of encouragement, not of deterrence. It would say that as long as some allegedly serious misconduct, or any neglect at all, in the performance of official duties can be identified and can be argued to have been reported to no effect, it is all right to disclose that information whatever damage has been done. That is the thrust of the new clause. I cannot believe that the hon. Member for Erdington really believes that that is a sensible way to proceed or that it is safe.

I return to what the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said on 2 February. He said in a flourish that no one

"would attempt to justify revealing, say, the battle plans of the British Army of the Rhine".—[*Official Report*, 2 February 1989; Vol. 146, c. 457.]

He is right; no one would. Yet it would be perfectly possible under the amendment.

6.45 pm

Mr. Richard Shepherd: That would be an offence under section 1.

Mr. Hurd: I disagree because section 1 deals with espionage. We are talking about section 2. The disclosure I have mentioned would not necessarily fall under section 1.

Mr. Shepherd: Espionage is a section 1 offence.

Mr. Hurd: It would not necessarily fall under section 1.

Let us consider another form of serious revelation. When we were talking about prior publication, I referred to talk about the techniques of counter-terrorism. Whatever example one chooses, I am making the point that the new clause is not balanced, because it provides an overarching defence. The hon. Member for Erdington says that it does not, but I believe that he misunderstands it. It is an overarching defence because it allows any amount of damage to be done as long as the defendant can prove —and he has only to prove it on the balance of probability —that the information disclosed gave him reasonable cause to believe that it showed some form of "serious misconduct" or any neglect of official duty. It is odd that the Opposition, who are constantly twitting me for not putting the word "serious" into the Bill, did not put it into the amendment. They refer not to "serious misconduct" but to any "neglect . . . of official duty". That is the crucial point. The argument of the Opposition and the proponents of a public interest defence—even defined narrowly—is that it should be allowable for somebody to make a disclosure, however great the damage that might result from that, provided that the information disclosed gave him reasonable cause to believe that it showed some form of serious misconduct or any neglect of official duty.

There is a further point about timing which the Opposition have not hauled on board. If a disclosure were made, damage would result and that would be past recall. There would then be an argument before the courts about whether there was justification under any of the different

[Mr. Hurd]

public interest defences that had been proposed. The public servant concerned might be able to show that he sincerely thought that he had reason to believe that his disclosure showed some neglect of official duty. But the damage would have been done. The public servant might or might not be convicted, depending on what the jury decided, but the damage could not be repaired. My right hon. Friend the Secretary of State for Defence could not run the armed services—and nor could the Security Service or the police be run—on the basis of the damage being done, with an argument then taking place between lawyers on a definition of whether disclosure was justified.

Mr. Corbett: I do not know why the Home Secretary is concentrating on security, intelligence and the armed forces. He knows as well as I do that clause 1 would cover the security and intelligence forces and that disclosure would be an absolute offence. Is he seriously arguing that anybody would remotely consider a defence of, say, neglect of the performance of official duty if he had leaked the battle plans of the Army of the Rhine? That does not make sense.

Mr. Hurd: No, it does not and that is why we oppose the new clause. I am not in favour of balance in this matter. I can see the argument that we should enable a balance, but that is not even what is being proposed. The new clause proposes that if any damage is done, however serious, the public servant would then, after the damage had been done, be able to say that he had reasonable cause to believe that the information indicated some form of serious misconduct or any neglect of official duty.

Sir Ian Gilmour: I want to make a minor, but important, point. Surely my right hon. Friend is misreading the new clause when he speaks of "any neglect". Neglect has to be read in conjunction with the later words which say, "other serious misconduct". It is plain that the "serious misconduct" applies also to neglect.

Mr. Hurd: I am advised that that is not so. There may be loose drafting there, but I am not resting my argument entirely on that point. I am advised that, as it stands, the neglect of official duty is not qualified. The Opposition new clause——

Mr. Corbett: It is an all-party new clause, not an Opposition one.

Mr. Hurd: I was giving the hon. Gentleman a compliment. The new clause mentions the existence of internal remedies, but does not apply any judgment about who is to decide, and it would be perfectly possible for the public servant concerned to gallop through whatever remedies were available in a perfunctory way, if it were for him to decide whether those remedies had been exhausted. I do not think that the attempt to deal with that is adequate. If only because of the time scale that I am talking about, I do not believe that to have the damage first and then the argument within the narrow sphere of the Bill is a risk that any Government would advise the House to take.

My hon. Friend the Member for Thanet, South (Mr. Aitken) made two points about amendment No. 8. In general, the harm test would apply to all the examples that he gave. The harm test in this sphere is exacting. However, I wonder whether my hon. Friend really thinks that it is right and automatically justified that any terrorist threat reaching us from abroad should be disclosed, however alarmist.—*[Interruption.]* Well, amendment No. 8 would do that. It would clearly be a matter of public safety. The harm test would adequately protect the position that my hon. Friend wants to protect but in a few cases that would fall within the scope of the amendment it would not be axiomatic that disclosure should be unprotected.

My hon. Friend the Member for Thanet, South also dealt with amendment No. 1, which stands in my name, and which fulfils an obligation that I made to see whether we could clarify this matter. I am not sure whether my hon. Friend thinks that I have managed to do so. I have wrestled intellectually with my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) on this and I hope that he at least is satisfied.

It is now spelt out that the harm test applies in both cases. The harm test about British interests abroad applies whether the prosecution argues that it was the contents of the disclosure that passed the harm test or the fact of disclosure. In either case, the prosecution would have to prove harm and in neither case would it be an absolute offence.

Mr. Rees: I had been going to intervene, but the Home Secretary has now sat down. I wonder whether he can explain the problem that I am facing. I used to think—and I still think—that under section 2 the Attorney-General of the day, who holds that position as legal adviser to the Government—not in any political sense—advises on prosecution and, as things are at the moment, makes his decision in the public interest. The Home Secretary will remember that we touched on this tangentially earlier when the former Solicitor-General, my right hon. and learned Friend the Member for Warley, West (Mr. Archer), made it clear that the words "public interest" are used in the remit of the Attorney-General in a different way from the use of "public interest" in discussion of the Bill. Nevertheless, under the Bill, the Attorney-General has to consent to prosecution.

In deciding whether there shall be a criminal prosecution and on the Attorney-General evaluating some of the criteria that we have been discussing, such as the harm test and whether harm may be caused, could it be that it would be in the public interest not to prosecute? I recall that in some instances it was thought better to keep quiet than to let the information get out and that course of action has been regarded as being in the public interest. Is that public interest aspect still present in this Bill?

Mr. Hurd: The role of my right hon. and learned Friend the Attorney-General as the prosecuting party and the way in which he discharges his role are not affected by the Bill, except to the extent that they are greatly restricted in the ways that I have described, which are central to the Bill. The way in which my right hon. and learned Friend operates within the scope of the criminal law as it will remain under the Bill will be of exactly the same quality, character and nature and his decision making will be exactly the same as that with which the right hon. Gentleman is familiar.

Mr. Maclennan: I recognise that the Secretary of State has a closed mind on the issue of a public interest defence

and therefore I do not propose to pursue him on that, although I found some of his arguments profoundly unsatisfactory.

I wish to probe a little more into amendment No. 1. It seems to me that the new version of clause 3(3) reveals a catch-all that is much greater and more seriously damaging than that which appeared even in the original drafting. The Home Secretary has said that the amendment was intended to make it clear that the harm test applied. However, I submit that that is not so in any meaningful sense. A presumption of harm flows from this subsection when viewed in conjunction with subsection (2)(b).

It is a difficult argument to make, but I must try to do so. Clause 3 provides that a Crown servant or Government contractor is guilty of an offence if he makes a damaging disclosure and that that disclosure will be deemed to be damaging

"if it is of information or of a document or article"

which is likely to have any of those effects that have been spelled out.

Amendment No. 1 states:

"In the case of information or a document or article . . .

(a) the fact that it is confidential, or

(b) its nature or contents,

may be sufficient to establish for the purposes of subsection (2)(b) above that the information, document or article is such that its unauthorised disclosure would be likely to have any of the effects there mentioned."

If that is a harm test, it is one which it would be extremely easy for the prosecution to satisfy because it seeks to define the document in terms of its likely impact, not its actual impact. As the clause deals with matters that may be extremely trivial, and makes it an offence to publish such information because it is described as

"any information, document or other article relating to international relations",

that is a catch-all phrase if ever there was one. It is too wide a definition.

It is unacceptable that we should create a crime that is susceptible to punishment of up to two years' imprisonment for the publication of a document that may be such that its unauthorised disclosure would be unlikely to have any of the effects that have been mentioned. The amendment is a wholly unacceptable attempt to clarify what was perhaps obscure before, but was certainly worrying. However, now it is no longer only worrying; it is deeply disturbing.

Sir Ian Gilmour: My right hon. Friend the Home Secretary deployed his usual forceful arguments against the public interest defence but the arguments that he advanced against it are totally inapplicable. He referred first to revealing the battle plans of the British Army of the Rhine. As my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said, that would clearly fall under section 1 of the Official Secrets Act, but, even if it did not, the idea that anyone could justify that as being in the public interest on the grounds that he might have been given

"reasonable cause to believe that it indicated the existence of crime, fraud,"

clearly could not be advanced as a defence. It would be laughed out of court and the jury would not look at it. Surely the same applies to the other example given by my right hon. Friend about revealing counter-terrorist operations. The idea that somebody could say, "I did that because, after all, there was a little crime about" simply would not work. It is not——

Mr. Hurd: Indeed, it might not work. The jury might not be convinced and then whatever harm had been done would have been done and there would be no rectifying it, but it would be a small satisfaction if the chap went to prison.

Sir Ian Gilmour: The chap is going to prison anyway. He is unlikely to have his decision about revealing this information determined by whether there will be a public interest offence. He will be a man, certainly on the examples given by my right hon. Friend, who will be either off his head or a near traitor. So the idea that he will be influenced by a provision such as this is not applicable. In other words, my right hon. Friend has adduced a way out of arguments that would not apply to any of the examples that we have in mind.

7 pm

My hon. Friend the Member for Thanet, South (Mr. Aitken) asked, in relation to this being a great liberalising measure, when there had last been prosecutions in any of the categories that are to be removed from the Official Secrets Act. I understood the Home Secretary to admit that there had not been any for a long time. But he said that it was still a liberalising measure because civil servants in the Department of the Environment would no longer be able to use the Official Secrets Act as a reason for not giving information.

I cannot regard that explanation as bringing the Bill within the category of a liberalising measure because, as my hon. Friend said, they will still be able not to give the information. In other words, one rather unserious excuse has been removed from them, and that is the main reason given by my right hon. Friend to justify his claim that this is a liberalising measure. It is tidying up the law—I appreciate that and that is, no doubt, a good step to take —but in tidying it up it is tightening it elsewhere, which, I am afraid, makes it the opposite of a liberalising measure.

Mr. Norman Buchan (Paisley, South): I have hesitated to speak before this point because I missed the beginning of today's proceedings, for which I apologise to the House.

Not for the first time the Home Secretary has got matters seriously wrong. The expression in new clause 2,

"neglect in the performance of official duty or other serious misconduct",

by definition qualifies the previous reference to,

"crime, fraud, abuse of authority"

as being serious misconduct. On that count the right hon. Gentleman is speaking nonsense.

The Home Secretary goes on to say that the danger in giving a public interest defence is that the cat will already be out of the bag. He gave as an example the battle plans of BAOR and said that by the time the matter came to court the secret would be out. But we are talking in terms of a defence, and it would be no defence for me to release the battle plans of BAOR and say that I thought fraud had been committed in Squadron No. 2. That would not be the point. It would have come out because I had already released those battle plans. At that point, not at any later stage, the facts would have come out.

I share the anxiety of the hon. Member for Caithness and Sutherland (Mr. Maclennan) about Government amendment No. 1. The fact that something is confidential

[Mr. Norman Buchan]

could of itself be sufficient to establish guilt under the previous subsection. It cannot be right, with such contorted thinking, to leave the measure without any public interest defence.

In the same way as it has been argued that the law of confidentiality cannot be extended to find people guilty simply to cover up an iniquity—in the words of the last century—so it cannot be the case here that a crime—be it fraud or whatever—revealed in this process must automatically carry a verdict of guilty because a public interest defence cannot be adduced.

I return to the example that I have given in the past and to which I have not yet received a reply from the Home Secretary, and that is the position we face on the Clyde. If it is known that a nuclear leak has taken place, and it is in the interest of the communities there that that fact should be revealed, the decision to reveal cannot be defended in the courts because the harm that would have been done would come under clause 2 in relation to defence.

We cannot leave the Bill—any more than we could leave the law of confidence, the concept that the Government have been fond of using in recent years—without a defence. Equally, if there is no public interest defence in this case, the Home Secretary is stripping out almost all possible forms of defence, despite the fact that we are dealing with areas which are prone to offence of one kind or another. That is the enormity of what the right hon. Gentleman is doing, sometimes on the basis of grammar. I hope that he will look at the whole matter again.

Mr. Dykes: I, too, support new clause 2 and will address my remarks to that and to the other amendments in this series. I am glad that anxiety has been expressed about Government amendment No. 1 because the more one considers it, the more worried one becomes lest it represents an unsatisfactory replacement of the present provision.

I hope that in commenting on new clause 2 I shall not repeat too much of what was said last week in Committee. I, too, am astonished by the example that the Home Secretary gave about a revelation of top secret battle plans. I cannot see how that could come into the context of an adjudication in the area we are now discussing. So inextricably and exclusively wrapped up is the issue in clause 1, like a massive piece of treason, espionage or a combination of both, that even if there were, coincidentally and surprisingly, some conjunction of internal departmental serious misconduct, and so on, one would have to envisage two separate cases. There would be no connection between the two. Even if they took place in the same court building, they would be a million miles apart intellectually, politically and constitutionally.

Although it has been suggested by Opposition Members that my right hon. Friend the Home Secretary has a closed mind on this, I hope that he will give further thought to the possibility of accepting new clause 2 and will further examine amendment No. 8. I am disturbed by the fact that the implication of the Government's response is always that a person concerned in a clause 2 case would be rushing hastily into some form of public disclosure. In the new clause we are thinking in realistic terms of the tail-end of a long process of internal investigation through the proper channels before any public disclosure has been made. It is not like a journalist writing an article about policy. Here we have someone who, with great psychological pain and travail, feels moved to reveal something basically wrong and rotten by way of a happening or misconduct. I hope that it will not have occurred in a Government Department, and it is to be hoped that all Departments are free of such matters, but such things do happen from time to time for various reasons, perhaps out of moral weakness. Even inefficiency can produce misconduct and should be revealed.

Mr. Rooker: The Bill makes it a criminal offence to point the finger at criminality.

Mr. Dykes: That was the central objection voiced both in Committee and on Second Reading. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), who is known for his careful choice of words, used the expression "monstrous" to describe the peril facing the body politic and the public if we permit the Bill to be passed in its present form.

I was postulating that it would be a long, agonising process for the person who was going to blow the whistle or spill the beans. One can imagine the agony that he would feel and the pacing up and down, as it were, that would occur in the mind and spirit of a conscientious public servant, for example, in using the proper channels, followed by lengthy investigations, with the matter passing up through the various layers of scrutiny internally by his respected superiors—one hopes that they would be respected.

By the same reciprocal token, that would involve the same massive concentration of mind on the part of those superior officials having to respond to that person's complaints. They must not brush them aside. Various books have been written about the Civil Service of the past, describing how such matters could be brushed aside, with career references being made to those concerned to ensure that they concentrated their minds on the real issue, which was keeping their mouths shut, and preventing them, if necessary, from pursuing the matter. That would be a wholly beneficial process which would help all future Governments and it should therefore be welcomed. If it were an implicit part of the Bill, that would satisfy the whole House.

The new clause is extremely solemn and important. Once again, regrettably and sadly, we see that except for one important exception that we discussed earlier today —I repeat that I have sympathy for my right hon. Friend the Home Secretary's position and the problems and pressures that he faces—the Government are not prepared to entertain any indispensable improvements. The public interest defence surely comes into that, ranking equally with publication as being absolutely ineluctable and indispensable elements in improving the Bill. If that improvement is not made, it will be a matter of regret—and something that the Government themselves will regret later.

Question put and negatived.

Clause 3

INTERNATIONAL RELATIONS

Amendment made: No. 1, in page 3, line 37, leave out subsection (3) and insert—

'(3) In the case of information or a document or article within subsection (1)(b) above—

(a) the fact that it is confidential, or
(b) its nature or contents,
may be sufficient to establish for the purposes of subsection (2)(b) above that the information, document or article is such that its unauthorised disclosure would be likely to have any of the effects there mentioned.'.—*[Mr. Hurd.]*

Clause 6

INFORMATION RESULTING FROM UNAUTHORISED DISCLOSURES OR ENTRUSTED IN CONFIDENCE

Mr. Hurd: I beg to move amendment No. 2, in page 6, line 22, leave out 'a State which is'.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to discuss Government amendments Nos. 3 to 7.

Mr. Hurd: The amendment simply reflects an undertaking that I gave in Committee.

Amendment agreed to.

Amendment made: No. 3, in page 6, line 37, leave out 'a State which is'.

Clause 7

AUTHORISED DISCLOSURES

Amendment made: No. 4, in page 7, line 28, leave out 'a State which is'.—*[Mr. Hurd.]*

Clause 13

OTHER INTERPRETATION PROVISIONS

Amendments made: No. 5, in page 10, line 41, leave out 'subsection (2)' and insert 'subsections (2) and (3)'.

No. 6, in page 10, line 42, after 'which', insert 'only'.

No. 7, in page 11, line 4, at end insert—

'(3) In determining for the purposes of subsection (1) above whether only States are members of an organisation, any member which is itself an organisation of which only States are members, or which is an organ of such an organisation, shall be treated as a State.'.—*[Mr. Hurd.]*

Mr. Heffer: On a point of order Mr. Deputy Speaker. I must point out that the procedure that we have just observed illustrates how wrong it is to introduce guillotines because they do not allow right hon. and hon. Members properly to discuss amendments in which they have an interest.

Mr. Hattersley: I beg to move amendment No. 13, in page 10, line 40, at end insert

'but do not include any disclosure made to a solicitor for the purpose of seeking legal advice'.

The amendment concerns the right of an individual, such as a member of the security services or a person classified under the Bill, to consult his solicitor if he has reason to believe that he is subject to an illegal act by the security services. *Hansard* for 16 February records at column 503 that a statement on that subject was made by the Minister of State, Home Office purporting—I believe that is the fashionable word—to raise a point of order. He made that statement with the contented air of a man who was suddenly sure that he had mastered his brief. Unfortunately, the Law Society's judgment of his comments about the relationship between solicitors and their clients remains what it was before the Minister's clarification. As we need a statement that we can examine before 7.30 pm, I shall describe the Law Society's judgment as clearly as I can.

The Law Society ought to know something about the obligations of solicitors, and it ought to have a locus in respect of the protection of solicitors in defending their clients. The society makes a point that I made rather more feebly and inadequately in response to the Minister's original, late-night, surprise announcement.

Clause 7 concerns and defines authorised disclosures. A disclosure by an individual is legal and authorised "if, and only if, it is made in accordance with his official duty." The Bill specifies who may make disclosures. It also describes the circumstances in which a person may make disclosures, and shall therefore be authorised to do so. Clause 7 does not list among the authorised persons to whom disclosures may be made a solicitor retained by an individual. Nor does it include among the authorised purposes a disclosure for the purpose of obtaining legal advice. Therefore, the engaged solicitor is not an authorised person, and neither is a disclosure to that solicitor authorised.

As clause 7 stipulates the circumstances in which disclosures shall be legal, it does not need a major logician to conclude that all other revelations or disclosures will be unauthorised and illegal. The Minister of State, Home Office said that it was right to draw such a conclusion in the context of the Bill, but added—albeit late at night, but with further clarification a fortnight ago—that the privilege that affects a solicitor's relationship with his client overrides that provision.

7.15 pm

When the Minister first made that point, some concern and doubt were expressed about whether the relationship between a solicitor and his client is a qualified privilege is not, anyway, absolute in all circumstances, and does not provide absolute protection. The hon. Member for Thanet, South (Mr. Aitken) asked whether the privilege that obtained in conventional and common law could somehow supersede statute law and an Act that expressly and explicitly rules out consultation between client and solicitor in the circumstances I described. However, in the Minister's second statement, he brushed all such arguments aside, saying that he had taken legal advice and had no doubt that the relationship between solicitor and client is privileged and, notwithstanding the provisions of the Bill and even though a solicitor is not an authorised person, nor could become one, a client could approach his solicitor in the circumstances I described.

As the Law Society had raised that matter with my right hon. and hon. Friends in the first place, we inevitably asked the society for its judgment on the Minister's statement. Its initial reaction was that the Minister's view was a "red herrring" that did not begin to meet the facts —the term "red herring" is the society's not mine. The society categorically states:

"The fact that a communication is privileged does not provide a defence if the act of communication is itself a crime."

As a solicitor is not an authorised person, as consultation with a solicitor is not an authorised activity, and as only those persons and activities specified in clause 7 enjoy legality, the act of revelation to a solicitor would be a crime. If the Law Society is to be believed, and if its judgment is to be given any credence, the protection that the Minister described cannot exist.

[Mr. Hattersley]

I wish to leave the Attorney-General with as much time as possible to answer that point. In any event, as the most lay of laymen, I am reluctant to cite the precedents cited by the Law Society. However, it informs me that the leading case is that of Regina v. Cox and Railton, which established that all communications between a solicitor and his client are not privileged and cannot be privileged if they are themselves concerned with the commissioning of events and if they are themselves a crime because of the nature of the communication.

I also draw to the Attorney-General's attention the case of Francis and Francis v. Central Criminal Court. The society categorically states that no protection exists for a member of the secret services who, believing that he has been treated illegally by the process of the services, approaches a solicitor for advice on the way in which he can obtain redress.

I hope that the right hon. and learned Gentleman can assure the House that the danger that I have described does not exist, but there is only one way in which I, at least, can be completely convinced. If it is possible for a solicitor to be consulted in the way I described, there can be no possible objection to making the amendment to the Bill. If the situation is as clear and as favourable to the solicitor's prospective client as was blandly stated by the Minister two weeks ago, all that has to be done, to make everyone aware of that, is for the Government to accept the amendment.

The Attorney-General (Sir Patrick Mayhew): It may be convenient if I express my opinion at this stage on the point raised by the right hon. Gentleman. I shall do it in the orthodox way of addressing myself first to the effect of the amendment and then dealing specifically with the points raised by the right hon. Gentleman.

Let us imagine that a Crown servant has in his possession, by virtue of his position, an important document relating to defence which is protected under clause 2. Let us suppose that he takes it into his head to bargain with rival bidders in the media for the damaging disclosure—we will assume that it would be damaging—of that document which is of high value to the media. If he did that, of course it would be an offence under the Bill.

Now let us suppose that for fear that he may not be paid he consults his solicitor in advance about how payment may be secured. *[Interruption.]* Let not the right hon. Gentleman say that he is concerned that this may be a fanciful scenario because the whole thrust of the Opposition's point in this regard is fanciful in practical terms. Let us suppose that for fear that he may not be paid the Crown servant consults his solicitor in advance about how payment may best be secured, and, for the purpose of consulting him, he discloses the document to him.

The amendment would deprive that disclosure to the solicitor—criminal though its purpose would undoubtedly be—of any criminality under the provisions of the Bill, because the scheme of the Bill makes disclosure the kernel of the offence. I should have thought that that would be, in the view of any hon. Member, a dangerous and absurd result. It cannot sensibly have been asked for by anybody and there could be no justification for it. What is more, it would damage the law of legal professional privilege, and for the first time it would extend the protection of legal professional privilege to anyone using a solicitor for a criminal purpose. *[Interruption.]* No, he did not; I will come to that point.

Why should we change the law to do that? In section 10(2) of the Police and Criminal Evidence Act 1984 Parliament expressly excluded items held with the intention of furthering a criminal purpose from that Act's definition of items subject to legal privilege. The context was the search and seizure provisions of the Act. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) will remember that, because we were both on the Standing Committee on the Bill. That was a reflection of the common law rule, dating back for at least 100 years, certainly to the Cox and Railton case cited by the right hon. Gentleman. As recently as 1986 Parliament adopted it once again in the Drug Trafficking Offences Act 1986.

In Cox and Railton in 1884 it was held that not all communications between a solicitor and his client are privileged from disclosure; only those passing between them in professional confidence and in the legitimate course of the professional employment of a solicitor are privileged. The headnote of the case said:

"Communications made to a solicitor by his client before the commission of a crime for the purpose of being guided or helped in the commission of it are not privileged from disclosure."

In a case decided last year—Francis and Francis—again mentioned by the right hon. Gentleman, it was decided that the 1884 case still defined the extent of the exception to the rule of legal professional privilege. That is enough to dispose of the amendment. Why should we make extraordinarily dangerous and absurd change?

Out of deference to the argument I will go further. My hon. Friend the Minister of State did not say that privilege overrides the terms of the statute. That would be wrong. What my hon. Friend said was:

"Legal professional privilege acts to prevent the production in evidence of such a communication and hence to deprive of its foundation any prosecution that might ever be sought to be founded on such a communication in the circumstances that the right hon. Gentleman envisaged in his first point of order. But of course, it is well established that anyone who, when communicating with his solicitor, seeks the latter's help in the furtherance of some criminal purpose is disqualified in respect of that communication from the benefit of privilege."

He also said:

"The function of legal professional privilege is to aid the administration of justice and not to aid crime. But such a person's position is quite different from that of someone who discloses information to his solicitor in the process of seeking advice in good faith about his own legal position in relation to it."—[*Official Report*, 16 February 1989; Vol. 147, c. 503.]

[Interruption.] Of course it is the point. What we are discussing in this scenario is that someone who is told improperly under the Bill that his telephone line is being tapped goes to his solicitor to ask what is his position in criminal law in relation to that. It would be idle and fanciful to suppose that in doing that he espoused any criminal purpose. He may say, "I have been told about this. I am asking you what my position in law is."

Mr. Hattersley: The Attorney-General says that it would be idle to suppose that anyone who went to a solicitor saying, "I have been told by a member of the security services that my telephone is being tapped," was espousing a criminal purpose. The Home Secretary told us that the act of going to any individual, other than one who was authorised, and making that statement was in itself a criminal act. That is the problem.

The Attorney-General: There is nothing between the two sides on this rather technical point. Criminality attaches to that by reason of the wording of the clause. The whole point is that the foundation for any criminal prosecution arising out of it is removed by reason of the operation of legal professional privilege, because legal professional privilege protects all communications and disclosures between a client and his solicitor which take place in the ordinary professional employment of a solicitor. That is what was said in the Cox and Railton case. But there is, and has always been, excluded—the House insisted on the exclusion in the two recent Acts that I mentioned—those communications which are done to further a criminal purpose. *[Interruption.]* It is not something to get excited about; it needs close attention.

The purpose of legal professional privilege is to further the administration of justice. It cannot possibly be said that any communication with a criminal purpose can be said to be in furtherance of the administration of justice; it is in furtherance of crime. That was the very point that my hon. Friend made. It is clearly established that the rule exists for the protection of the client to enable him to confide unreservedly in his legal advisers. The protection of privilege from disclosure is part of the law of evidence. Like all that law, it is intended to further the administration of justice. The administration of justice is not furthered by preventing any evidence from being given in court of a disclosure made to a solicitor in order to further a criminal purpose. That is why the law is not such an ass as to extend protection in those circumstances.

It is a very different matter when a disclosure occurs by reason of a man asking his solicitor where he stands in law, with no criminal purpose at all. It is very much in the interests of the administration of justice that there should not be able to be levelled against him in support of a criminal charge the very fact that he sought such advice. So I endorse in every particular what my hon. Friend said.

Sir Nicholas Bonsor: The House has two difficulties. The first is that, as the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said, the act itself is a criminal offence. If the act itself is a criminal offence it is difficult to see how the privilege applies. The second problem is that, whatever my right hon. and learned Friend may say, what happens in the House will not be considered by the court. The court will look only at the face of the legislation and in doing so may take a different view from that of my right hon. and learned Friend.

The Attorney-General: I am sure that the court will look much further than the face of the legislation if this point ever becomes a practical consideration; I emphasise that. Of course, it would have to imply the consent of the Attorney-General of the day to any such prosecution. *[Interruption.]* I mentioned that because we are talking about realities, but I shall deal with this point on the law of legal professional privilege. As is plain from the argument adopted by the judge in the Cox and Railton case, the judgment of the court for Crown cases reserved is entirely consistent with what I have said. Leaving out any consideration of prosecutorial discretion, the protection given in these circumstances deprives of its foundation any prosecution that might ever be sought——

It being half past Seven o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the order [13 February] and the Resolutions this day, to put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The House divided: Ayes 196, Noes 309.

Division No. 111] **[7.30 pm**

AYES

Abbott, Ms Diane
Aitken, Jonathan
Alton, David
Anderson, Donald
Armstrong, Hilary
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leadbitter, Ted
Lestor, Joan *(Eccles)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris

Murphy, Paul
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Richardson, Jo
Robinson, Geoffrey
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Allen Adams and
Mr. Allen McKay.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'th's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Speller, Tony

Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tristan Garel-Jones and
Mr. Tony Durant.

Question accordingly negatived.

Clause 6

Information entrusted in confidence to other States or international organisations

Mr. Maclennan: I beg to move amendment No. 10, in page 6, line 40, after 'above', insert

'but "international relations" shall not include any information relating primarily to the domestic affairs of the United Kingdom whose unauthorised disclosure in the United Kingdom would not be an offence under sections 1, 2 or 4 of this Act.'.

Under the provisions in the Bill, the phrase "international relations" provides a catch-all way of arguing that the disclosure of information is a criminal offence. On a previous occasion when the Committee considered clause 6, the right hon. Member for Worthing (Mr. Higgins) drew attention to the fact that clause 6 created a highly anomalous situation in which information communicated abroad might be regarded as criminal, yet if the same information had been communicated at home it would not be regarded in that way.

Much trivial matter passes between our Government and other Governments, particularly within the European Community. Under this clause, much of that will be caught and its disclosure could result in an offence being committed. That could attract a penalty of two years' imprisonment.

We complained in the Committee that the phrase "international relations" was too wide and we tried to remove it. The purpose of the amendment is to try to narrow the definition of "international relations" to recognise that there might be certain matters which affect the conduct of our relations with other countries, but there are other matters about which we may be in communication with other countries which are essentially domestic and should not attract a criminal penalty if they are disclosed.

7.45 pm

In that respect, the right hon. Member for Worthing referred to such information as our Government's proposals about VAT rates, which might be discussed with another European Government in relation to an EEC proposal to harmonise VAT. The Minister might argue that the revelation about VAT rates must still pass the harm test before an offence is committed. Of course that is so, but we know that the harm test is a very low hurdle to leap. The simple test is whether the disclosure is likely to jeopardise the United Kingdom's interests abroad.

It could be argued that such a test could easily be passed if it was shown that, using the example of the right hon. Member for Worthing, a VAT communication had irritated another Government who were seeking to harmonise at a different level, or that there was some lining up of our Government's interest in the matter with the interest of another member country. The sanction of the criminal law should not be invoked in that case.

Although I have not, in the time available to me, been able to draft the amendment in precisely the appropriate way, I am sure that the Minister would not rest on that because the Government's resources for drafting are much greater than those available to individual hon. Members. However, I hope the Minister will accept the principle that it is undesirable and unacceptable to provide for a new criminal offence of disclosure of something so minor as a proposed change in the rate of VAT.

Through the use of the concept of "international relations" the Government have enormously widened the Bill's ambit. Many of the Home Secretary's claims that this is a liberalising Bill are set at naught by the Government's refusal to exclude the provision relating to international relations. So much of what is primarily domestic material is the subject of international discussion. There is scarcely any matter of public policy which does not come before some institution of the European Community for consideration. The very fact that the matter has been communicated from part of a process abroad will be sufficient to bring into play the criminal law in a wholly unacceptable way. I commend the amendment to the House.

Mr. Richard Shepherd: I will follow my notes closely because we are being hurried through these matters.

I support amendment No. 10, which I believe represents the views of the House. It limits the definition of "international relations" as it applies to clause 6 in relation to disclosures taking place overseas of information supplied by the British Government.

The subject was discussed on 16 February under an amendment which would have omitted information about international relations from the scope of clause 6. This amendment proposes a different solution to that problem by limiting the definition of "international relations".

The amendment attempts to exclude from clause 6 information which, in the normal sense, is not about international relations at all but is primarily about Britain's domestic affairs—information that we pass on to another Government or international body, perhaps because discussions about harmonisation or common standards are taking place. We might pass on information about consumer protection measures in Britain, pollution, VAT, the harmonisation of summer time, the labelling of food products, or measures to encourage motorists to use lead-free petrol. The list is endless.

[Mr. Richard Shepherd]

On 16 February my right hon. Friend the Member for Worthing (Mr. Higgins) made the point that if we pass such information on to an international body or to another Government, and if it forms part of our discussions with that body or Government, it is, technically, transformed into information about "international relations". We therefore have the bizarre situation in which it might be an offence to publish information about Britain that had been leaked overseas, though if that information had been leaked in this country it could have been published without giving rise to an offence. The problem is caused by the all-embracing definition of "international relations" used in clause 3(5). This makes it clear that information of any kind, on any subject, is covered if it is

"capable of affecting the relations of the United Kingdom with another State or with an international organisation."

Any information that we pass on and discuss with another Government must be capable of affecting our relations with that Government—perhaps with others, too.

The harm test mentioned in clause 3(2) would have to be met, but, as previous debates have made clear, this test is extremely weak—a disclosure likely to "jeopardise" United Kingdom interests abroad meets it. For example, Britain and another EC country might be having private discussions aimed at obtaining derogation from an EC directive on water pollution standards. We might pass on unpublished information about pollution levels in Britain and about the cost of meeting the standard. The fact that Britain appeared to be secretly discussing ways of avoiding meeting an EC standard that was being met by other European countries could well affect our relations with some of those countries. The information would therefore fall within the definition of "international relations".

This amendment, which relates to clause 6(4), seeks to avoid that situation. It says that, for the purposes of clause 6, the definition of "international relations" in clause 3(5)

"shall not include any information relating primarily to the domestic affairs of the United Kingdom"

if the disclosure of that information in this country would not be an offence under clause 1, which deals with security, clause 2, which deals with defence, or clause 4, which deals with law enforcement.

If the information related to sensitive Foreign Office negotiations its disclosure overseas would still be an offence under clause 6, but leaks of other information, primarily about Britain's domestic matters, would not be caught by the international relations definition simply because we had passed the information overseas.

I think that the argument is a formidable one, and I should be grateful if my right hon. Friend would accept it.

Mr. Foot: This debate is a further illustration of how objectionable it is that the House of Commons should be considering a Bill of this nature under the restrictions that have been imposed on it. We are now approaching the parts of the Bill—indeed, we have reached them—in respect of which the truncation started at the Committee stage, when debate was curtailed by the falling of the guillotine. Now we are being denied a proper chance to judge what consideration the Goverment have given to these amendments, as happened in the case of the amendments that were moved during the Committee stage.

As the hon. Member for Caithness and Sutherland (Mr. Maclennan) said, there is not the slightest doubt that the use of the words "international relations" greatly enlarges the ambit of the Bill in various ways. Never has a Bill dealing with subjects of this kind included provisions of this kind. It is, therefore, all the more necessary that the Government should be careful to ensure that the House of Commons has a chance to satisfy itself that the references to international relations would be properly applied, and would not be invoked in a way in which the Government may claim they do not wish to see them invoked. But we have not had that chance. The Government are leaving the several references to "international relations" without any qualification, and that is one of the Bill's many flaws.

Let me refer to clauses 6, 7, and 8. At the Committee stage we had quite a sensible debate with the Home Secretary about how a new amendment might be formulated to deal with the question of premature disclosure—a balance that could cover the view of the Government and the view being put forward by the Opposition. It seems to me that those clauses, though they would affect international relations, have not been considered by the Government. I am not saying that the Home Secretary gave an absolute promise that he would consider accepting an amendment, but we did have a sensible debate in which we said that there surely ought to be a way of dealing with the situation, particularly in the light of terrorism.

I fully acknowledge the problems that the Home Secretary and the Government have in respect of acts of terrorism, and so on. Of course, these create a whole new dimension of horror. I do not have the slightest doubt that the worst problems the Home Secretary has to deal with every morning when he comes to his office are those concerned with terrorism in its new forms. But all the more necessary is it that the Government look at this question and see whether we could have an amendment that would take into account all the anxieties that have been expressed on the Labour side of the House and by Tory Members, and still give protection.

We could have had an amendment giving some protection to newspapers. That is what I am concerned about. I fully acknowledge my interest in newspapers, although I am no longer an editor. Indeed, I have not been offered an editorship for quite a considerable number of years, such is the decline in standards in Fleet street. However, this Bill introduces a whole range of new offences that have to be dealt with by newspaper editors, under the provision concerning international relations. So far as editors and other journalists are concerned, this is fresh legislation. During the Committee stage the Minister told me that he had had discussions with editors and others on these questions. I know that there were some discussions, but the Minister could not answer my question then, and I do not think that he can answer it now.

None of these clauses provides properly for consultation with editors or the others who work in this industry. There has been a very startling and dramatic outrage on the part of the judges in the last few days. When the Government do not consult the judges and the Law Lords, they are told—quite properly—that they are not discharging their functions properly. I bet that the judges would have a good deal more chance of consultation about the supposed reforms to be introduced in their case than the journalists will have in theirs. What is being forced on

the journalists is a new measure dealing with questions involving criminal offences. It involves what they can print. It involves a whole range of questions—in particular, as this clause discusses, how they are able to report a whole range of matters affecting international relations. What we should have had is a detailed list of amendments on all the clauses including clauses 6, 7 and 8. All of them should have been opened to proper amendment, and then we might have had a Bill that showed that the Government were really approaching the matter seriously.

I hope that the Government will listen to what is being said and that they will accept this amendment. It might not make the Bill very much better, but it would be a small sign that the Government are listening to what the House of Commons is saying.

Mr. Hind: I am glad that the hon. Member for Caithness and Sutherland (Mr. Maclennan) has decided to exclude from his amendment information relating to security, defence and crime—matters that are dealt with in clauses 1, 2 and 4. The House is being asked to consider the narrow issue of information connected with international relations which does not come under those headings. We should view the matter from the point of view of damage that could be done to the national interest if that information were disclosed. The hon. Gentleman is suggesting that if information connected with the British Government's position on negotiations about VAT harmonisation were revealed by way of document or discussion, that should not attract the full force of the criminal law. I urge him to reconsider because real problems can be created for Government, particularly in negotiations of that kind, by the disclosure of such information.

8 pm

Mr. Maclennan: I do not wish to take up time because this is a ridiculously short debate. The point is that under the Bill it is not an offence to reveal such information in this country—to reveal it abroad. Presumably, the embarrassment will be the same whether the information is revealed abroad or at home.

Mr. Hind: The hon. Gentleman quoted the example of VAT harmonisation negotiations with other EC member states, which is a matter connected with international relations. Under the provisions of the Bill, the courts would take that view. It would therefore be regarded as an offence within the context of disclosure in the United Kingdom. The hon. Gentleman is trying to impose far too narrow a definition. He is trying to create something in a grey area of the law that is not capable of definition. The beauty of the Bill is that it is clearer about this. If information connected with international relations, as VAT would be, is disclosed, that could undermine negotiations in the Council of Ministers. That would cause positive harm to the British public and would undermine the national interest. Therefore, it should attract the full force of the law.

I think that the public will agree that information on matters as emotional as the British Government's decision on VAT on food and children's clothes, or trade negotiations with other countries, which may be highly sensitive, should be included in the provisions of the Bill because positive damage can be caused to the national interest.

Mr. Terence L. Higgins (Worthing): How will we tell whether information has been leaked from this country so it will not be caught by the Bill, if enacted, or from elsewhere and so will be caught by the Bill?

Mr. Hind: My right hon. Friend is correct. Nobody would consider bringing a prosecution unless there was fairly strong evidence that the information was leaked by a Crown servant or somebody caught by the Billl in this country.

Mr. Higgins: They would not be caught under the Bill.

Mr. Hind: As I understand, my right hon. Friend is asking how we can determine whether the information has been leaked by somebody in another country or by somebody here. If the information is leaked by the foreign power, that is a different matter.

Mr. Higgins: We shall not be able to tell.

Mr. Hind: The hon. Member for Caithness and Sutherland also referred to information being leaked during negotiations. If a civil servant involved in the negotiations, knowing that a document has been passed over to a foreign power in the negotiations, decides to disclose that information, that is a different situation. The foreign power has the information, and the test of harm does not apply because it can be argued that no harm would arise, so no prosecution will be brought in such circumstances. The Attorney-General would examine the circumstances, but no prosecution would be brought.

What the hon. Gentleman is trying to put into the Bill is too unclear. The Bill is much clearer. The harm test will apply in all circumstances. In our attempts to introduce exceptions to the rule and to cover this or that corner we forget that the harm test, which is so beautifully simplistic, protects the national interest and covers many of the points that have been made.

It is not necessary to put the amendment into the Bill, so that the hon. Gentleman can confidently withdraw it.

Mr. Alistair Darling (Edinburgh, Central): This is a ridiculously short debate in which to discuss a provision that will shroud much of our lives in secrecy. I congratulate the hon. Member for Lancashire, West (Mr. Hind) on his valiant defence of the Government. When the Bill has received its Third Reading he should get a prize for being the only Tory Back Bencher to support the Government regularly.

It is frightening that so much of the information relating to potential EEC legislation would be struck out under the Bill's provisions by the wide drawing of the clause. Much of the prospective legislation that affects the lives of our people is discussed at ministerial level or between Government officials or organisations of Governments. For example, three countries in the Shengen group are discussing the single European market and the movement of people in advance of 1992. If I am told, and I reveal, that the Government are supplying information to those countries, that would be an offence under this provision, because it might be damaging and might damage the United Kingdom's interests abroad. Those countries might take great exception if what they were discussing was known either here or in continental Europe.

[Mr. Alistair Darling]

However, those discussions might be of great interest to our people. The clause will keep our people in the dark about what is being discussed at ministerial and Government organisation level. At a time when more and more decisions are being taken in the EEC, we should know what is being said on our behalf, and know what legislation is being considered. If the clause becomes law, we shall not have that option if the information is revealed by way of leak.

The clause affects more than international treaties. As the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said, if information on harmonisation proposals on VAT or water pollution or other matters of great importance is revealed and reported through leaks, it will be struck at by the legislation. The Minister might reflect on the fact that if he proposed a similar provision striking at the revealing of information in the normal course of day-to-day discussions in this country, never mind international relations, people would regard that as unjustified and objectionable. Because the clause covers international relations and because the definition of international relations is so widely drawn, many of the negotiations on matters that will affect the way in which we conduct our lives and move about will be covered by the clause. If it is revealed to an individual, we in this country are not entitled to know about it.

Mr. Hind *rose*——

Mr. Darling: I do not have time to give way, because the Minister must be given time to reply.

If the Minister says that the clause is badly drafted or needs tighter definition, I am sure that the Government could so arrange things when the Bill goes to the other place or comes back here. The definition of international relations is so widely drawn that it will strike at just about everything, and that cannot be good for discussion in this country. I trust that the Minister will come up with something better than a criticism of the drafting of the amendment. He must accept that, as drafted, clause 6 is far too wide and is thoroughly objectionable.

Mr. Higgins: My remarks will be brief, because my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has clearly spelt out the case. Matters were confused at the end of the Committee stage. I cannot believe that the Minister will manage to resolve them in the five minutes that remain before we must reach a decision on the matter. In that case, it is debatable whether hon. Members should waste time on a Division when there are other important matters to be discussed. Be that as it may, the House of Lords must sort out a matter which this House should have had time to deal with.

The Minister of State, Home Office (Mr. John Patten): The position is perfectly clear. I will return to the point made by my right hon. Friend the Member for Worthing (Mr. Higgins) in a moment.

I congratulate the hon. Member for Caithness and Sutherland (Mr. Maclennan) on the way in which he moved the amendment, though I disagree with it in principle and also because of the effects that it would have. It is important that we realise that the effect of the amendment would not have much logic. First, it would be an offence to disclose international relations information which has never left this country, because such disclosure could be proved to jeopardise our interests abroad in one or other of the harm tests in clause 3(2).

The other effect would be that, if the same information were entrusted to another state or to an international organisation and was leaked and then disclosed by exactly the same period in the same circumstances with exactly the same effect, it would not be an offence. There is no logic to the way in which the amendment would apply.

As I told the House at the end of the previous debate, clause 6 does not extend the categories of the information protected by the Bill. It extends the protection to the three categories that are specified when that information is entrusted in confidence to another state or to an international organisation and is then leaked abroad by a foreign national. All that clause 6 does is to extend the protection to information already protected in this country by clauses 1 to 3 when it is thereafter sent abroad and disclosed.

Before my right hon. Friend the Member for Worthing came into the Chamber, the hon. Member for Caithness and Sutherland referred to what he had said in Committee. What makes the information relate to international relations in the case of VAT or water pollution is not the circumstances of the disclosure or where it is sent, but the nature of the information itself. The information has precisely the same definition in all the offences in the Bill which relate to international relations, and it is in clause 3(5). I do not accept the criticisms of the hon. Member for Edinburgh, Central (Mr. Darling) about the drafting of clause 3(5).

If some official information is produced in this country relating to international relations—say because it relates to relations between states or international organisations —of course it could be covered by the Bill, but only if the unauthorised disclosure met the harm test to which my hon. Friend the Member for Lancashire, West (Mr. Hind) referred, relating to international organisations in clause 3, to which my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) rightly referred.

The point I made to my right hon. Friend the Member for Worthing on 16 February was simply that, if the information in this country does not meet the language of clause 3(5), which we have debated before—say it is a statement of our VAT charges or information about water pollution levels—it cannot simply meet the language of clause 3(5) by being sent off to another state or to an international organisation. If it does meet the language of——

It being quarter past Eight o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the order [13 February] and the Resolutions this day, to put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The House divided: Ayes 186, Noes 309.

Division No. 112] **[8.15 pm**

AYES

Abbott, Ms Diane	Beckett, Margaret
Adams, Allen *(Paisley N)*	Beith, A. J.
Aitken, Jonathan	Benn, Rt Hon Tony
Alton, David	Bermingham, Gerald
Anderson, Donald	Bidwell, Sydney
Armstrong, Hilary	Blair, Tony
Ashton, Joe	Bradley, Keith
Baldry, Tony	Bray, Dr Jeremy
Barnes, Harry *(Derbyshire NE)*	Brown, Nicholas *(Newcastle E)*
Barron, Kevin	Brown, Ron *(Edinburgh Leith)*
Battle, John	Buchan, Norman

Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Kennedy, Charles
Lambie, David
Lamond, James
Leadbitter, Ted
Lestor, Joan *(Eccles)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Morris, Rt Hon A. *(W'shawe)*
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Martyn Jones and
Mr. Frank Cook.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James

King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tony Durant and
Mr. David Lightbown.

Question accordingly negatived.

New Clause 3

INTERNATIONAL RELATIONS

'(1) A person who is or has been a Crown servant or government contractor is guilty of an offence if without lawful authority he discloses any information, document or article relating to the personal affairs of an identifiable individual which has been supplied in accordance with any requirement to do so imposed by or by virtue of any statutory provision or so supplied in connection with an application under a statutory provision for the grant of any benefit, approval or other permission, or which is held by any police authority, and which is held on terms requiring, or in circumstances in which it would be reasonable to expect, it to be held in confidence.

(2) It is a defence for a person charged with an offence under this section to prove that the disclosure was required in order to prevent serious injury to the health, safety or welfare of any person or a serious risk to public health.

(3) It is a defence for a person charged with an offence under this section to prove that at the time of the alleged offence he did not know, and had no reasonable cause to believe, that the information, document or article in question was such as is mentioned in subsection (1) above.'.—*[Mr. Richard Shepherd.]*

Brought up, and read the First time.

Mr. Richard Shepherd: I beg to move, That the clause be read a Second time.

Again, I shall go as quickly as I can through new clause 3. The clause proposes to add a new category of information—personal information about individuals—to those protected under the Bill. At present, the one area in which section 2 of the 1911 Act is still being used, and where its use is least controversial, is to deal with improper disclosures of personal information.

Earlier this month, two police officers and five private investigators were convicted under section 2 for conspiring to obtain information from the police national computer about criminal convictions and car owners. In 1986, a clerk at the DHSS was convicted under section 2 for revealing to a rival councillor details of social security claims made by the husband of a local councillor. Such information would no longer be covered by the new Official Secrets Act. The only police information that would be covered would be information whose disclosure would impede law enforcement.

Disclosures may still be offences under other statutes. If the information is held on computer, unauthorised disclosure by an individual may be an offence under section 5(3) of the Data Protection Act 1984. If the information is held on paper files, however, it is not covered by that Act. There are other prohibitions in individual statutes on the disclosure of certain types of personal information, but it is not clear how comprehensive they are. I recall that my right hon. Friend the Secretary of State actually said that one of the things that the Department would be doing would be to review the existing legislation to ascertain whether there are omissions. We have not had the Minister's view on that yet. It may, of course, turn out to be the case that some types of information covered by the amendment are already adequately protected by other statutory provisions

and that the amendment is therefore not required, but I have some doubt about that in respect of the national police computer.

The new clause recognises that the protection of personal privacy is an extremely high priority for the public and should be recognised by legislation. The amendment would cover the following types of personal information held in confidence about an identifiable individual. First, it would cover information that an individual is required to supply by statute. That would, for example, include income declared to the Inland Revenue —I should like to hear my hon. Friend the Minister's view on whether that is protected by existing legislation—census information or car ownership details. Secondly, it would cover information supplied in connection with an application for a statutory benefit or permit, such as social security or legal aid. Thirdly, it would cover information held by the police. The new clause refers to information held by a "police authority", but perhaps it should have referred to a "police force".

Subsection (2) of the new clause provides a defence for an unauthorised disclosure if

"the disclosure was required in order to prevent serious injury to the health, safety or welfare of any person or a serious risk to public health."

That principle is incorporated in the Prevention of Pollution Act 1974. Such disclosure might arise in an emergency when, for example, someone was carrying a highly dangerous infectious disease such as smallpox. A need for an exception of this nature is also recognised in the Data Protection Act 1984. Section 34(8) of that Act allows disclosure which otherwise would be an offence where it is

"urgently required for preventing injury or other damage to the health of any person or persons".

8.30 pm

Mr. Corbett: I shall make a brief contribution to the debate because the conviction of a clerk at the DSS, which was mentioned by the hon. Member for Aldridge-Brownhills (Mr. Shepherd), happened in my constituency. I do not want to cause any trouble by saying that the councillor involved was a Liberal, but whatever else he did, he should not have asked for that information.

Mr. John Patten: Name him.

Mr. Corbett: He is no longer a councillor, so it does not matter.

When the Minister replies, he may well assure the House that the restrictions on the passing of information that citizens have to provide on a statutory basis, such as information to the taxman, the DSS, or whatever, are protected by other legislation. If that is so, we shall be able to dispose of this debate fairly rapidly.

Mr. John Patten: During the course of my speech I hope that I will be able to bring a smile to the face of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd).

Ms. Diane Abbott (Hackney, North and Stoke Newington): I doubt it.

Mr. Patten: Wait and see.

We explained in the White Paper—a document long since forgotten in our debates—why we did not consider it right to give blanket protection to information provided by individuals. I am sure that my hon. Friend is aware of the arguments that were adduced in the White Paper. I am sure that it is better for Parliament to look at particular kinds of such information individually and decide whether it is right to give it the protection of the criminal law. I shall develop that argument and then make some announcements to the House.

The elements of the offence, and of any relevant defences, need to be considered in the context of the purposes for which the information is supplied in the first place and the circumstances in which it, quite properly, might be disclosed. The new clause tabled by my hon. Friend also outlines the circumstances under which information should be properly disclosed.

As my hon. Friend the Member for Aldridge-Brownhills suspected—it was also implicit in the contribution by the hon. Member for Birmingham, Erdington (Mr. Corbett)—there are already a number of individual offences that protect information provided to Government under statutory requirement or for some other purpose. My hon. Friend the Member for Aldridge-Brownhills mentioned census information, which is already protected by the Census Act 1920. There are other examples that might interest my hon. Friend. Section 74 of the Airports Act 1986 makes it an offence, subject to certain exceptions, to disclose information obtained from airport operators by, amongst others, the Civil Aviation Authority. We have had a brief discussion of value added tax during the previous debate and section 44 of the Value Added Tax Act 1983 makes it an offence to disclose information obtained by the business statistics office of the Department of Trade and Industry for the business register or any other statistical survey other than to a Government official who needs it for that purpose. In practice, where prosecutions are brought for the disclosure of the categories of personal information referred to by my hon. Friend, they are normally brought under those specific offences. It is extremely rare that such offences are brought under section 2 of the Official Secrets Act 1911.

My hon. Friend's new clause would bring back the blanket protection in a manner that would not be consistent with our proposals. As we said in the White Paper, in general the civil remedies available to those who provide the information and the disciplinary procedures that penalise disclosure by a Crown servant provide sufficient protection for private information.

Mr. Richard Shepherd *rose*——

Mr. Patten: I shall develop this argument before I give way to my hon. Friend.

In the White Paper we acknowledged that there are circumstances where, as the Franks committee argued, it is in the public interest that private information should be given the protection of the criminal law. I do not believe that anyone would dissent from the view that in certain circumstances such information should be given the protection of the criminal law.

Mr. Bermingham *indicated assent.*

Mr. Patten: I am glad that I have the assent of the hon. Gentleman. We see no reason why all such information should automatically be given that protection. Generally we believe that Parliament should have a selective attitude when considering the nature of the information that may be provided and the harm likely to arise from its disclosure.

[Mr. Patten]

The new clause contains no test of harm. It protects every piece of information that is provided in the broad circumstances covered by the clause. I am sure that right hon. and hon. Members on both sides of the House would agree that a person who provides information about himself or herself to a public official has the right to expect that that information should be kept in confidence. In the White Paper we undertook that we would consider whether the repeal of section 2 left without the protection of the criminal law any information provided to the Government in confidence which needs such protection. Tonight I can tell the House that my right hon. Friend the Chancellor of the Exchequer proposes to continue to provide such protection for those who give private information about themselves and their businesses in confidence to the Inland Revenue and to Customs and Excise.

Mr. Richard Shepherd: Does that mean that my right hon. Friend the Chancellor of the Exchequer will propose new legislation to the House? What legislation protects the national police computer?

Mr. Patten: The protection given to those who provide information to the Inland Revenue and to Customs and Excise will be a continuation of previous practice, but it must be hallowed in legislation in this place——

Mr. Shepherd: Will it be a criminal offence?

Mr. Patten: It will be a criminal offence.

Mr. Shepherd: So it is new legislation?

Mr. Patten: It will mean the continuation of previous practice. The offence will apply to personal information only about taxpayers, including companies. It will not protect information about tax policy or about prospective tax changes.

My hon. Friend the Member for Aldridge-Brownhills asked whether the repeal of section 2 of the Official Secrets Act 1911 would leave personal information on the police national computer without the protection of the criminal law. I can give my hon. Friend some reassurance as personal information held on that computer is covered by the Data Protection Act 1984. It would be an offence for those responsible for the operation of the police national computer wrongly to disclose such personal information. Equally, I can tell the House that my right hon. Friend the Secretary of State for Social Security proposes to make provisions in relation to private information provided to his Department, similar to those to be made by my right hon. Friend the Chancellor of the Exchequer, in the Social Security Bill which is currently before the House. I hope that the House will welcome those proposals by my right hon. Friends the Chancellor of the Exchequer and the Secretary of State for Social Security. However, I must not pre-empt those debates as the House will have the opportunity to discuss those matters.

Mr. Corbett: What about the guillotine?

Mr. Patten: That is not a matter for me—that is a traditional answer to the traditional question, although it was asked from a sedentary position. The House will have the opportunity to consider those details in Committee, when they are published in relevant Bills.

At present, we have not yet identified other categories of personal information which would not be protected other than by official secrets legislation, and which merits the protection of the criminal law. That can be considered in the context of any relevant legislation which is brought before the House.

The new clause goes wider than we believe is needed at present to ensure the protection of personal information. We agree that such information should be protected, but, if my hon. Friend presses his new clause, we do not agree that all such information needs to be protected by the criminal law under all circumstances all the time, nor that such protection should be given by official secrets legislation. That is probably the wrong route and I hope that my hon. Friend the Member for Aldridge-Brownhills will consider withdrawing his new clause.

Mr. Bermingham: It is interesting to hear the Minister announce new legislation. However, like the money changer, he comes with almost empty hands and high interest rates.

The Minister has really missed the point. Of course some categories of information need to be protected, and once again the hon. Member for Aldridge-Brownhills (Mr. Shepherd) has highlighted them. He mentioned the police national computer and the problems that can arise when that information is made available to other people, for legal or illegal purposes. We know from experience that information in the possession of the Inland Revenue is not always safe, and that information passed to the Department of Social Security about legal aid applications and other matters has leaked into the hands of third parties. Computers are not free from hackers and that information has a curious way of leaking out, often to the detriment of ordinary men and women.

We seek to ensure that such information is protected. If our society is worth having, if people want to go to the Inland Revenue and feel that it is their duty to disclose matters which involve companies and interlinking between companies, they need to know that the information that they provide will be safe. That occurred some years ago in the lump scandal in the building trade when an enormous amount of tax was defrauded. There are people within Government Departments involved in tax, social security and so on who for a quick £1 or £2 will disclose information. We need to know that those people can be prosecuted.

I become concerned when I hear the Minister say that the Government will cover any particular information in another Bill, such as the Social Security Bill. I heard my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) ask about a guillotine, but I shall leave aside that argument. We need the legislation to be in a composite form. If it is not, there is no guarantee that the legislation on each category of information will take the same form and that there will be the same certainty about that legislation. That is why I still have very grave reservations about the Bill as it stands.

Once again I am grateful to the hon. Member for Aldridge-Brownhills for moving new clause 3. It is not word perfect, but its spirit is right. I hope that if the hon. Gentleman does not push the new clause to a vote, the Government will take it away and examine it with care, and perhaps consideration will be given to statutory protection when the Bill passes to another place.

8.45 pm

Mr. John Patten: Does the hon. Gentleman agree that the Government have demonstrated their good intentions through the two announcements I have made this evening about future legislation from the Treasury and from the Department of Social Security, particularly dealing with the income tax matters to which the hon. Gentleman referred?

Mr. Bermingham: I hear the Minister and I hope that the actions which will follow are as pure as his words. The Government are prepared to listen, and I am prepared to give them one more chance. However, the Government's track record on the Bill to date has been pretty awful and therefore I have little faith in the dulcet tones of the Minister. Let us hope that he proves me wrong for a change.

Mr. Richard Shepherd: I accept what my hon. Friend the Minister has said, and I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 8

SAFEGUARDING OF INFORMATION

Mr. Corbett: I beg to move amendment No. 11, in page 8, line 24, after 'such', insert

'and has disclosed without official authorisation'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 12, in page 8, leave out lines 28 to 30 and insert

'and the person discloses it knowing or having reasonable cause to believe that it is such as is mentioned in paragraph (a) above and is likely to be used without authority for the purpose mentioned in paragraph (b) above.'.

Mr. Corbett: The Minister has fair taken away the breath of the House with those two generous announcements, and I wonder whether I can tempt him to make it a hat trick. I want the Minister to understand that amendments Nos. 11 and 12 are not solely Opposition amendments and stand in the names of hon. Members from both sides of the House.

The clause is about disclosures which helped someone gain access to protected information. There is no harm test; the offence is disclosure where

"it would be reasonable to expect"

that lawfully held information might somehow be used by a person to whom it is passed to get at protected information.

Clause 8 applies to any information and is not limited to categories of information that are protected under the Bill. The legally held information need not have been leaked. It would apply to information which a civil servant disclosed with proper authorisation, or even to information published in an official report sold by HMSO. That is possible. If it is not possible the Minister will tell me. The Minister may well say that it is very unlikely, but I do not want to know that, as in paragraph 14 of the White Paper the Government's aim is that there should be no uncertainty as to whether people risked prosecution.

The nub of our objection is that the person who passes on the information which he or she legally holds commits an offence even if he or she has no reason to believe that the person receiving the information is likely to use it improperly, so the holder of the information has to guess at the intentions of others. I accept that ultimately that would be a matter for the courts, but none the less the offence is too widely drawn and relies too much on guess-work about the intentions of another person.

I shall give the Minister and the House a couple of examples. It is not unknown for people to be walking by the side of canals or rivers or around the areas of rubbish dumps—it has been well reported—and to find batches of secret information. The good citizen in those circumstances would look at the documents and say, "What shall I do with these?". He may sweep them up and walk home with them. He is then faced with a range of choices. One option would be to phone the local police station. The citizen may say, "I do not know the value of these papers or who they belong to because there is no clue." Such papers do not often say, "Home Office" or "John Patten's Office".

Let us assume that the documents have the word "Secret" stamped all over them. The citizen may think, "I know what, I'll phone ITN." He may not do that for any malevolent reason but simply because he thinks that that organisation would know what to do. He may believe that it would pick up the telephone and speak to the Minister of State's Office and say, "We have some documents. We think that they belong to you so please come and get them." That may not be done for malevolent reasons or for financial gain but purely to return the papers, which, clearly, should not be on the side of a canal, to the person responsible for them. Under the clause as drafted, if a good citizen passed such documents to ITN and ITN let the side down by saying, "Holy smoke, there's a real cracker here and we should do something about it."—let us assume that the D notice committee does not hear about it—the good citizen could be in trouble. He or she may have no idea of the intentions of the person to whom the documents were handed.

Somebody travelling on a train from the golden city of Birmingham to Euston may overhear a conversation between two people who seem to be members of the Security Service who are talking more loudly than they should about their work. That person may get bored with the conversation and go to buy a bacon sandwich—I think that British Rail has stopped making bacon sandwiches. He may say to the man in the buffet, "I heard two spooks talking about their work." Under the Bill as drafted, the mere fact that he said that means that he may have committed an offence and risk prosecution. Those are open-ended offences which should not be in the Bill. Our two amendments seek to narrow the offence.

The first amendment seeks to limit the offence to passing on information disclosed without official authority. Passing on information that has been officially published would not be an offence. That should be the Government's intention if they do not want to look even more stupid than they do now. The second amendment means that no offence would be committed unless the holder of the authorised information knows that it was held by a Crown servant, that it was disclosed without authority and that it is likely to be used to obtain access to protected information. The clause as drafted does not lay that test. The clause uses the words:

"it would be reasonable to expect".

It does not say who would make the test of reasonableness or how it would be applied.

[Mr. Corbett]

Perhaps the Minister would give examples of the specific problems that clause 8(6) is designed to guard against. If he cannot, the amendments should be accepted.

Mr. John Patten: The hon. Member for Birmingham, Erdington (Mr. Corbett) and his right hon. and hon. Friends who support the amendment are attempting to raise the threshold for the offence. He described accurately what he is trying to do and perhaps he will correct me if my understanding is wrong.

The two amendments apply the access offence in clause 8(6). Amendment No. 11 is a paving amendment for amendment No. 12 because it introduces a preliminary step in the offence requiring that the Crown servant or the Government contractor in whose possession the information was had disclosed that information without authority. That theme has run throughout all our debates. The intention is clear and I would not argue about the wording.

Amendment No. 12 requires the prosecution to say that the discloser knew or had reasonable cause to believe that the information had been disclosed by a Crown servant or a delinquent Government contractor without authority and that it was likely to be used to obtain unauthorised access to protected information.

The two amendments turn the test of use from one of expectation to one of knowledge. It would not be much use, if the Bill prohibited the disclosure of protected information, if a person could avoid responsibility by telling someone how to obtain information for themselves. That is what would happen. The hon. Gentleman's amendments would ensure that neither the discloser nor the recipient would be liable for any offence. Clause 8(6) closes that loophole and the amendments, to some extent, reopen it. The hon. Gentleman is wrong. The objective of the offence is to prevent people obtaining unauthorised access to protected information.

Mr. Corbett: Yes.

Mr. Patten: The hon. Gentleman said, "Yes" and he has explained his intentions clearly. However, amendment No. 11 is misconceived.

What matters is the misuse of the official information, not whether it was originally disclosed without authority. Surely there are no circumstances in which a Crown servant would be authorised to disclose information that might provide unauthorised access to protected information.

Mr. Corbett: What about the rubbish dump scenario and accidental access?

Mr. Patten: Accidental access would undoubtedly be protected by the harm test. Accidental access could not be an offence because there would be no way of proving that the person wished to make available to someone else, with the intention of causing damage, information which he or she had stumbled upon on the edge of a rubbish dump. The hon. Gentleman is simply repeating the fruitless search for the honest whistleblower and is now replacing that motif with the honest stumbler over information on the edge of rubbish dumps. That example does not help the proper understanding of clause 8.

It is pretty far-fetched and imaginative in the extreme to suggest that the Government would publish information that would give access to protected material. That was another point that was implicit in what the hon. Member for Erdington said. What is really relevant to the offence is that the individual has reason to know that the information he discloses might be used to gain unauthorised access to protected information. That requirement is already in the Bill and it is reinforced by the need for the prosecution to show that, in the circumstances of the disclosure, it was reasonable to expect that it should have that effect. That seems to reflect more accurately the circumstances in which such offences might be committed.

Questions about official authorisation and whether the person disclosing the information had reason to believe that it had been officially authorised for disclosure only take attention away from the essential element of the offence itself, which is to prevent someone giving someone else the nod and wink about how to gain access to unauthorised information and to escape any penalty for so doing. I do not believe that any hon. Member believes that that would help to protect the official secrets of the realm, where they need protection. What matters is not official authorisation, which might or might not be relevant to the particular disclosure, but whether the person disclosing the information did so in circumstances in which he had reason to expect—which is the critical point—that it might be used to give access to protected information.

It being Nine o'clock, MR. SPEAKER *proceeded, pursuant to the order [13 February] and the Resolutions this day, to put forthwith the Question already proposed from the Chair.*

Amendment negatived.

Order for Third Reading read.

9 pm

Mr. Hurd: I beg to move, That the Bill be now read the Third time.

The House has spent six days—all on the Floor of the House—on an important Bill of 16 clauses. I do not think that, in retrospect, that will be found niggardly. The two main issues of contention identified by critics of the Bill were, first, the absolute offence for members and former members of the intelligence and security services and, secondly, the principle of a public interest defence. Both issues were discussed at length and without restriction.

We have seen a devoted and articulate band of critics, from all parties, coming together against certain aspects of the Bill. Those critics have not, of course, opposed the proposal to free the great bulk of official information from the criminal law so that the great majority of civil servants will, if the Bill becomes law, hardly ever possess information that will come within its scope. That is a substantial change. The critics have not opposed the proposal that there should be harm tests in, for example, foreign affairs and defence which now, for the first time, will have to be surmounted before prosecution can succeed. They have not opposed the proposal that there should be no ministerial certificates and that the jury should decide.

What the critics have been doing is urging us to do more, to go further down the road, to make the hurdles higher and to introduce new forms of defence within the narrow area still to be protected. They have done that overwhelmingly because of the particular person whom they continually conjure up before us—the vision of the whistleblower, the conscientious civil servant who is asked to do something wrong. My hon. Friend the Member for Harrow, East (Mr. Dykes) gave perhaps the most vivid description of that person a few hours ago. Such a person can exist and it is right, wherever possible, that there should be safeguards and remedies open to him. But the House cannot be expected to build the whole structure of the law around that person. He is not the only pebble on the beach.

That is why the argument from the critics has been unbalanced. Yet that argument has dominated most of the debate. A balance must be struck because the information that we believe must be protected needs to be protected —not to save Ministers from embarrassment or to safeguard some vague concept of public interest, but to enable certain services of the Crown to protect the citizens of this country against certain specific evils, such as terrorism, crime and espionage. Where that has to be done, it should be done effectively.

In the areas defined by the Bill, information disclosed can cause serious damage—I use the word "serious" deliberately.

Mr. Corbett: What about "serious damage"?

Mr. Hurd: I am coming to that—as I have come to it so often. I used the word "serious" deliberately, knowing that the hon. Member for Birmingham, Erdington (Mr. Corbett) would be spry in interjecting, because I believe in the narrowed categories of test as defined in the Bill. I believe that harm could be serious without the further need for qualifying it as such in the various harm tests in the Bill.

Perhaps because the critics' arguments have tended to be unbalanced, they have not made decisive headway. Nevertheless, they have strong assets. They have their own strong talents and the fact that many of them, as Privy Councillors, have under our rules rightly been prominent in debate. They have also had the support of a powerful section of the press, which has often emitted more smoke than light. Of course, the press has a perfectly legitimate interest in maximum disclosure, so no one should be surprised by that. Despite all those formidable assets, however, the critics have not been able to mobilise more than a certain level of support—*[Interruption.]* I hope that no one will try to tell me about the power of the Whips, as my hon. Friend the Member for Hendon, North (Mr. Gorst) did earlier when he referred to the ignorant majority. I know the limits on the power of the Whips, having stood at the Dispatch Box and seen a Government measure come apart in my hands—[HON. MEMBERS: "Yes, this is it."]—despite all the power of the Whips to sustain it on Second Reading.

Dame Elaine Kellett-Bowman: The Shops Bill deserved to fall apart.

Mr. Hurd: I believe that my hon. Friend will agree with what I have been saying. If the whole House believes that the Government have got their basic judgments wrong about a measure, it will make that belief felt—especially when every word in the argument has been spoken on the Floor of the House, as has been the case with this Bill.

Mr. Budgen: Is not the problem that if a Bill is bashed through quickly there is not the opportunity for the House to respond to public opinion? In the case of the devolution measures that went through the House 10 years ago, public opinion in the end changed and, as it changed, it affected opinion in this House. By bashing the Bill through so unnecessarily, my right hon. Friend and the Government do not know what the people of this country believe about it.

Mr. Hurd: I must beg leave to differ with my hon. Friend. The process has seemed almost interminable. We had the White Paper, a debate on the White Paper and then the Bill, with long processes of discussion and debate for many months, so "bashing through" is certainly not what has occurred. Time for the play of public opinion has been substantial. My hon. Friend the Member for Aldridge-Brownhills began the process with his private Member's Bill. There has been at least a year—indeed, more than a year—for the processes that my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) describes to have their effect.

Mr. Jonathan Sayeed (Bristol, East) *rose*——

Mr. Rooker *rose*——

Mr. Hurd: I shall give way to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) because he has been here throughout the debate.

Mr. Rooker: The real test of public opinion—this is where the Home Secretary will come to rue the day that he rushed the Bill through—was not the White Paper or the Bill. It will be the first trial, when the whole damned thing will blow up in his and the Government's face.

Mr. Hurd: I am content to wait for that day because one of the root elements of the Bill has been to transfer more power to the jury than was the case under previous proposals.

Mr. Hind *rose*——

Mr. Hurd: I want to get on as I promised to take only 10 minutes.

Mr. Budgen: My right hon. Friend the Home Secretary should realise that my hon. Friend the Member for Lancashire, West (Mr. Hind) is his only friend in the House.

Mr. Hurd: I shall not say, like Mr. Neville Chamberlain, that I have my friends, because that usually ends in tears.

Mr. Hind *rose*——

Mr. Hurd: No, before I close I shall return to the theme that has been behind almost the whole of the debate for more than a year. I refer to what I would describe as the myth of obsessive secrecy. There can be few critics of the Bill who have not used some such phrase.

My hon. Friend the Member for Thanet, South (Mr. Aitken) personalised that argument in debating the Bill last week by referring to my background. He was polite, as he almost always is, and he described me as a mandarin. As it happens, before I was a mandarin I was a son and grandson of Members of the House, both of whom spent many years as journalists, so my background is not wholly dissimilar from that of my hon. Friend, albeit less celebrated. I assure my hon. Friend that the main difference that has occurred since I started as a small mandarin in 1952 has been precisely the spread of information flowing out of Whitehall. That is the biggest single change under all Governments, and it is continuing. It is a particular change that I see in my present Department. The great increase in the workload of my Department is, in large part, due to the disclosure, publication, defence and explanation of information which was previously held tight. That is true in relation to prisons and immigration, and it is increasingly true of the police. I welcome it and I acknowledge that much of it has been extracted by the press and by the Select Committees and proceedings of this House. I repeat that I welcome that. I believe that the process has some way to go and that the Bill makes an important contribution to it.

This is a task that has baffled several Governments. It baffled the Government of my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath), who received the Franks report but had no time to do anything about it because of the 1974 election. My right hon. Friend would certainly have done something about it, but it is equally certain that what he would have done would have been on the basis of conclusive ministerial certificates. For five long years, it baffled the Labour Government of 1974-79, who left behind the White Paper, which again rested on conclusive ministerial certificates. It also baffled the present Government in their first year or two. Now we have a chance collectively to get it right and to get it through.

Far from making the Government the arbiter in these matters, the Bill reduces the present wide, vast role of the prosecuting authorities. It asks Parliament to define the harm and it asks the jury, without ministerial interference, to conclude whether the harm has been done. I believe that, among the reforms introduced by the present Government, this is one of the most substantial and I hope that the House will give it a Third Reading.

9.12 pm

Mr. Hattersley: I appreciate that the rules of order governing a Third Reading debate have put the Home Secretary at some disadvantage. Those rules require that speeches do not deal with matter that is not contained in the Bill. Yet since the Bill was published the Home Secretary's speeches have concentrated largely on material that does not appear in this legislation, usually pretending that it did.

The process of misrepresentation of the Bill's contents began when the Home Office handout, purporting to describe the Bill, referred to

"specific tests of harm to the public interest".

As we have discovered after the limited debate that the Government have allowed, the phrase "public interest" does not appear in the Bill. Nor are any of its clauses built on the concept of public interest.

But the concept of harm does appear, and I shall spend the limited time that the guillotine allows me examining whether the concept of harm as it appears in the Bill enables the Home Secretary to claim with anything like plausibility that his proposals pass the central test of official secrets legislation.

That test can easily be defined. In a free society, official secrets legislation should protect information that, were it to become widely available, would jeopardise the security of the nation. It should not, however, embrace or include information that can be made public without damaging the national interest, whether or not the publication of that information embarrasses the Government of the day.

That is central to the principle on which much of the argument in Committee and on Report was based—an argument in which the Home Secretary has never chosen to join—which is the contention that the Government are not the nation, that the national interest is not necessarily synonymous with the Government's interest and that the courts, rather than the Government, should decide where the national interest lies.

Those principles are all essential to democracy. After all the time spent on discussion and debate, about which the Home Secretary spoke with such pride, we still have no idea whether the Government share the view I described, or whether the Home Secretary believes that he has introduced legislation that properly distinguishes between national and Government interest. He has by implication continually rejected all the principles advanced by hon. Members by his refusal even to contemplate a public interest defence for those accused of revealing official secrets. At the same time, the right hon. Gentleman has attempted to create the impression—at least outside the House—that the so-called harm test is in some way proof and demonstration of the Bill's moderation.

The claim that the Bill suppresses only information that, were it to be revealed, would jeopardise the national interest is built on that simple idea—a concept that the Home Secretary variously calls "serious damage", "serious injury", and "serious harm". None of those terms accurately describes anything that appears in the Bill. When attempts were made specifically to insert into the Bill the word "serious", to qualify harm, injury or damage, the Home Secretary always resisted. Tonight, in his most

recent and final speech—until the Lords improve the Bill—he told the House that the harm or damage must be serious, and was giggling when he remembered that, although that is what he told the House, "serious" is not a word that he will allow into the Bill.

The Home Secretary sought to bolster his arguments over the adjective "serious" with language that a more confident and scrupulous man would not employ. A recent example of the Home Secretary attempting to make words mean whatever he wished them to mean appeared in *The Daily Telegraph* last Saturday. I quote his words exactly:

"Under the new Bill, prosecutions must, in most cases, prove to a jury that serious damage has been done, in terms defined by the Bill."

No doubt the parentheses "in most cases" and "in terms defined by the Bill" were intended as qualifications so extreme and substantial that the meaning of the sentence was, on analysis, quite different from that which the casual reader supposed. That is a pretty disreputable technique in itself. But even when that disreputable linguistic practice has been recognised as such, the Home Secretary's statement is wrong. The idea that the Bill prohibits only the publication of official information when serious harm is done, or is even likely to be done, does not stand up to a moment's examination.

All information covered by clause 1 is expressly excluded from all tests of harm. Any man or woman employed by the security services is required now and for ever to maintain absolute confidentiality about every aspect of their work, as are men and women notified by the Government that they are obliged to maintain lifelong confidentiality. For them, there is no test of harm. For them, there is no question of judging whether or not the information they revealed is damaging to the national interest—or is inconsequential, trivial or even meaningless.

Members of the security services and those associated with them are allowed to publish anything about their work only when the Government agree that they should do so. Nobody doubts why that rule applies. The Government want to be able to allow and promote books that are to their political advantage, and suppress books that are politically embarrassing. If there is a test for harm in that area, the test for publication is the test of whether harm will be done to the Government's political reputation.

There is a test of harm in other areas, but as to the Bill itself—and contrary to what the Home Secretary persistently says about it—no reasonable person could believe that the test of harm relates to serious harm and to serious harm alone. I take as my example clause 2(2)(a) where the concept of damage, which, rightly or wrongly, the Home Secretary equates with serious harm, is defined. A damaging disclosure is said to be any disclosure which "prejudices the capability of, or any part of, the armed forces of the Crown to carry out their tasks".

We learnt in Committee that that definition applies to all the armed forces' tasks, no matter how trivial or inconsequential, no matter whether or not they are even related to the national interest or could reasonably be defined as assisting the national interest or damaging it. The idea that the definition of harm, as specified in clause 2 and related to the armed forces, contains any serious protection for those who might inadvertently allow inconsequential or trivial information to appear in the public domain is nonsense.

I cannot believe that the Home Secretary, with his expensive education and all the prizes about which he keeps telling profile writers, does not realise that what he claims to be in the Bill does not appear in it. I cannot believe that it is a genuine error. He must know that his claims for the Bill are substantially, materially and grossly different from what the Bill contains on analysis of its clauses.

I am reinforced in that belief by the Home Secretary's demeanour and performance. Throughout the debate he has avoided, rather than meet face on, the arguments of his critics. He has been an accessory to the guillotine and he has exploited it on every occasion to avoid giving serious answers to serious questions. In my 25 years in the House, where I have seen Governments of both persuasions anxious in adverse circumstances to slip legislation through with the minimum of debate, I have never seen a measure that was so opposed by some Government Back Benchers and so little supported by the rest. I have never seen a ministerial parliamentary private secretary running around attempting to get Government Back Benchers to read from the Home Secretary's notes and failing to persuade them to do so.

What I have seen throughout the debate that we are about to conclude has been a shabby performance by the Government; they knew that they could not win the arguments on their merits and, therefore, took refuge in every device that was open to them. I have no doubt that they will get their majority tonight, but it will be a shabby victory and the Government will pay for it in the long run.

9.22 pm

Mr. Amery: When my right hon. Friend replied to the debate on new clause 1 he tried to draw a distinction between procedure and policy. I do not think that anyone who listened to him or who studies the matter can believe that there is such a difference. The assurances that I was given by my hon. Friend the Minister of State detailed how authorisation would be given. Then my right hon. Friend said, yes, but the policy was different. It was the procedure on the one hand and the policy on the other. I do not think that we can seriously reconcile the two.

Where do we stand? We have a repudiation by my right hon. Friend of assurances given by my hon. Friend. Perhaps we should not be too surprised about that. If my right hon. Friend had come back to the Dispatch Box and reassured us that we could rely on the assurances given by my hon. Friend, he would have kicked away the whole basis on which the Peter Wrights, the Cavendishes and the other cases were based. There is a difficulty for the Government. If they kick away a pebble, they may bring down the whole arch on which the Government's policy is based. I do not see that the House should accept that view of the architecture on which our policy is to be determined.

I very much regret that my right hon. Friend the Home Secretary has gone so far in repudiating the assurances given by my hon. Friend the Minister of State. What are we to do about this? We know perfectly well that the Bill must be accepted, but I regret that, because the future of our defence administration—which to some extent depends on the secret services—may be weakened.

I have been careful during these debates never to oppose what my right hon. Friend tries to do if I can help it. However, we must face up to the fact that the Trappist vow of lifelong confidentiality cannot work in a democratic society. Of course, it can work if the Trappist monk has made his vow to God, but who can say what

[Mr. Amery]

God will decide? I have great regard for my right hon. Friend, but I cannot regard him—or even the "Ayatollah" or higher responsibility to which he has to bow—as God. Therefore, I find the Bill difficult, perhaps impossible, to accept.

I have been a Member for a long time and I have quite often been a Cassandra, and nothing is more boring than saying "I told you so". Tonight I am trying to say, "I am telling you what is going to happen". If the Bill is passed as drafted there will be a number of cases—perhaps even during my right hon. Friend's tenure of office—that will discomfit him or the Government. I do not know whose memoirs it will be—perhaps those of the right hon. Member for Plymouth, Devonport (Dr. Owen) who is not present or perhaps some quite insignificant man will write his memoirs or publish an account of what he has done —but it will be very difficult to proceed against him in court when he will be able to claim various reasons why he should have made his disclosures.

It is too late tonight to ask my right hon. Friend to disclaim what he has already laid down. All I would say is that from the beginning I have tried to help him by putting forward my suggestions, which were accepted by my hon. Friend the Minister of State. I tried to throw the Government a lifeline, but I recognise the difficulties that they would have faced if they had accepted it. Perhaps they have accepted it in part, and, when decisions are taken in court or elsewhere, perhaps some of what has been said in the House—and to which my hon. Friend the Minister agreed—will rub off; I hope so.

I have some experience of defence and foreign affairs, and I could not bring myself to vote against the Government on the entire Bill. However, I hope that my right hon. Friend will understand that in the circumstances and after what I have been exposed to—double dealing? I would not want to call it that—I cannot support him tonight. On Second Reading I said that I would support the Government if they gave me the right assurances. They gave them, but then they took them back, so I hope that my right hon. Friend will understand that when I abstain tonight it will not be with any spirit of malevolence.

9.29 pm

Mr. Maclennan: The right hon. Member for Brighton, Pavilion (Mr. Amery) has played a role in this debate rather like Hamlet when confronted by Polonius. The right hon. Member seems to have said, "Methinks I see yon cloud in the shape of a camel." "Very like a camel," says Polonius. "Methinks it's like a whale," says the right hon. Member for Pavilion. "Very like a whale," says the Home Secretary. The Home Secretary will agree with anything to command the right hon. Gentleman's vote. Many of the Home Secretary's remarks have sounded as if they were made by Polonius. If he continues to play Polonius to the Claudius of this Government, he may find himself stabbed behind the arras.

The Home Secretary rather gave the game away when he opened the debate. In a throwaway line, he said that the press has a great interest and a natural interest in maximising the disclosure of information. Do we not all have that interest? Is that not why we subscribe to article 10 of the European convention on human rights which guarantees our freedom of information? Is that not why Lord Goff of Chieveley in the "Spycatcher" case said in the House of Lords:

> "Although in the case of the private citizen there is a public interest that confidential information should as such be protected, in the case of Government secrets, the mere fact of confidentiality does not alone support such a conclusion because in a free society there is a continuing public interest that the workings of Government would be open to scrutiny and criticism"?

The truth is that the Home Secretary has tackled the problem which he says has been ducked by other Governments, not through any desire to widen the disclosure of information, but as a straight response to the disclosures of the "Spycatcher" case. He has acted in this way because of the "Spycatcher" case. He has rightly recognised that there are certain public interests in maintaining security. Those exceptions are set out in the article 10 provisions of the European convention. However, he has surrounded the exceptions with such definitions as to extend the scope far beyond what is necessary in the interests of the security of the state.

I know that I must be brief, so I will give only one example. The Home Secretary's definitions of international relations are so broad and all-encompassing that almost any matter considered by Government will fall foul of those exceptions because we discuss those matters in our daily dealings with the European Community. If those matters are considered in that forum or are leaked abroad, the full weight of the criminal law—two years' imprisonment—can befall the leaker.

The Home Secretary recognised the most serious point in his opening speech. His proposals prevent those who are conscious of iniquity in the public service from disclosing that information. The Bill makes it a crime to reveal crime. I do not see how that can stand. I hope that another place will reconsider that. The arguments have been deployed extensively in this place, but they were not answered extensively. We look to the Lords, including some of the Law Lords who sat on the "Spycatcher" case—such defenders of our free speech—to bring to the consideration of these matters an objectivity which the Home Secretary, wrapped up in the net of secrecy which the Government cast over all their doings, cannot.

If the Home Secretary is right, I cannot see why he finds it necessary so to misrepresent the provisions of the Bill as he has misrepresented them now. I need not repeat the quotations from *The Daily Telegraph* of Saturday. Those words merely compounded the Home Secretary's frequent misrepresentation of the nature, purpose and effect of this Bill. He has referred constantly to the serious-damage tests that must be applied before the sanction of the criminal law is invoked. He knows—we have debated the matter extensively—how to import that concept, which he says he embraces, into the Bill. We had the benefit of the right hon. Member for Morley and Leeds, South (Mr. Rees), who was on the Franks committee, reminding us—if we needed to be reminded—that that was the very nub of the test that Franks had applied as long ago as 1972.

We have failed to persuade the Home Secretary that those words should appear in the Bill. I hope that they will appear when it comes back from another place. At least they would cut down the all-embracing, all-encompassing impact of this widely drafted clamp-down on our freedom of speech.

This has been something of a charade on the part of the Home Secretary—the pretence that this is a liberalising

measure. As he has acknowledged, the provisions of section 2 of the Official Secrets Act have rarely been invoked; in fact, that part of the Act could almost be regarded as having fallen into desuetude. This new piece of legislation, if it goes through, will be used to try to bottle up information whose disclosure might be in the public interest—matters concerning, for example, the public safety, the public weal, matters that concern the Father of the House, to whose amendment the right hon. Gentleman gave no adequate answer.

This is a constitutional measure meriting more than six days' debate in this House. Cutting down our freedom of speech merits more than six days' consideration, and that is why the House has taken so badly the Home Secretary's pretence that it is a liberalising measure. It is nothing of the kind; it curtails our liberties, and it will do his reputation no good. I believe that it will be in vain because it is fundamentally opposed to the provisions of article 10 of the European convention. Certainly the view that was expressed in the "Spycatcher" case by more than one of their Lordships is an indication that if these issues come before the European Court this measure will be struck down as being inappropriate and quite out of conformity with our international commitments. Their Lordships have a heavy and important task. It should have fallen to this elected House to ensure that the task was completed. Alas, it is not so.

9.38 pm

Mr. Tim Devlin (Stockton, South): This will be a short speech, as time is limited. I voted against the Government's three-line Whip when my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) introduced his private Member's Bill. Since the introduction of this Bill I have supported it at every stage, and it may be helpful to my hon. Friends—those who are still not in agreement with the Bill—if I tell them why my mind is so made up.

Under the present law, the prosecution has only to prove that an unauthorised disclosure of information gained in the course of certain employment has taken place. Thus, for instance, a clerk working at the Department of Social Security office in Stockton-on-Tees commits an offence if he or she discloses the colour of the carpet in that office. All information, no matter how trivial, is classified, and the consequences of disclosure are a dire thing, a criminal offence.

For that reason, overhaul of the legislation was long overdue. My hon. Friend's Bill was a good attempt at reform. Without it, and without the rebellion that supported it, the Government might have been tempted to do as all Governments have done—found the balance of convenience in favour of doing nothing. We might pose to ourselves the question that Abraham Lincoln posed to Congress:

> "Must a Government, of necessity, be too strong for the liberties of its own people, or too weak to maintain its own existence?"

I believe not, and I believe that this Bill is evidence of that.

The Bill is a liberal measure and is to be welcomed for that reason. Under the Bill, a jury can convict only when it has been persuaded that a disclosure has caused specified harm or is likely to cause such harm. For that very reason, there is no need of an overriding defence of prior publication or public interest. If no harm is done, or the benefit outweighs the harm, the jury should not convict.

The Bill will effectively protect the nation's secrets while opening up a significant new province of information to the public. It is consistent with the principle of rolling back the frontiers of the state and curbing the power of the Executive, which so many Conservative Members hold to be clear and central planks of our policy. The final resolution in a matter of degree is always a difficult process. There are those who say that it should be more restrictive and those who say that it should be more liberal. A line has to be drawn somewhere and the provisions of the Bill explained to an uncomplicated and sceptical public. The Bill, if not perfect, is a good measure, and should therefore be supported.

9.41 pm

Mr. Foot: Only an hon. Member who had attended so few of our debates over the past few days could have reached the conclusions reached by the hon. Member for Stockton, South (Mr. Devlin). I prefer to refer to the speech of the right hon. Member for Brighton, Pavilion (Mr. Amery). Those on the Government Front Bench looked uneasy under his questioning, not only because of the way in which he was led to vote for Second Reading but because of the questions that he is still posing, to which he has still got no answers. Even if those on the Government Front Bench and some of those on the Government Back Benches do not heed what the right hon. Gentleman said—credit belongs to those who do heed it—many will study what the right hon. Gentleman said. By the time the Bill gets to the other place, there may be an answer to his question.

The Home Secretary went over the history of attempts to deal with measures such as this. If I remember correctly, he said, "We have a chance collectively to get it right". He might have said that at the beginning of our debates, but he cannot seriously mean it at the end of them. I say that as one who has listened to pretty well every sentence uttered during the Bill's proceedings. Some of the debates have been curtailed in a manner that is an offence to the House of Commons. Many provisions have been pushed through in a manner that is utterly abhorrent, particularly when we are dealing with a Bill that carries such large implications for the future. By any comparison and by any reckoning, the way that the Bill has been pushed through is a disgrace to the House of Commons, to the Government, and to those in this place who have tolerated the passage of such matters through the House by such means.

Major questions have not been resolved, and the Home Secretary cannot pretend that they have been. For example, there are all the matters associated with the supposed claim of lifelong confidentiality, implied at the beginning of the Bill, about which the questions of the right hon. Member for Pavilion are so pertinent and about which many other questions have been asked. If the Bill had been law when Winston Churchill wrote his memoirs, they could not have been produced in anything like the form in which they were presented to the nation. If the Home Secretary has an answer to that point, which has been made so often, he should have given it to us.

The effects of the Bill deriving from this provision will alter the relationship between the Executive and Parliament, and affect our democracy and how information may be given to the British nation. All these points are touched on in the question posed by the right

[Mr. Foot]

hon. Member for Pavilion, to which he has had no answer. We have discussed premature disclosure. I hope that we have made some dent in the Home Secretary's certainty.

I fully acknowledge that this is a serious matter for the newspapers of this country. I thought that we were to get from the right hon. Gentleman an idea of how to get a compromise that will work. If he was serious in what he said at the end of his speech about wanting a collective settlement of the matter, that is one aspect in which he should have searched for it. Of course, if the Government had considered our debates and taken account of what hon. Members have said, we could have had a compromise between the demand of those who say that there should be no claim of premature disclosure and those who argue at the opposite extreme.

All responsible editors in Fleet street who have talked about these matters could have had a clause which protected the defence and rights of this country but which still protected, as far as we possibly can, the right to print information, to print the facts, and to print them in a way that must take account of what has been published before. Otherwise what would happen to the judgment in the "Spycatcher" case?

As the Home Secretary said, the "Spycatcher" conclusion was one reason for the Bill. Throughout our discussions, the Government have failed to meet the argument about the conclusions of the "Spycatcher" case and the reason the judges concluded that they must decide against the Government. They said that it would be madness and folly for them to say that it was wrong for newspapers to publish what had been published all over the world. The right hon. Gentleman is now saying that the conclusion of the "Spycatcher" case is that all that must be restored to the position that prevailed before. The Minister has accepted not the majority of judges but the minority of judges in that case.

After all our debates, that is a monstrous way for the House of Commons to deal with a serious matter. Like many hon. Members, I have much faith in the other place. This is one occasion when our counterparts can come to the rescue not of the Government—they are not worth saving—but of the country. I hope that our colleagues in another place will examine these matters in great detail. I hope that they will look at all the clauses that have been truncated in discussion here, take account of the way in which the Government have sought to deny full debate, and send back to the House a reputable Bill that can do what the Government have said that they want to do, which is to have a collective discussion in the House of Commons and the country about how we should deal with it.

The opportunity for a collective discussion has been forfeited by the guillotine, the form of the Bill, and the way in which the Prime Minister forced on the right hon. Gentleman the detailed clauses—the "Spycatcher" clauses—of the Bill. The combination of clause 1 and the other clauses dealing with disclosure mean that this is a much more ferociously anti-liberal Bill than the measures that prevailed before. That is what the right hon. Gentleman has presented to the House of Commons, and that is what the other place should throw out.

9.49 pm

Mr. Gorst: Among the central features of the Government's argument is that, to quote the words of the Minister of State in the press this morning, the Bill

"vastly reduces the scope of the criminal law."

If that is the Government's view, it misses the point—either because it is tantamount to arguing that a change from bad to bad is better than no change at all, or that, having made a change, it must be a change for the better.

In truth, there has indeed been a change—a change both for the better and for the worse. Although the Bill vastly reduces the scope for successful prosecutions, it sows a whole range of new doubts as to what may or may not be published, thereby inhibiting without prohibiting. So instead of the draconian and obnoxious clarity of the previous Official Secrets Act, we shall have a new regime of uncertainty. That confusion and doubt will have the effect of suppressing publication of unquantifiable amounts of information which were previously entirely legitimate. A handful of daring editors may decide to publish and be damned, but for every courageous or reckless challenge there are likely to be a hundred—perhaps a thousand—timid and cautious decisions to spike the story and be spared.

Some people in Government circles may be happy to argue—even perhaps with a modicum of justification—that tighter security will flow from this legal form of stealthy deterrence, and that may well be so, but that is not the only consideration for Parliament. We have to weigh one unproven benefit against several evident disadvantages—disadvantages which are not obviously justified by commensurate gains. The Government have argued for drawing a line in the wrong place—they have erred in favour of stringency where freedom of expression is both defensible and essential. When Governments curtail the flow of information, they are tampering with the raw material of democracy. No democracy can survive in a vacuum of ignorance—for its survival it must feed on facts and information. Democratic electorates do not need just the good news—they must be able to censure the mediocre and the inefficient and to castigate the evil.

There is no dispute that some categories of information must not—perhaps may never—be revealed, but every attempt to restrict information requires close examination. The Bill has not been given the careful and sceptical scrutiny that is called for. Ministers may have been courteous and patient in their answers—there have, indeed, been plenty of answers—but time and again it has seemed that the argument between those who have taken the Government view and those who have thought differently was essentially about exactly where the line should properly be drawn. On the one hand, one has asked what constitutes a justifiable exposure of information. On the other, the question has been what should be a culpable and punishable revelation. To permit or to prohibit, that has been the question. Whether it is in the public interest to have the record straight, or, by so doing, harm it. For my part, I come down on the side of freedom of expression. I am against the imposition of a regime of stealthy suppression and I shall vote against the Third Reading of the Bill.

9.53 pm

Ms. Abbott: We have heard the Secretary of State in the Chamber and on the radio define the Bill as a great reforming measure. He has talked especially about how the Bill has limited and narrowed the scope of the existing legislation. Unlike the hon. Member for Southport—[HON. MEMBERS: "Stockton."]—the hon. Member for Stockton who, not having attended most of the Committee stage, came with his speech already drafted by the Whips, I want to say succinctly and in my own words that it will not do for the Secretary of State to boast that the Bill is a great reforming measure. In the first place, his boast that he has dropped the idea of ministerial certificates will not wash because, although the Bill contains no mention of ministerial certificates on information, by the notion of notified people, it introduces ministerial certificates on people. The notion of ministerial certificates on information has been exchanged for certificates on people.

It will not do to boast that the Bill is a reforming measure when it introduces the notion of lifelong confidentiality that Mr. Justice Lawson described as something which could not be achieved this side of the Iron Curtain. It will not do to boast that this Bill is a reforming measure because it narrows the number of offences covered since, under the 1911 Act, there were no fewer than 2,314 offences with which people could be charged. Therefore, it is hardly likely that the Bill would widen the scope of the 1911 Act.

The content and the manner in which the Bill has been forced through has revealed a Government careless of power. They will win tonight, but, as one of their hon. Friends has said, they will win by the exercise of an ignorant majority.

Mr. Frank Cook (Stockton, North): On a point of order, Mr. Speaker. My hon. Friend the Member for Hackney, North and Stoke Newington (Ms. Abbott), made reference to the hon. Member for Stockton and I would like to make it clear that she was referring to the hon. Member for Stockton, South (Mr. Devlin). Upon being referred to, that hon. Gentleman made a two-fingered gesture in her direction. I disassociate myself from that gesture, but associate myself with the remarks that my hon. Friend was justified in making.

Mr. Devlin: Further to that point of order, Mr. Speaker. I assure you that no such gesture was made—*[Interruption.]*

Mr. Cook *rose*——

Mr. Buchan *rose*——

Mr. Speaker: Order. I remind the House that it is five minutes to 10 o'clock.

Mr. Buchan: Further to that point of order Mr. Speaker. You know me of old, Mr. Speaker, and I also saw that gesture and was offended by it.

Mr. Devlin: Further to that point of order, Mr. Speaker. I assure you and the House that no such gesture was made.

Mr. John Patten *rose*——

Mr. Buchan *rose*——

Mr. Speaker: Order. I did not see it and the hon. Gentleman said that he made no such gesture——

Mr. Buchan *rose*——

Mr. Speaker: I cannot help the House. I cannot ask an hon. Member to withdraw something that I did not see myself and if he has denied having made such a gesture. Mr. John Patten

Mr. Buchan *rose*——

Hon. Members: Sit down.

Mr. Speaker: Order. I shall hear the point of order, but I warn the hon. Gentleman that it is now three minutes to 10 o'clock.

Mr. Buchan: On a point of order, Mr. Speaker. With your acceptance of his denial, Mr. Speaker, you are assuming—almost declaring—that some of us are lying. With respect, we are speaking the truth and the hon. Member for Stockton, South (Mr. Devlin) should honourably withdraw the gesture that he made.

Mr. Speaker: I cannot be in a position of adjudicating on a matter when I did not see what happened. The hon. Gentleman has denied that he made that gesture and we must take his word for it.

9.57 pm

Mr. John Patten: I am extremely sorry that the hon. Member for Paisley, South (Mr. Buchan) should seek to waste the time of the House. It is characteristic of his approach during our debates on the Bill.

The hon. Member for Hackney, North and Stoke Newington (Ms. Abbott) seems to have forgotten everything she was taught in the Home Office when she was a civil servant. She has forgotten the great width of section 2 of the Official Secrets Act 1911 and has failed to understand the considerable narrowings of the law that my right hon. Friend's Bill introduces.

Of course, debates have been heated and detailed because the protection of official information inevitably raises extremely difficult questions of principle and practice. The debates in Committee, on Second Reading, on Report and on Third Reading have illustrated that.

It is not surprising, given such debates, that previous Governments have found it much easier to soldier on rather than attempt to grasp the nettle of legislation. We have made such a contribution in our traditional role as a radical and reforming Government. We have grasped the nettle and the Bill offers the answers. On such a contentious issue we certainly did not expect unanimity from all sides of the House.

My right hon. Friend the Member for Chingford (Mr. Tebbit) and my hon. Friend the Member for Ryedale (Mr. Greenway) criticised us for going too far in drawing up the Bill. We certainly expected to be assailed with general arguments and specific concerns. We have attempted to answer those concerns, but the Bill leaves the House in such a shape that it entirely deserves the support which it has received. My hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen), to whom I rarely turn for a text, said in an earlier intervention that was meant to be unhelpful to the Government that the Bill would last for a generation. But it will last for considerably longer than a generation.

[Mr. John Patten]

It being Ten o'clock, MR. SPEAKER *proceeded, pursuant to the order [13 February] and the Resolutions this day to put the Question already proposed from the Chair,* That the Bill be now read the Third time:—

The House divided: Ayes 320, Noes 195.

Division No. 113] **[10.00 pm**

AYES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gill, Christopher
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Strat'd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Larront, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, P. *(New Forest)*
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, John *(Oxford W)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter

Waddington, Rt Hon David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Tristan Garel-Jones and
Mr. Tony Durant.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Aitken, Jonathan
Alton, David
Anderson, Donald
Armstrong, Hilary
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Gilmour, Rt Hon Sir Ian
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gorst, John
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Lambie, David
Lamond, James
Leadbitter, Ted
Lestor, Joan *(Eccles)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McTaggart, Bob
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliott
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Roberts, Allan *(Bootle)*
Robinson, Geoffrey
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Steinberg, Gerry
Stott, Roger
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wall, Pat
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Michael *(Doncaster N)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Robert N. Wareing and
Mr. Allen McKay.

Question accordingly agreed to.

Bill accordingly read the Third time, and passed.

London Regional Transport

10.13 pm

The Minister for Public Transport (Mr. Michael Portillo): I beg to move,

That the draft London Regional Transport (Levy) Order 1989, which was laid before this House on 19th December, be approved.

The Government take no pleasure in the increased levy for 1989-90. The increase is, in cash terms, nearly 50 per cent. above the current year's levy. I regret that this large increase is necessary, but necessary it is, for reasons that I shall explain. However, before doing so, I should like to set the proposed levy in its proper context.

Although the increase in cash terms over the current year is nearly 50 per cent. in real terms, next year's levy will still be nearly 30 per cent. less than the first levy in 1985-86 and only slightly larger than last year's levy.

London local authorities will not welcome the increased levy, but London cannot claim to have been hard done by. Next year's rate support grant settlement is generous to London, taking the authorities together. They will receive £175 million more grant, which represents an increase of 11·2 per cent. on the 1988-89 rate support grant. That will enable London local authorities to reduce rates by an average of 3 per cent. even after the LRT levy increase, if they spend in line with the proposed expenditure provision.

Some will doubtless argue that the increase should be borne by the Exchequer. I see no case for that. In increasing the levy in line with the increase in the grant requirement, we are maintaining the balance between the ratepayer and the taxpayer, which has existed since before LRT was set up in 1984. Just because the grant requirement has increased, there is no reason to expect taxpayers to bear a larger part of the burden. Ratepayers in London will benefit far more from the increased investment than the majority of taxpayers, who rarely use the system.

Mr. Tony Banks (Newham, North-West) *rose*——

Mr. Simon Hughes (Southwark and Bermondsey) *rose*——

Mr. Portillo: I shall give way to the hon. Member for Southwark and Bermondsey (Mr. Hughes).

Mr. Hughes: Does the Minister agree that it is still the case that the proportion of the cost of London Regional Transport borne by the taxpayer is much less than the equivalent proportions borne by taxpayers in other capital cities such as Paris? Does he agree that we still ask ratepayers and travellers in London to pay a higher proportion than their equivalents pay in capital cities in other western European countries?

Mr. Portillo: There are a limited number of places from which the money can come. It can come from farepayers or from taxpayers, and in this country taxation is in two forms—local taxation and national taxation. I believe that the balance between those three is about right. In particular, the balance between taxpayers and ratepayers of approximately 33 per cent. and 66 per cent. is appropriate.

Mr. Jeremy Corbyn (Islington, North): While the Minister is on that point, does he accept that Londoners are extremely badly treated in that the new investment on the rail, Tube and bus networks, to which he has referred, will be borne largely by the fare-paying passengers in London, whereas the huge amount of road building that he is planning for the capital will be borne by central Government expenditure and will benefit only the 18 per cent. of the travelling population who commute in and out of London by car, because the majority go by public transport for which they will have to pay increased fares to pay for improvements in the service?

Mr. Portillo: Most Londoners are big users of the roads even if a large number commute into central London by railway. The amount spent on roads is very much less than is collected in taxation from road users. Again, that is a perfectly defensible position.

Others may ask why the increased investment expenditure should not be funded by borrowing rather than through an increased grant and levy. The normal rule is that investment should be financed through borrowing rather than by grant only if the undertaking will be sufficiently profitable to enable both principal and interest to be repaid. Otherwise the industry would be saddled with an increasing burden of debt. London Regional Transport is not yet in a profit-making position. Debt financing would not, therefore, be appropriate.

I have said that I regret the need for an increase in the levy, but I have pleasure in reminding the House that the levy under discussion will be the last. To seek to continue some form of levy after the abolition of the current rating system would violate the principle of a uniform national non-domestic rate. To continue a levy on community chargepayers would produce an unjustifiable complication to the system, given that domestic ratepayers contribute only about one quarter of LRT's grant. The new needs assessment and needs grant system will take account of the fact that London local authorities will not be responsible for funding public transport in London. That will ensure that London community chargepayers are not unfairly advantaged compared with chargepayers elsewhere.

Mr. Toby Jessel (Twickenham): I can see an argument that the cost of the levy should fall on the users of the Underground through their fares, on taxpayers in general or on certain groups of ratepayers, but I cannot see the argument that ratepayers' contribution should be tied to the boundaries of Greater London. If my hon. Friend looks at a map of the London Underground, he will see that its centre of gravity is well to the north of the river Thames. Why should ratepayers in places such as Twickenham, Bromley, Beckenham, Croydon or Kingston, where there is no Underground, pay for it through their rates while people outside Greater London, such as those in Watford, Chesham or Amersham, where there is an Underground service, not pay anything for it through their rates?

Mr. Portillo: My hon. Friend will appreciate that the payment of taxation and the benefits derived therefrom rarely coincide exactly between the people who pay the taxes and those who derive the benefits. There are considerable benefits from LRT other than just the Underground system. There are bus services all over London, and last year an operating loss was made by London Buses Ltd. In general, the facilities of LRT contribute to the well-being of the capital as a whole and it is appropriate that ratepayers should make some

contribution. However, I readily agree with my hon. Friend that there should be a distribution between ratepayers, taxpayers and fare payers to achieve the fairest result.

Mr. Tony Banks: I would not disagree with the last point that the Minister made. We argue that London ratepayers are being asked to shoulder a disproportionate share of that burden. London should be treated differently. For example, there are the tourists who use LRT and, as the hon. Member for Twickenham (Mr. Jessel) pointed out, all those from outside the Greater London area who use the transportation system in the London area. Why should London ratepayers have to subsidise all those other groups of people?

Mr. Portillo: I must be hearing things. I heard the hon. Member for Newham, North-West (Mr. Banks) say recently that there should be free transport in London. If he is now concerned about tourists and people from outside London, how will he recover the money from them if he wants a free transport system in London?

LRT is facing a number of major challenges. The need to respond quickly and effectively to the Fennell report is uppermost in all our minds, and Underground passengers are well aware of the widespread inconvenience caused by the need to get on with the work of replacement and renewal.

Coping with the massive and continuing growth in demand on the Underground must also be given a high priority, as must responding to the rapid pace of the development in the docklands. LRT is also restructuring London Buses Ltd into smaller companies able to compete with each other and to respond more flexibly to the needs of their customers.

Action is in hand on all those fronts. Next year, LRT plans to invest £441 million, of which about £280 million will be funded by the increased grant. The balance will be funded by LRT, including £71 million from property sales and developers' contributions of £61 million to the Docklands light railway.

LRT's response to the Fennell report on the King's Cross fire was published earlier this month. I believe that it represents a serious and responsible reaction to the tragedy. LRT has accepted the vast majority of the recommendations made by Mr. Fennell which apply to it, and many of them have already been implemented. The House will welcome that. The Government, for their part, have made it clear to LRT that the highest priority should be given to ensuring that the chances of a similar disaster occurring are reduced to the absolute minimum. To that end, we have made it plain that finance will not be a barrier to the implementation of the Fennell report.

Mr. Conal Gregory (York): In view of the Minister's comments about finance not standing in the way, may I ask him to explain why, since that time, automatic barriers have gone up at a large number of stations? Is he aware that these present a serious risk in the event of evacuation during a fire? Will he consider the possibility of open stations and much greater penalties if people do not carry tickets on the London Underground?

Mr. Portillo: Mr. Fennell made some comments about the Underground ticketing system. He said, for example, that the system should be reviewed by London Underground in conjunction with the railway inspectorate and the London fire brigade. The railway inspectorate and the London fire brigade had already reviewed the Underground ticketing system and had approved it for installation, although subsequently—in November of last year—the London fire brigade made a number of detailed points which London Underground is now addressing.

In addition, and in the spirit of the Fennell report, I asked London Underground to appoint consultants to review the Underground ticketing system to make sure that no point had been missed, and those consultants are now at work because London Underground readily agreed to my suggestion.

Mr. Harry Cohen (Leyton): How can the Minister explain the appointment of those consultants when, in answer to a question that I put to him recently, he said that another 118 automatic exit barriers are being installed? How can there be a genuine process of consultation if the barriers continue to be installed in any case?

Mr. Portillo: The hon. Gentleman misunderstands. It is not a consultation process, but a review by consultants, to determine whether the system is safe and whether, by chance, London fire brigade or the railway inspectorate have overlooked anything. The Fennell report makes no recommendation that the installation of automatic exit barriers should be stopped. Mr. Fennell simply asked that that aspect should be reviewed by London fire brigade and the railway inspectorate. That has already been done. In addition, to comply with the spirit of the report, we have asked for the view of consultants.

Mr. Corbyn: The Minister will appreciate that there is a great deal of concern about Underground safety, particularly the new barriers. Further to the point made by my hon. Friend the Member for Leyton (Mr. Cohen), would it not be better to halt the installation programme until the consultants have reported? If the consultants recommend, as I believe that they might, that automatic barriers would be a hazard in the rapid evacuation of a station, increased costs will be avoided. There is much concern among the travelling public that, in the event of another disaster such as King's Cross, barriers would make it possible to evacuate a station quickly.

Mr. Portillo: I have nothing to add to my earlier remarks. Mr. Fennell did not recommend such a course of action. Both the fire brigade and the railway inspectorate have considered the barriers and approved them for installation. The appointment of the consultants is an extra layer of safety that has been applied at my request, and their report will be produced shortly. I see no reason to stop the installation of barriers in the meantime. We shall learn the consultants' views in due course.

In the current financial year, we have agreed to increase LRT's external finance limit by £54 million, half of which is to allow for additional spending on safety measures. Looking to the future, the public expenditure White Paper makes full provision for the increased safety spending sought by LRT—a total of £266 million over the next three years. Of that, some £80 million will need to be spent next year.

Coping with the massive and continuing growth in demand is the second major challenge facing the Underground. Since 1982, use of the Underground has increased by about 80 per cent. and it is still rising, which is putting the system under considerable strain. Action is

[Mr. Portillo]

being taken both to provide short-term relief and to develop long-term solutions. Investment in the Underground is currently at record levels. Next year it will be even higher at £299 million, which is double the 1984-85 level in real terms. That includes substantial investment to relieve congestion as well as to renew and modernise the system.

However, there is even more that must be done. It was for this reason that we set up the central London rail study last March, with an urgent remit to develop a strategy to improve London's rail services and to provide for the forecast increase in demand to the end of the century. The report of the study was published in January. It proposes a major upgrading programme costing some £1·5 billion to make the best use of the existing Underground and Network SouthEast together with one of two alternative packages of two new lines in tunnels under London. I commend that report as a major contribution to the debate on how to improve London's rail services. The need for action in this area is urgent, and we intend to move forward as quickly as possible. We are currently seeking views on the report. At the same time, further work is being carried out in preparation for decisions on whether to go ahead later this year.

The new Docklands light railway has played a vital part in stimulating the development of the Isle of Dogs. It is currently being upgraded and extended to Bank. This will increase its capacity threefold. But the success of the docklands is such that additional rail capacity will almost certainly be needed to supplement the light railway. The east London rail study is currently looking at the options in parallel with the final phase of the central London rail study. Subject to the outcome of the study and the negotiation of satisfactory contributions from the developers involved, I hope that it will be possible this autumn to deposit a Bill seeking the necessary powers to build a new line.

LRT has taken significant steps to improve London's bus services, but there is a limit to what can be achieved whilst London Buses remains in a monolithic form. It is currently being restructured into 11 local companies. As they will be much smaller concerns, they will be closer to their customers and able to respond more flexibly to their needs. They will also be free to compete with each other. The result will be a better service for the customer and a smaller bill for the taxpayer.

I am sure that the House will agree that increased investment is required to improve London's public transport. But there is no such thing as a free ride, and the increased investment has to be paid for. Our guiding principle is that passengers should have the services they want and are prepared to pay for. However, although LRT will no longer require revenue support, it cannot finance the large investment programme required from its own resources. It cannot increase its income as quickly as investment needs to increase. This means that the grant and the levy must rise. I cannot expect any increase to be popular, but, as a London Member myself, I feel strongly that Londoners are very aware of the need for new investment and, indeed, would believe us to be negligent if we did not provide it.

The improvement in LRT's revenues means that it can invest getting on for twice as much in the Underground next year in real terms as in 1985-86, with a levy which in real terms is about 30 per cent. lower than in that year. It is in that spirit that I commend the draft order to the House.

10.28 pm

Ms. Joan Ruddock (Lewisham, Deptford): May I be the first to congratulate the Minister on recognising the Government's past mistakes and welcome him to the ranks of those who believe that public transport needs more, not less, Government support? After years of striving to reduce public subsidy to London's transport system, the Minister has at last had to accept reality. LRT cannot be run as a profit-making machine. Even the increase in the grant which he is making, to £286·6 million, fails to provide for the real needs of London transport as perceived by Londoners and London Labour Members.

The Minister has given two reasons for the increase: first, to finance the improvements necessary to deal with increased passenger demand, and, secondly, to finance the recommendations in the Fennell report. I will return to both points in due course but, first, let me remind the Minister of his predecessors' views on public subsidy.

In 1985 the right hon. Member for Wallasey (Mrs. Chalker) said:

"our policies, which have already begun to deliver substantial savings for London ratepayers . . . are beginning to bear fruit. The outlook is that those savings will increase."—[*Official Report*, 12 February 1985; Vol. 73, c. 291.]

We have, however, a levy increased by 50 per cent. In 1986 the hon. Member for Hampshire, North-West (Sir D. Mitchell) said that LRT's aim was to secure better services and an improved passenger environment by reducing costs in all areas. He said:

"Cost cutting is the key to LRT's success."—[*Official Report*, 28 January 1986, Vol. 90, c. 902.]

Ever since LRT was delivered into the hands of the Government all the talk has been of unit costs and savings. The word "safety" did not pass the lips of the responsible Minister once in 1985, 1986 or 1987. Even last year after the King's Cross fire, the Minister boasted that the burden on London's ratepayers was being halved over three years. Not surprisingly, though, on that occasion he said that safety was paramount in all that London Underground did.

It took the loss of 31 lives to make the Government act. Yet the need for new investment to deal with the increase in passenger traffic and the continuing decline in rolling stock and rail network were apparent long before that tragedy. According to the Government's own figures, set out in the central rail study and quoted by the Minister tonight, the number of passengers using the Underground rose from 305,000 in 1980 to 415,000 in 1988. By 1987 many of the central London lines were already badly overcrowded, and the forecasts show that that overcrowding will continue to be a problem.

The increase in the use of the Tube and the chronic overcrowding are putting huge strains on the system, which is clearly suffering from the under-investment of recent years. If, however, the Government had maintained public financial support at an adequate level, a start might have been made on alleviating overcrowding, and the Government would not now be seeking such a dramatic hike in the rates levy. More important, safety would not have been put at risk through the cost-cutting and privatisation measures that the Government have forced on LRT.

Opposition Members strongly support public investment to improve safety standards, but we cannot approve of the mess that the Government have made of LRT funding and the cavalier way in which they now seek to pass the major burden on to the ratepayer. Londoners are having to pay twice over, first through the rates and then through the fares. In case the Minister has conveniently forgotten, fares last month went up by an average of 12·4 per cent., more than double the rate of inflation. The Minister is content for Londoners to pay more and more, despite the unprecedented level of public dissatisfaction with the services available.

Public transport users in London want higher staffing levels, yet staff numbers have gone down by 15,000 in five years. They want more transport police, yet—despite constantly increasing crime levels—numbers were allowed to fall until the Guardian Angels shamed the Minister into action. Most of all, people want to feel safe. Of course we welcome the allocation of money to meet the recommendations of the Fennell report, but without a debate on that report we can hardly be satisfied that the Government have learned the lessons.

I remind the Minister that in his report Mr. Fennell said that while it was

"clear on the evidence of Sir Keith that his Board did have proper regard to efficiency and economy . . . they did not impose the same criteria when it came to safety of operation".

Let me ask the Minister again: when do the Government intend to make time for a debate on the Fennell report? Will he explain tonight what conclusions he draws from the following statement in the report:

"There was a feeling among London Underground managers that the financial climate would rule out proposals to increase spending in certain areas"?

Has that financial climate changed? I think not.

The Minister could help us further by telling us when he intends to announce LRT's new objectives. Does he not share our concern that the LRT business plan predicts a further 2 per cent. increase in use of the Underground, but a 4 per cent. fall in bus use? Surely he ought to be looking for ways of maximising the use of bus services, given the chaos caused by the increasing use of private cars and the degree of overcrowding on the Underground.

Will the Minister tell us whether he thinks that existing objectives are being met? Just two weeks ago two Underground stations had no lifts or escalators in use, 11 had a reduced lift service and 48 had at least one escalator out of action. Altogether about a quarter of all stations were defective in terms of access or exit. Such circumstances are clearly dangerous, given the volume of passengers using the services and the numbers of incidents involving the fire brigade—which occur frequently.

I understand that between 1 December last year and the present date 253 fires have been reported in the Tube network, 53 serious enough to need the action of the fire brigade. I appreciate that there has been a change in reporting procedures and all incidents are now properly reported. None the less, those figures must be a cause for serious concern, particularly when we consider the new barriers which have been referred to this evening.

Tonight the Minister seeks, in his own words, to raise the levy on ratepayers to increase spending on safety measures following the King's Cross fire and to provide for higher investment to modernise the system and to increase its capacity. We endorse all those objectives, but they will not be completed in one year. The safety measures money is being spread over three years. This year ratepayers are being asked to contribute a dramatically increased amount, but the Minister has acknowledged that there will be a different story next year. With the poll tax there will no longer be a rate contribution towards the running of LRT. However, the contribution for 1989-90 is approximately £188 million.

Where will the extra money come from? I have asked LRT and it believes that it will come from the Exchequer. The Minister may be glad to grab that 65 per cent. from the ratepayers in 1989-90, but he will have to think again. We have no doubt that meeting the safety recommendations in the Fennell report and investing to improve London's public transport system demands a very substantial commitment from public funds. Will the Minister make it clear that he has accepted that, not just for 1989-90, when the King's Cross disaster is still fresh in our minds, but as an ongoing responsibility? The alternative, which would be consistent with the philosophy being pursued by the Government prior to the Fennell report, would be to load the Government's responsibility for investment on to the fare-paying passengers and to push LRT further down the road to putting profitability before passenger interests. That is what LRT users fear and what Opposition Members believe will happen.

The Government's about-turn on LRT funding tonight demonstrates that the House can have no confidence in the Government's ability to give proper support to the public transport system of this capital city.

[Ms. Joan Ruddock]

10.42 pm

Mr. John Hunt (Ravensbourne): My hon. Friend the Minister will know that the terms of the order will cause considerable dismay and unhappiness in the London borough of Bromley. I am sure that my hon. Friend the Minister will concede that over the years Bromley council has established a much-envied reputation for prudent spending and good housekeeping. However, by increasing the LRT levy by 50 per cent. this order will undoubtedly have a most damaging impact on our local rate calculations. It represents an additional burden for Bromley ratepayers of some £1·5 million and there is a similar pattern throughout the Greater London area. Unexpected external levies of this kind cause despair to those who carry the burden of looking after borough finances.

In the case of Bromley, despite my hon. Friend the Minister's remarks about the rate support grant this year, this levy comes on top of a grant settlement some £4 million lower than we had been led to expect and on top of an increase of 14·4 per cent. in the Metropolitan police precept. For Bromley's civic leaders, this levy is the proverbial last straw.

No doubt many of my hon. Friends will recall that my right hon. Friend the Minister for Local Government has said that he expects rate rises of not more than 2 per cent. this year, yet the LRT levy alone represents a 2 per cent. rate rise in Bromley. One is bound to question whether my right hon. Friend was aware of the impact of the LRT levy when he made his rate statement. If he was, he should in fairness have excluded the London boroughs from his general assessment, in view of the additional levy that they will have to bear. That is why there is a real sense of grievance and injustice in my borough and, I am sure, in many other London boroughs.

To draw another comparison, it is extraordinary that my hon. and learned Friend the Minister for Water and Planning has been arguing that the cost of environmental improvements in the water supply should be paid for gradually over a period of years, whereas the improvements required by LRT have to be met out of one year's revenue. Even acknowledging the point about profitability, there seems to be an element of inconsistency.

My hon. Friend the Minister and I have been corresponding on this subject. In his reply of 6 February he rightly said that the increased investment in safety measures and modernisation for the Underground network must be paid for—no one would quarrel with that—but in defending the levy and its function of maintaining a balance between central and local government funding my hon. Friend wrote:

> "I see no reason to alter the balance now and certainly no case for shifting the burden more onto taxpayers, the majority of whom only use LRT services very rarely."

He made that point again today. I suggest that that argument can be extended to support Bromley's case. As my hon. Friend the Member for Twickenham (Mr. Jessel) said in his telling intervention, areas such as Bromley and Twickenham do not enjoy any Underground service so our ratepayers have to carry part of the burden of providing the service mainly for other people. That is part of the reason for the resentment of the levy in boroughs such as Bromley.

I hope that my hon. Friend will take note of our concern and pay heed to the strong feelings in Bromley council and many other councils in outer London, and I hope that he will be able to offer us some hope and reassurance.

10.47 pm

Mr. Nigel Spearing (Newham, South): I want to take up a point made by the hon. Member for Ravensbourne (Mr. Hunt) with whom I have some sympathy—although, remembering the famous court judgment of some years ago, what has happened may have turned out to be poetic justice for Bromley's councillors, if not its ratepayers.

I agree with the hon. Gentleman that a 50 per cent. rate increase is steep. Will the Minister now intervene to tell us why he pretended that the rise was not one of 50 per cent? That claim took my breath away, and if he does not believe that he made it, he should read *Hansard* tomorrow.

On top of the 50 per cent. increase, fares have gone up by twice the rate of inflation. At the start of this year they rose by 12 per cent., which compares with a cost-of-living increase of about 6 per cent. The Government, who are proud to say that they are against inflation, have deliberately inflated fares—and rate support—in London. I do not see how the Prime Minister, herself a London Member, can square that with her policies——

Mr. Corbyn: She does not use the Tube.

Mr. Spearing: I was thinking of asking the right hon. Lady a question about the fact that passengers travelling from Finchley Central have to pay 50p to go between one stop and the next. Perhaps people in Finchley can afford that. If my constituents go from West Ham or Plaistow station to St. Andrew's hospital at Bromley-by-Bow, they have to pay 50p. If one is taking two or three people who do not have a travelcard, it costs £2 before you know where you are. That is wrong. There should be a fair scale of relatively reasonable fares for short stops for shopping or visiting hospitals in the suburban areas. To ask ordinary people to pay 50p for one stop is ridiculous.

It might be said that people could take the bus, but while there sometimes are bus services in the right direction, more often there are not. Trains can carry large numbers of people economically. Furthermore, the Minister said that the Government would get rid of the monolithic system of bus services in London so that it could serve the customer better. I see him nodding his head. Is he not aware that the London General Omnibus Co., which was the major supplier from about 1910 onwards, was a large single organisation? From 1933 onwards, with the agreement of both parties—the system was brought in by Herbert Morrison and continued by the Tories who succeeded him—we had a London Passenger Transport Board which was just that. I am not going to say that it was perfect, but the system was much better than what we shall get, which is 11 different firms, competing with each other, and facing competition from others. In the rest of the country in the 1930s, buses and men ran themselves into the dust, and competition and safety did not go together. I fear that we shall get that in London.

A few months ago, there was a strike at West Ham garage. The men had already been asked to drive longer distances over longer hours for the same pay. They would not put up with it. That strike is a harbinger. LRT—or is it London Buses Ltd.: I am not sure who is in charge—has

announced that it will get rid of all London wage bargaining. That is for only one purpose—to reduce the wages bit by bit because of competition. This is what Tory Members voted for when they voted for the London Regional Transport Act 1984. They also voted for these higher rates.

There will probably be more minibuses. They are all right, but they will be in competition. Some of the routes are changing over immediately, and I do not think that they will be more efficient. What was one of the finest transport systems in the world will be broken up. I see the hon. Member for Eltham (Mr. Bottomley) is shaking his head.

The Minister for Roads and Traffic (Mr. Peter Bottomley) *indicated dissent.*

Mr. Spearing: I withdraw that. The Minister was not disagreeing with what I said. He will remember that a lot of his constituency transport is based on the old London county council tramways, which formed one of the best municipal services in the world.

We are all agreed on the need for safety, but the Government pay only lip service to it. At the time of the Clapham crash, I asked the Secretary of State for Transport what was happening in the signal department of the London underground system. I understand that LRT has gone in for the bidding process. I wrote to the Minister for Public Transport, and he replied to me on 25 January, saying:

"I understand, nevertheless, that the control of signalling equipment procedures remains as strict as ever under the new arrangements and that safety standards are in no way compromised."

However, the financial climate under which the signalling staff of LRT work has changed. The term "financial climate" was very much to the fore in the Fennell report.

A change in the long-standing arrangements for organising the signalling of the London Underground can only disrupt what has been there before and bring safety into question. I do not understand how introducing these methods of internal bidding can maintain the same systems of safety. The Minister may have his reasons for maintaining his position, but the climate is now different.

I have argued with LRT about the single manning of the old Tube trains. I am leaving out the Victoria line because that was purpose built. Is it right that there should be only one person aboard a Tube train? I think not. Time and again, I have disagreed with London Underground when it has said that the leap-frogging safety procedure on one-person-operated lines is safe. I hope that no accident arises from that continuing risk.

Let us consider station staffing, particularly in the light of the Fennell recommendations. Fennell said that there must be emergency procedures at every station. I should have thought that, if there is an emergency at a station, the first thing that one would ask is how many people should be there. According to the Fennell report, it was stated that, for safety reasons, there must be a minimum number of personnel at each station. That is where we start. I fear that there is a tendency for London Underground to allocate a certain number of people and then say, "Given that number of people, let us work out the emergency procedure." If that is so, it is wrong. It is, to quote that famous phrase, the wrong financial climate in which to encourage safety.

I hope that the House will be able to debate the Fennell inquiry, as there was a major lacuna in the report. As I recall it, Mr. Fennell did not take any evidence about the influence of the financial regime on safety and the operation of the railway. He specifically said that he would not take evidence on it. Yet, in his conclusion, he said that he did not receive any evidence that suggested that the financial climate had a bearing upon the disaster.

That is my understanding of the matter. No doubt, the Minister, Mr. Fennell, or London Transport will correct me if I am wrong. I have every reason to believe that there was no opportunity for that evidence to be laid. Matters surrounding the Fennell inquiry must be cleared up once and for all, and, I hope, before the debate takes place. Perhaps that is one of the reasons for the reluctance to mount it.

All hon. Members, particularly hon. Ladies, know why Londoners are dissatisfied with the reduction in station staffing. Yet, even after the Fennell inquiry and the King's Cross disaster, London Underground is now introducing a scheme called "action stations", which is a reduction of staff in some outer stations. Those stations may not be underground, but we must remember what happened on the Bedford line not long ago. The reduction of staffing beyond a point of wisdom encourages people to be up to no good. A note that I have received today from London Underground contains weasel words. It states:

"The 'Action Stations' scheme for outer London stations is presently the subject of an adjudication by the Wages Board."

In other words, there has been an industrial dispute. It goes on:

"Both the trade unions and ourselves await their judgment. We will then consider how to proceed. This scheme involves fewer, more flexible, more responsive and better motivated staff. No compulsory redundancies are envisaged. The aim is to provide a better service to the passenger and a more satisfactory job for staff."

That covers up a reduction in staff, which is extraordinary in the current climate. How are we to get better-motivated staff by cutting numbers? I suppose that it is just about possible, but certainly not in the current climate.

I move on from "action stations", because it deals with outer-London areas, to what I understand was a possible scheme for central London. London Underground went on:

"There is no intention to replicate Action Stations scheme in Central London. No 'plan' to change station staffing arrangements there exists. However we constantly review our procedures against the yardstick of what passengers expect in terms of service. Station staffing arrangements are no different in this respect."

I can tell London Underground and the Minister what the public expect. They expect more staff in central London stations. They expect them to be back to the sort of standards that we had not long ago before the cuts. That is what the public expect and what I believe the House requires.

10.59 pm

Mr. Jeremy Hanley (Richmond and Barnes): Millions of Londoners are waking up to the reality that more and more roads in the urban environment are not the answer to the problems of traffic in London. The problems of traffic are caused by an unprecedented demand in rail, Tube and road use, coupled with a further massive demand in the use of aeroplanes. Those are the symptoms of a healthy and expanding economy. In the Greater

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London area there is almost full employment and many individuals have higher disposable incomes. The massive switch to public transport is due not only to the healthy economy, which has been the result of the Government's efforts, but to the saner policies of London Regional Transport in recent years as well as the Government's policies towards LRT.

I fully accept that there are people around the Greater London area who feel that the local subsidy is unfair. I accept, as my hon. Friend the Member for Ravensbourne (Mr. Hunt) said, that the Bromley ratepayers have felt over the years that they have been beleaguered by London Transport, and those feelings culminated in the famous court case. That court case was probably the tip of the iceberg. It showed dissatisfaction and bewilderment with the policies of London Transport as run by the GLC. In recent years it has ceased to be a political football, which I believe is one of the reasons why more and more people are using the service. I can understand, however, why the people of Bromley feel hard done by. They are ill served by the great network which is LRT, and it appears that they will be ill served by any increases in service. Nevertheless, a growing service will eventually reach all parts of London, and I hope that it will be a substitute for increased car use.

In talking about subsidy, we must remember that, of revenue expenditure on LRT, 75 per cent. of bus expenditure and 85 per cent. of Tube expenditure this year comes from fares, so those who use the system are actually paying a high proportion of the costs involved. The balance comes from the levy. The majority of the remaining expenditure for capital investment comes for capital investment, from the levy and the balance from the Government.

My hon. Friend the Member for Ravensbourne asked what is so urgent about the capital expenditure planned for the next two or three years. Frankly, I know of nothing that is more urgent than to maintain the safety of 2·5 million people travelling every day. I do not believe that we can compromise with safety. The Fennell report ordered urgent action, which meant urgent costs. I believe that the incurring of those costs is for the benefit of all and that we must pay them. In addition, we must pay to improve the service to maintain the extra numbers of people who choose to use London Regional Transport every day. Underground services have been increased in a way that we never thought possible. The purchase of 16 additional trains at a cost of £45 million is bound to ease the overcrowding that we now have on five lines.

Why is there overcrowding? Is it because we have cut services, as the GLC in its dying throes said that we would? On the contrary, we have increased services. It is because of increased demand—and increased demand must be met by increased expenditure.

Mr. Tony Banks: Will the hon. Gentleman give way?

Mr. Hanley: I have only a short time. I am sure that the hon. Gentleman will be making his own excellent speech in due course.

Overall, a 5 per cent. increase in the level of service on the Underground is planned for next year. That will be achieved partly by increasing the number of scheduled trains and partly by reducing train cancellations. Better management will have—and is already having—a positive effect on the success of LRT today. Bus services must become more reliable, trains less crowded and average waiting times shorter. Unless that happens, demand for car use will increase and that is the way to disaster. People already complain about the unacceptable congestion on inner London roads. My hon. Friend the Minister for Roads and Traffic is present. He knows that I believe that there must be an acceptable level of misery on London roads because improved traffic flow would merely suck in more and more cars, causing greater traffic density and further blockages. We need to increase bus and Underground use.

It has been said that fares have increased by double the rate of inflation, but even after allowing for inflation LRT fares have fallen well behind London wages since 1980 and in that respect are no higher than they were then. One must not match fare inflation with general inflation, pick out a particular statistic and then claim that we are hard done by.

London Buses is the Cinderella of the LRT network. During the GLC abolition campaign posters went up saying, "Come on in No. 9—your time is up." The No. 9 bus serves the northern part of my constituency. I am proud to say that it is still running despite the problems with Hammersmith bridge and I use it regularly, although, of course, it could be better.

Mr. Frank Cook (Stockton, North): The hon. Gentleman uses Hammersmith bridge?

Mr. Hanley: Yes, I use it regularly, so perhaps I am partly to blame for the damage.

The London bus network has been maintained and during the past few years there have been no major route cuts. Frequent midibus services operate around London, which are extremely popular, and in those areas where they operate more people choose to travel by bus than ever before. Bus miles have increased and are planned to increase by a further 4 per cent. in the coming year.

One poster used during the GLC abolition campaign said that pensioners would lose their concessionary fares, but that has not happened. I remember that in Committee the majority of Conservative Members present voted in favour of concessionary fares and subsequently the Government agreed not merely to accept concessionary fares for a short time but to entrench them in statute to protect London pensioners in a way never contemplated by the Labour party.

Mr. Corbyn: Will the hon. Gentleman give way?

Mr. Hanley: No.

I remember the misery of the hon. Member for Kingston upon Hull, East (Mr. Prescott) when he realised that London pensioners would be grateful to the Government and that the Government were about to reverse the lie that had been put about by the GLC scaremongers.

London Buses had established CareLink between main line stations and has converted all its AirBuses so that they are equipped for wheelchairs. Dial-a-Ride facilities have increased dramatically and a further £1 million invested last year means that £7 million has been invested in the service. Since 1985-86, investment in that service has increased by more than 40 per cent.

Why are buses still considered unattractive alternatives to the Underground? It is because of illegal parking. My

hon. Friend the Minister for Public Transport must grasp this nettle quickly. We need to ensure that local authorities are better funded so that they can deal with illegal parking. We must have a better parking warden system and everything must be done on the major routes to end such parking, which is the major cause of delays to London's buses.

There are now 4,100 one-person operated buses and 600 Routemasters. The OPOs have not been universally popular and I am glad that LRT has been sensitive enough to retain Routemasters where they have a clear advantage over the OPOs. But the OPOs are more reliable than Routemasters because only one member of staff is needed before they are taken out, they are warmer because the doors close and they are safer because people do not drop off the back of the bus as they used to do in the old days. London Buses thus maintains a healthy network and a healthy list of equipment.

In regard to investment in LRT this year, £236 million will go to London Underground, £70 million to Docklands, but only £25 million to buses. Yet 80 per cent. of cars crossing London bridges contain only one person. That must be mad. Clearly people travelling in cars should be encouraged to travel in vehicles carrying many more people. If they need to be encouraged by ticketing, road pricing or fining, so be it, but the best way to encourage them would be to have even more attractive, flexible and fluid routing on London Buses.

Finally, we have deregulation throughout the country, but we do not have deregulation in London. A date in the 1990s has been set. I believe that London Buses deserves and needs a fixed date to be able to work towards deregulation in London.

Demand on London Regional Transport fell by 25 per cent. in the late 1970s and early 1980s under the GLC, and, as the hon. Member for Lewisham, Deptford (Ms. Ruddock) has said, it has risen by 50 per cent. in the past few years. The hon. Lady, while agreeing with a great deal of what my hon. Friend the Minister said, again used transport and the deaths of individuals as a political football. She misquoted the Fennell report which states:

"There is no evidence that the overall level of subsidy available to LRT was inadequate to finance necessary safety-related spending and maintain safety standards".

In other words, it is not because the Government have not invested—it was partly because of failures at every level in London Regional Transport, which have now been put right, but the main reason for the fire was a genuine accident, although that may be unpalatable to those looking for a political scapegoat.

I am proud of the Government's investment in London Regional Transport. I believe that ratepayers in London want an ever better system and that the proportion of ratepayers' and central taxpayers' money spent on transport is basically fair. Nobody wants to pay more rates, but the system benefits mainly Londoners and Londoners should be proud to pay for it.

11.12 pm

Mr. Simon Hughes (Southwark and Bermondsey): I do not complain that the subsidy this year has increased by 50 per cent. That is because the subsidy has been considerably less during the past two years. But the subsidy of nearly £290 million this year is less than the subsidy in 1986 which was £295 million or in 1985 when it was £325 million.

I agree with the hon. Member for Lewisham, Deptford (Ms. Ruddock) and I disagree with the hon. Member for Richmond and Barnes (Mr. Hanley). It is the King's Cross fire which has produced the extra subsidy from the taxpayer and the ratepayer. If the Minister does not accept that, I quote back at him part of his own letter to London Members of Parliament earlier this month, much of which he repeated tonight:

"There are 2 main reasons why the grant to LRT and the associated levy on London's ratepayers needs to be increased in 1989-90:"

The first

"is increased spending on safety measures following the King's Cross fire".

He goes on to explain that:

"The Government has made full provisions for the £266 million sought by LRT for this purpose over the next 3 years and of this some £80 million will fall in 1989-90."

Only now have the Government recognised that safety and security have to be paid for and it is disgraceful that that was not recognised in the past. Therefore, I do not believe that the public in London will complain that more taxpayers' and ratepayers' money has to be contributed towards it. The Department of Transport's statistics confirm that revenue support in 1987-88 was only a third of the support of 10 years ago. Central Government have been regularly reducing revenue and ratepayer support rather than increasing it. That this year a small alteration in this pattern has taken place is almost entirely because of the King's Cross fire.

It appears from LRT's business plan, however, that the support is still not enough. First, it was calculated that inflation would be 4 per cent., and it seems that it is now more likely to be 7 or 8 per cent. Secondly, LRT states that the costs of safety improvements may be subject to underestimates. Thirdly, it says that the costs of the outcome of the central London rail study have not been taken adequately into account. Those are sums for the future and sums for now. The probability is that even LRT's needs, as it has assessed them, will not be met. As a result, we shall not be coping with passenger demand adequately. We appreciate that that demand is increasing, and that is good because passenger transport should have substantially greater use, but the possibility is admitted in the business plan that no visible improvements will be made to customer service, even with the increased sum that is to be granted.

The reality is that passengers are being made to pay. They have just been asked to pay, on average, 12·5 per cent. more in fares. Many passengers are paying a substantially greater increase than that. Those who use monthly travel cards for the central and inner zones have to pay nearly 19 per cent. more per year than hitherto. The Government are still saying, however, even with the increase in grant this year, that it is principally passengers who should meet the cost of improvements. Even capital investment will have to be paid for by the passengers. Central London rail study implications and east London rail study implications are likely to be funded substantially by passengers.

I think that the Minister will confirm that passengers contribute more than two thirds of the cost of travelling on LRT. Between them, the taxpayer and the ratepayer contribute less than a third, which is in turn divided two thirds to the ratepayer and one third to the taxpayer. I have only one appropriate comparison but there are others. In Paris, passengers pay 34 per cent. of the cost of

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travel. That is more as it should be. If the capital has a good transport system, the nation is well served. The capital has to work well, and to work well it must travel well. That is an argument that the Government have always used.

It is also inappropriate for the Government to claim that there is adequate investment when in all their plans and projections they look increasingly to the private sector for that investment. The same policy does not apply to the road system. Announcements have been made of improvements to the A13 and the north circular, for example. The roads are enjoying substantial public sector investment but the railways, the Underground system and the buses are not. I endorse the argument of the hon. Member for Richmond and Barnes that the buses especially are still the Cinderella service. I ask the Minister seriously to take into account that buses are not receiving anything like the investment that is needed in London.

Some areas of London are not served by the Underground system. Areas such as my constituency are not generally served by it. Southwark is an area that relies almost entirely on the buses, but it is the Underground system, because of the King's Cross disaster, which is receiving the greatest share of increased subsidy and investment, not the buses.

There is also not sufficient strategic planning for LRT. If the Government are seeking increasingly to cut public subsidy and to look to the private sector, new facilities will be built and provided that the private sector wishes to fund. That is not the way strategically to plan London's transport. I do not begrudge some of the potential initiatives. I am not against the proposal of a line from Waterloo to the Isle of Dogs to be funded privately, or partly privately, but that is not strategic planning. That is responding to a specific interest by a specific private sector developer.

Against this background, congestion will worsen. Congestion is self-generating. The Tube platforms become full and the train doors cannot shut as too many passengers try to enter the carriages. The delays are longer and there are therefore fewer trains, so more passengers wait on the platforms. Above ground, buses go slowly, then cars pile up and then the roads become full, so people decide that they will not go by bus because the buses go slower and the average speed is reduced. The whole process is cyclical. We must cut through the traditional reduction of the role of public transport.

The situation will also become far worse with the implications of the Channel tunnel. As passengers disgorge at Waterloo, King's Cross, Stratford or wherever, there will be 5 million, 10 million or 15 million extra passengers and we clearly must have the capacity to deal with them. The increase in the use of public transport in London by people outside London, as well as the development in the East End, means that we need substantial public investment now if our capital city is not to grind to a halt in all respects in the 1990s.

Mr. Chris Smith (Islington, South and Finsbury): Will the hon. Gentleman give way?

Mr. Hughes: I shall finish in a moment, so I shall not give way because I want to allow other hon. Members to speak.

The Government have no strategic planning. The central London rail study reports one week and the east London rail study is commissioned the next. In places such as my constituency, we still have poor public transport. It is no good having as the answers a little bit of investment one year, a central London rail study to deal with central London congestion and an east London rail study to deal with prospective growth in the East End in the next. Many parts of London are not affected by those area planning projects. South-east London, which has been a transport white hole for a long time, hardly benefits at all according to any of those plans. We really need to have a better, coherent, integrated transport policy for London. That will require—in the interests of the country as a whole, as well as the capital city—substantially increased public investment. It is no good saying that we have 50 per cent. more investment this year and to be apologetic about it. The Government should not be apologetic. We need the investment. The taxpayer and the ratepayer should be asked to pay and will willingly pay if they see the benefits of that investment in the capital's daily transport service.

11.22 pm

Mr. John Bowis (Battersea): The levy and the debate are about the level, the standard and the safety of the service. Many hon. Members have referred to safety, as is right. "Salus populi suprema lex"—people's safety is the highest law—is the old legal maxim. That is right in the context of the Fennell inquiry and report into the King's Cross fire. No hon. Member would begrudge the money being spent to put right some of the dangers that have been identified. I welcome the steps that have been taken to put that right. My questions relate to how that is to be paid for, who pays and who benefits.

A great irony arises from the fact that within the past year we have had two transport disasters within the London boroughs area. One was at King's Cross and the other at Clapham junction, in my own constituency. The irony relates to the inquiry that is looking into the Clapham junction disaster and will come up with recommendations. Each of them will, I hope, be agreed by the House and put into practice by the powers that be. But they will not be a burden on the ratepayers of London, but spread across the taxpayers of the country. To a considerable extent, the King's Cross recommendations are to be a burden exclusively on the London ratepayers. Sixty-six per cent. of the costs of safety measures will be a burden on London ratepayers, yet the people using London transport come from a wider area, as several of my hon. Friends have pointed out.

If one stands any morning at Waterloo station, one sees people coming in from Reading and Reigate, Epsom and Esher and pouring down the holes in the ground. Of course, if they go on the Drain to the City, they are on a British Rail line which is paid for by the taxpayer, but on any other line they pay the same fare as the Londoners travelling, but benefit from the extra subsidy that Londoners are paying through their rates towards the cost of the Underground and bus services. That is what some of us feel is a little hard to swallow. But even if I swallow hard and say that that is acceptable on the ground of safety, when I look at the figures—£190 million increasing to £287 million and a rate levy of 6p in the pound to 9p in the pound—I realise that that is a 50 per cent. increase in the cost to my constituents. Fifty per cent. and there has

been no warning, no consultation, no explanation and no justification. If local authorities wanted to increase rates by 50 per cent. the whole House would rightly go mad.

Many of my hon. Friends, and especially my hon. Friend the Member for Richmond and Barnes (Mr. Hanley), have suggested that there are good reasons for major investment and I do not disagree with that, but if we are to have a 50 per cent. increase in the levy, I want to see something approaching a 50 per cent. increase in the service. However, all that London Regional Transport boasts in its plans is a 5 per cent. improvement in its Underground service and a 5 per cent. increase in the bus mileages to be covered in the coming year. And, lo and behold, it also boasts that no major routes will be withdrawn. Although I am sure that we are all pleased about that, that is not quite the 50 per cent. increase for which we had hoped.

Of course, major routes are to cross London and go out to docklands and so on, but 90 per cent. of the area that I represent does not have an Underground service. As anyone who travels through it knows, it is the place where one starts to slow down when driving into work. It is the area in which we want to get people off the roads and on to public transport, but we cannot put them on the Underground because there is no Underground link connecting with Clapham junction. That is something on which I should like London Regional Transport to come forward with plans. I do not ask for it to happen tomorrow or under this year's plan but only that it should come about in at least a few years' time so that hon. Members can look ahead and say to our constituents and commuters, "Yes, there is a plan and in the course of time there will be schemes to link the Chelsea-Hackney line to Clapham junction so that we can then link it further south."

I do have one little Underground line in my constituency. It is the black line, in fact the southern end of the Northern line. All the reports that I have been reading have stated that that is the one bit of the Northern line that cannot be improved. However, it could be improved if we could take some of the passengers off it. If one took the link down to Clapham junction and extended it to the southern end of the Northern line, one could improve even that line and make life more bearable.

My hon. Friend the Member for Richmond and Barnes painted a happy picture of his borough with buses all over the place, although I gather that people occasionally fall off the back of them. My hon. Friend is proud of the No. 9 bus. All I can say to him is that if he comes across a No. 9, perhaps he will send it back to Battersea because we do not see them very often there.

I want a better bus service. I want one that is flexible enough to cope with the occasional disaster like the closing of Battersea bridge so that buses can be fed and people can walk across the bridge to board a bus at the other side. That does not happen at the moment. The buses are sent all round the park and people have to walk half a mile to get a bus to get to their jobs. I want a bus service that is flexible enough to allow Hoppa buses to cope with the developing areas of my part of London and buses that can go down those streets where the Routemasters and the one-person-operated buses cannot get because of low bridges.

Tonight I am issuing a challenge not to the Government, but to London Regional Transport. I challenge its officials to get from behind their desks in Broadway and look at their map. If they do so, they will see a wiggly blue line at the bottom. It is not the English channel; it is the wiggly blue line beyond which London Regional Transport rarely travels. It is the boundary of the river Thames. All that I ask is that the second, the lower, the southern half of London is given a chance in the investment made by London Regional Transport, especially in Underground services, but also in bus services. If London Regional Transport puts us on its drawing board, we shall put it back on our giving list next Christmas for an increase in the levy.

11.28 pm

Mr. Harry Cohen (Leytonstone): The hon. Member for Battersea (Mr. Bowis) is right that the increase in the levy is not justified. I oppose the 50 per cent. increase imposed upon London ratepayers to pay for an unaccountable Tory-run quango. I say "Tory-run" because the new chairman is a failed Tory candidate, carrying out the same failed Tory transport policies as his predecessors. The Government are presiding over an increasingly run-down, deteriorating and dangerous service for which London commuters and travellers are being asked to pay more and more.

I draw attention, on behalf of the bus users in my constituency, to the new yellow bus fare zone that has been imposed across Leyton. I wrote to LRT about it and was told in a letter that the extra zone

"is not restricted to passengers from your constituency . . . I recognise the fact that they have enjoyed relatively low-priced travel for some years in the past."

LRT could have fooled my constituents that it was low-priced travel, although they enjoyed that brief period when the GLC cut fares substantially, before the Government blocked that move and increased the fares again. The letter went on:

"I recognise that that will be of little consolation now to those who have had to pay what is effectively a 'catching-up' rise this time. I am afraid that these changes are necessary if we are to meet our financial targets."

Those targets were, of course, imposed by the Government. We are talking in this case not just about a 12·5 per cent. fare rise imposed by LRT on top of the annual inflation increase, but an additional rise for local residents who cross that yellow zone line. It means that residents of Leyton pay four times for worse services as staff are sacked and roads become increasingly congested. Under the levy order they are having to pay a rates increase of 50 per cent., a 12·5 per cent. fare rise and an additional amount for the yellow zone. I protest most vigorously about that.

Mr. Corbyn: My hon. Friend the Member for Leyton (Mr. Cohen) and I, along with my hon. Friends the Members for Islington, South and Finsbury (Mr. Smith) and for Newham, North (Mr. Banks), served in 1984 on the Standing Committee which considered what became the London Regional Transport (Amendment) Act 1985. We fought that measure line by line and everything that my hon. Friend the Member for Leyton predicted has come to pass. He predicted that the Government's proposals would result in a worse service and higher fares, leading to the sort of problems and chaos that now exist. He was far-sighted in 1984 and he is right again tonight.

Mr. Cohen: My hon. Friend can intervene whenever he likes if he compliments me in that way. I wish that my

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predictions had not become reality. London's travellers would benefit if we did not have a regime which imposed those sort of burdens on them.

Like many Londoners, I regard the new automatic barriers at Underground stations as unsafe, especially after the King's Cross fire, and inconvenient, particularly for women with prams and people carrying luggage. The Minister referred to consultants having been appointed to look into the matter. Who are they? Nobody has heard of Mott McDonald. Perhaps they have been used by LRT to do a little whitewash job in the past, and now they are being used for a big whitewash job. Even while that exercise is in progress, 118 barriers are being installed and other stations are having exits blocked. It looks very much like a PR fraud and I warn the Minister that we will be watching the situation closely.

Mr. Tony Banks: I commend my hon. Friend for campaigning so vigorously against the ludicrous barriers that are now being installed in the London Underground system. They seem to have been designed by a man carrying nothing but a newspaper under his arm. People carrying packages in both hands find it virtually impossible to pass through. They were designed by a cretin and LRT must think we are cretins if it believes we are going to carry on using them.

Mr. Cohen: My hon. Friend makes an excellent point, and represents the view of London travellers.

The Minister should have the decency to require of London Regional Transport publication of the fire and health and safety reports for every station where automatic barriers are installed. We have a right to know whether those stations are safe, and what the fire and safety experts have to say about them. That information would contribute to the public debate, and might allow changes to be made. It is immoral of the Government not to publish those reports.

Last week, I asked for a speedy answer to my question about the cost of installing automatic barriers. I hoped to receive that answer by today, but I suspect that I shall receive it tomorrow—long after this debate has ended. I suspect that the cost of installing that wasteful system runs into millions of pounds—and London ratepayers will be charged 50 per cent. of that expense. What a scandal that is.

A "World in Action" programme a couple of weeks ago described going into the Underground as being like a descent into hell. But apart from the discomfort, there is danger there—with many serious accidents and even death a likely consequence of the overcrowding which has been caused by underinvestment and the lack of co-ordinated planning over the years.

Another element in overcrowding is the Government's employment policy. They have sold out to the land and property speculators in the suburbs, so that factories that used to provide local employment have closed down, with the people who used to work there being forced to travel to London to work. As Government policy contributes to overcrowding, the Government ought to pay to overcome it, and not compel London ratepayers to do so.

Mr. Hugo Summerson (Walthamstow): I am sure that the hon. Gentleman will wish to give the Government credit for re-equipping the Central line, which serves his constituency, at a cost of £700 million.

Mr. Cohen: I give the Government credit for nothing in respect of their transport policy. It has not been particularly good for the Central line. The hon. Gentleman should have used his minute to talk about the escalators at Walthamstow Central station, which have not operated for months on end.

Mr. Chris Smith: Will my hon. Friend reflect not only on the Government's delay in making much-needed improvements to the Central line, but the total absence of any progress in improving the Northern line—which is the real Cinderella of the system?

Mr. Cohen: There are problems facing all lines, as they suffer from chronic underinvestment over the years, for which the Government must take responsibility.

The order concerns ratepayers, and the Conservatives should be known as the party of high rates. That is what they are. They have cut rate support grant by about £24 billion, forcing rates up in borough after borough. On 15 February, the House discussed business rates, and the newspapers carried headlines such as

"Ridley defends steep rate rises".

Some businesses face a 193 per cent. increase in their rates over five years.

Mr. Corbyn: In addition to the Conservatives being known as the party of high rates, they should be known as the Government of central diktat. London local authorities have lost the opportunity to make any serious decisions on planning issues. Once a year, we are allowed to spend one and a half hours in the middle of the night debating a vital issue such as transport. That makes a nonsense of democracy and of participatory planning.

Mr. Cohen: I agree completely that we do not get a proper opportunity to make London Regional Transport accountable.

The Tories are the party of high rates. Putting 50 per cent. on to the burden for ratepayers is conclusive proof of that. Even the leader of Bromley council, Mr. Barkway, said that the move was absolutely outrageous. There is fury in all camps. How can the Government make a statement that the rates can only go up by 2 per cent.? The Department of the Environment is clearly not aware of what the Department of Transport is planning. How can the Government allow this to go on without consultation? It shows the fraud that the Government have perpetrated on ratepayers over the years.

Conservative party members in my borough went out with hard-pressed ratepayers to demonstrate when the rates were forced up a couple of years ago because of the huge penalties imposed by the Government. They sponsored demonstrations in many cases. Yet here we have Conservative Members supporting rate rises. The Conservatives are the party of high rates. They should not be allowed to get away with such hypocrisy.

Mr. Tony Banks: Can my hon. Friend imagine what the position would have been if the Greater London council had gone for a 50 per cent. increase? The debate would not have been reduced to one and a half hours at this time of night; it would have been blasted across all the newspapers

—not just the London newspapers but the national newspapers. This is what has replaced the GLC and democratic debate. It is a load of rubbish and a farce. I am grateful to my hon. Friend for pointing that out in his speech, which I hope will last at least another three minutes.

Mr. Cohen: My hon. Friend has made a good point. The director of finance in Waltham Forest has said that the rise will mean that ratepayers will have to contribute an additional £980,000. One reason, suggested perhaps cynically, is that 1989 is the last opportunity for London ratepayers to be asked to contribute towards LRT's costs, as no levy is to be made in the future. The Government are soaking London ratepayers when they can get away with it. Next year they will soak poll tax payers, albeit in a different way. They will take away the grant from local authorities and the poll tax will be higher and higher.

The Government have pretended that it is a question of safety, but safety has been a low priority for the Government year after year. That was clear in the wake of the King's Cross fire. The Government have not been putting in a proper contribution. They are still not contributing enough to make up for the years of cuts and neglect of London's transport system.

The Tories should be known as an anti-ratepayer and an anti-public transport party in London. That is why I oppose the levy. It is an imposition that should not be put on London ratepayers on top of the recent fare increases. We need more than one short debate to make that known to the people. Transport will become a vital issue in local elections and in the next general election. It will be a contributory factor in sweeping the Government out of office. It will be one of the few things that moves the Government. If the transport system——

It being one and a half hours after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 14 (Exempted Business):—*

The House divided: Ayes 106, Noes 10.

Division No. 114] **[11.43 pm**

AYES

Alexander, Richard	Carttiss, Michael
Alison, Rt Hon Michael	Cash, William
Amess, David	Chalker, Rt Hon Mrs Lynda
Amos, Alan	Chapman, Sydney
Arbuthnot, James	Chope, Christopher
Arnold, Jacques *(Gravesham)*	Coombs, Simon *(Swindon)*
Ashby, David	Day, Stephen
Atkinson, David	Durant, Tony
Baker, Nicholas *(Dorset N)*	Eggar, Tim
Batiste, Spencer	Fallon, Michael
Beggs, Roy	Favell, Tony
Bennett, Nicholas *(Pembroke)*	Fishburn, John Dudley
Boswell, Tim	Forman, Nigel
Bottomley, Peter	Forsyth, Michael *(Stirling)*
Bowden, A *(Brighton K'pto'n)*	Forth, Eric
Bowis, John	Fox, Sir Marcus
Brazier, Julian	Franks, Cecil
Brooke, Rt Hon Peter	Freeman, Roger
Burns, Simon	Gale, Roger
Burt, Alistair	Garel-Jones, Tristan
Butler, Chris	Gill, Christopher
Butterfill, John	Greenway, John *(Ryedale)*
Carrington, Matthew	Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*	Porter, David *(Waveney)*
Hanley, Jeremy	Portillo, Michael
Hargreaves, Ken *(Hyndburn)*	Powell, William *(Corby)*
Harris, David	Raffan, Keith
Hayward, Robert	Redwood, John
Heathcoat-Amory, David	Sackville, Hon Tom
Hughes, Robert G. *(Harrow W)*	Shaw, David *(Dover)*
Hunt, David *(Wirral W)*	Shepherd, Colin *(Hereford)*
Hunter, Andrew	Shersby, Michael
Irvine, Michael	Smith, Tim *(Beaconsfield)*
Jack, Michael	Stradling Thomas, Sir John
Johnson Smith, Sir Geoffrey	Summerson, Hugo
King, Roger *(B'ham N'thfield)*	Taylor, Ian *(Esher)*
Knapman, Roger	Taylor, John M *(Solihull)*
Knowles, Michael	Thompson, Patrick *(Norwich N)*
Lawrence, Ivan	Thurnham, Peter
Lightbown, David	Twinn, Dr Ian
Lord, Michael	Waddington, Rt Hon David
Lyell, Sir Nicholas	Walden, George
Macfarlane, Sir Neil	Waller, Gary
Maclean, David	Wardle, Charles *(Bexhill)*
McLoughlin, Patrick	Wheeler, John
Mans, Keith	Widdecombe, Ann
Maples, John	Wilkinson, John
Mayhew, Rt Hon Sir Patrick	Winterton, Mrs Ann
Mills, Iain	Winterton, Nicholas
Neubert, Michael	Wood, Timothy
Nicholls, Patrick	Yeo, Tim
Norris, Steve	
Paice, James	Tellers for the Ayes:
Pattie, Rt Hon Sir Geoffrey	Mr. Stephen Dorrell and
Peacock, Mrs Elizabeth	Mr. Alan Howarth.

NOES

Banks, Tony *(Newham NW)*	Parry, Robert
Barnes, Harry *(Derbyshire NE)*	Pike, Peter L.
Clelland, David	Spearing, Nigel
Gordon, Mildred	
Loyden, Eddie	Tellers for the Noes:
McAllion, John	Mr. Harry Cohen and
Mahon, Mrs Alice	Mr. Jeremy Corbyn

Question accordingly agreed to.

Resolved,

That the draft London Regional Transport (Levy) Order 1989, which was laid before this House on 19th December, be approved.

STATUTORY INSTRUMENTS &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments &c.).

NORTHERN IRELAND

That the draft Laganside Development (Northern Ireland) Order 1988, which was laid before this House on 25th October 1988, in the last Session of Parliament, be approved.

That the draft Nature Conservation and Amenity Lands (Amendment) (Northern Ireland) Order 1988, which was laid before this House on 14th November 1988, in the last Session of Parliament, be approved.

INDUSTRIAL TRAINING

That the draft Industrial Training Levy (Engineering Board) Order 1989, which was laid before this House on 30th January, be approved.—*[Mr. John M. Taylor.]*

Question agreed to.

Mr. Brian O'Donoghue

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor].*

11.54 pm

Mr. Ernie Ross (Dundee, West): Mr. James O'Donoghue is a small business man trading as J. K. Allan, which is a company involved in plumbing and electrical work. His son Brian O'Donoghue left school in 1985 and started at Kingsway technical college in Dundee on a plumbing and technical course for a City and Guilds certificate. Mr. O'Donoghue then approached the local MSC area office in Dundee for advice on assistance with training of apprentices. That was in response to an approach made by the Construction Industry Training Board, which had requested that Mr. O'Donoghue take on an apprentice electrician. He advised the board that there was not enough electrical work to justify that and to ensure that proper training would be given to an apprentice electrician, but he offered to start an apprentice plumber. That is the job that he created, and the vacancy was filled by his son.

Mr. O'Donoghue then tried to register his son as a YTS apprentice and was advised that that was not allowed as he was in employment. However, the CITB said that grants were available if Mr. O'Donoghue's son attended technical college on the appropriate courses recognised by the CITB, which lead to a qualification as a time-served, certified plumber. Mr. O'Donoghue agreed, and his son attended college on block release. When Mr. O'Donoghue applied for the grant from the CITB he was informed that, as his son had not started his career as a YTS trainee, no grant was available apart from a single payment of £200, the grant payable to English and Welsh employers who elect not to send their apprentices on block release but to send them on day release instead.

As no day release is available in Scotland, Mr. O'Donoghue naturally felt that this was grossly unfair. When he complained to the CITB management he was told that a special payment of £550 would be made if he continued to send his son to college.

Mr. O'Donoghue was given two reasons for the non-YTS rule. First, on YTS the numbers of apprentices can be controlled. However, inquiries revealed that in 1985, of the 158 YTS places allocated to the Tayside region, only 101 were filled. The number of apprentice plumbers on YTS attending Kingsley college in 1985 was only six. If those figures are projected into the future, there will be a serious shortage of skilled plumbers by 1995. Indeed, the CITB chairman, Derek Gaulter, openly states that there is an acute shortage of trainees now. In his words, their numbers are

"insufficient to meet natural wastage let alone to provide the skilful work force needed to sustain growth."

Despite this assertion, the CITB picked out plumbing apprentices who were not on YTS in 1985 to disqualify them from grant payment from 1987 onwards. Other apprentices, such as joiners, bricklayers and plasterers, who are also covered by the CITB, are not affected.

The second reason given was that the rule was introduced as a cost-cutting measure by the CITB. Every adult employed in the building industry is levied by the CITB. The levy is paid by the employer annually and is in the region of £70 to £95 a year per class of employee. This money is used to pay for all aspects of training within the industry. The board under the Industrial Training Act 1982 collects this money by Acts of Parliament.

The recent history of the plumbing industry is that many plumbers have started their own businesses, but not paid a levy to the CITB, either because they are unaware of the levy, or their payroll is less than £15,000 a year. To counteract the loss of revenue the CITB made a decision in 1985 not to support non-YTS apprentices.

However, due to the decline of the industry, many firms have few apprentices or trainees, but continue to pay large levies to the board. In the financial year 1987-88, the board showed a surplus of £13,548,000. The CITB has also used money that was to have been used for training purposes to buy Government stocks and bonds to the value of £60 million. In other words, the CITB introduced the non-YTS rule simply to save money, while at the same time running a surplus of millions of pounds. My constituent and his son see the actions of the CITB over the past few years in that light.

As the Minister knows, I raised this matter on Mr. O'Donohue's behalf as early as January 1988. The Under-Secretary, who has responsibility for the CITB, said at first that there was nothing wrong, and he would not interefere. There was persistent letter-writing and telephoning—much of it, I admit and the Minister will confirm, done by my constituent, who has taken an extraordinary interest in his son's affairs. It is only fair to compliment Mr. O'Donohue on his determination to ensure that his son receives the support training that one would hope that one's children would receive when they go into employment.

At first, the Minister said that there was nothing wrong, and he would not interfere, but after this series of exchanges he told me that he was not entirely satisfied with the situation, and he confirmed, in his letter of 14 June 1988, that he would be calling on the board to

"simplify its grant system and adopt a more flexible policy for grant aid, moving the emphasis away from the particular pattern of training being followed and placing it instead upon the achievement of vocational qualifications, based upon standards of competence established by industry. In this way I hope to encourage the Board to free the training market in the industry from unnecessary complaints."

In a further letter to Mr. O'Donoghue, the Under-Secretary confirmed his earlier decision and restated that he would not intervene but expected that conditions would change in 1990, and Mr. O'Donoghue's son would then qualify. He will then be too old. It appears that the Minister has identified a serious fault in the grants procedure, but, due to his earlier decisions, has taken no immediate action to assist my constituent, whose persistent and determined campaign on behalf of his employee highlighted the anomaly in the first instance.

It is clear from its annual accounts that the CITB has no shortage of money, and that it discriminates not only between YTS and non-YTS young people but between England and Wales, and Scotland, as there is no day release in Scotland. Although the board is determined not to fund non-YTS youths, it will expect to be paid on those same youths when they are older, have completed their training and are working in the industry.

When this matter was first raised, my constituent was the only employer in Scotland affected by the rule. When it was introduced, it affected another two companies and apprentices, but they quickly dropped out of employment, so until quite recently my constituent was the only

employer affected by the decision taken by the CITB in 1985. It has taken the Minister over six months to admit that the changes need to be made, but if the rules will be wrong in 1990, they were wrong in 1985 and both Mr. O'Donoghue and his son have been badly treated. The situation will have changed only because of my constituent's determination to challenge what is clearly a harsh ruling, and his son will not benefit because by the time the changes come in, his son will be too old. It appears that, although my constituent has highlighted this matter and brought it to the Minister's attention, he stands to gain nothing from it. It certainly does not help his son.

Mr. O'Donoghue's son may have been taken on by his father as an apprentice plumber in exactly the kind of circumstances which the existing Manpower Services Commission and CITB rules envisaged as normal for the industry, but, for every set of rules, there are legitimate exceptions for which Ministers should be prepared to make special provision.

Mr. O'Donoghue and his son are hard-working citizens who are endeavouring to keep in business the kind of small family company which the Government properly claim that they want to help. Mr. O'Donoghue had undertaken to provide an apprenticeship in the family business, and there should have been no problem in ensuring that he be given all possible help by the Government and other agencies to do so. Only mind-boggling bureaucratic hair-splitting can lead to a situation in which no agency would give proper support to his son's apprenticeship.

The purpose of the Industrial Training Act 1982 was to make better provision for and to encourage adequate training of apprentices. One assumes that the CITB exists for those very purposes. Therefore, why could it not come to Brian O'Donoghue's assistance by helping to fund his training programme, as it already does for other apprentices? Mr. O'Donoghue should not have been penalised for trying to give his son a start in life, rather than allowing him to leave school and start life on the unemployment register.

This saga, which has dragged on since 1985, ended rather tragically on 1 February 1989. My constituent's company went through a period when it required all its employees to make a contribution to the work in hand. My constituent was forced to make his son redundant. Brian O'Donoghue is now unemployed. No matter the rights and wrongs of the case, and no matter how my constituent decided to pursue this matter, the CITB may not be too happy with the way in which this employer has challenged it at every turn. It may not like the fact that that he has highlighted an anomaly in the 1985 decision—that is, that it did not leave room for the exceptions that one would normally expect.

Through no fault of his own, Brian O'Donoghue is now unemployed. I ask the CITB to do all that it can to ensure that he does not suffer because of its decision and by the failure of his employer, who also happens to be his father, to continue to employ him and to continue to allow him time off to attend college.

Therefore, even at this late stage, I call on the Minister to reverse his decision and use his considerable influence to release financial support for Brian O'Donoghue's continuing apprenticeship. The sums involved for a small family business such as the O'Donoghues' are minuscule, compared with the CITB's massive surplus. That is an extremely relevant point, given that the CITB's accounts for 1987 showed a surplus of more than £87 million. Therefore, a shortage of funds cannot be cited as the cause of the board's failure to support Mr. O'Donoghue's son. It is clear that someone at the Minister's level is required to make a decision.

As I said, in every matter the Government have flexibility and responsibility finally to give advice and say that, for whatever reason, there are exceptions to every rule. The Minister can make that decision in the case of Brian O'Donoghue without seriously jeopardising the CITB's proposals. Given that the Minister has already identified expected changes to the CITB, it is not too much to ask him to say that he will take on board the O'Donoghues' determination to try to ensure that their son can make a useful contribution to the construction industry as a time-served plumber, and, even at this late stage, will intervene to help my constituent Brian O'Donoghue.

12.10 am

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick Nicholls): As the hon. Member for Dundee, West (Mr. Ross) knows, I am well aware of the case involving his constituent, Mr. James O'Donoghue, and his son Brian. As has been made clear here tonight, there has been a great deal of correspondence involving the CITB and Ministers at the Scottish Office, as well as my own Department, and meetings have also been arranged to allow Mr. O'Donoghue to put his case to the Construction Industry Training Board and to my own officials here in London.

Before I comment on the particular details of Mr. O'Donoghue's case, I think it would be helpful to the House if I outlined the relationship that exists between the Government and the Construction Industry Training Board.

The CITB is a statutory body, established under legislation now consolidated in the Industrial Training Act 1982. It exists to encourage adequate training to appropriate standards in the construction industry throughout Great Britain. The chairman and members of the board are appointed by the Secretary of State for Employment—in most cases after consultation with employer organisations, unions or educational interests in the industry.

The board's main source of income is the levy it raises from employers in the industry. Each year, the board has to present its levy proposals to the Training Commission for approval. The commission then passes the proposals to Ministers for consideration, and, if we are content, we bring them before the House for approval. So the board's main source of income comes from the industry; it does not come from Government. It is therefore right that the industry, not Government, should decide how that money should be spent, and in particular on the nature of the grant scheme which the board should support.

The board has therefore established a system of sectoral committees in which representatives of the industry—employer and employees—discuss the skill and training needs of their industry and determine the detail of the grant scheme that they wish to finance from their levy income. Their proposals are put to the full board and then, if approved, to the Training Commission. The CITB is not required to present their grant scheme to Ministers for approval.

[Mr. Patrick Nicholls]

That is an important point. Although the CITB is a statutory body, it is very much in control of the industry, and it is for the industry to determine the detail of its grant support for construction training. It would not be right —and the House will, I think, agree with me on this—for Government to impose a specific grant scheme upon the board. It is the employers' money which is being spent through the board's grant scheme, and it is therefore right and proper that the details of that grant scheme should be determined by the employers, through the board's committee structure. What the Government want to see is less regulation in training, not more; less central direction and more emphasis on commitment from employers at the local level, sectoral and national levels, to investment in training for their own business success.

Turning to the particular case involving Mr. O'Donoghue and the lengthy correspondence which has resulted, I can perhaps help by making two main points. First, to reinforce what I hope I have already made clear, the rules are formulated by the industry itself, not by Government.

I have made it consistently clear to the board—and for that matter to Mr. O'Donoghue—that I would like to see some changes in some of the conditions imposed by the board in the past upon eligibility for grants—for example, the emphasis upon registration with joint industry bodies or the following of particular and inflexible patterns of training. I can tell the House that I am confident that the board's scheme for 1989-90 will be far more flexible and more accessible.

Obviously, I cannot say tonight what the implications of that will be for Mr. O'Donoghue. But he would be well advised to keep in close contact with the board on this. I would also point out—and I underline, in effect, what the hon. Gentleman has said—that Mr. O'Donoghue did receive a grant in 1987 of £200 to which he was entitled under the scheme in operation at that time. My second point is that, as I understand it, Mr. O'Donoghue's son's eligibility for grant support resulted from his apparent decision not to allow his son to participate in YTS.

The youth training scheme is the preferred method of entry into plumbing, because the board's mechanical engineering services committee feels that it assures the quality of training necessary to achieve the standards of competence required in the industry. Mr. O'Donoghue's decision on YTS effectively placed him outside the rules and so made his son ineligible for grant support.

I can only regret Mr. O'Donoghue's decision and must confess that I am at a loss to know why he chose not to take advantage of the funding available for quality training through YTS. Be that as it may, that was his choice and, as I and my officials have consistently told him, I do not have—and neither should I have—the power to require the CITB to alter the rules of its grant scheme to suit his particular whims.

What I hope I have been able to do tonight is, at least, satisfy the hon. Gentleman's concern, but I strongly suspect that nothing I have said will satisfy Mr. O'Donoghue for one moment. Everything I have said has been said to him on numerous occasions in meetings, correspondence, and telephone conversations not only with me, but with my officials and CITB officials. Not only has considerable ministerial time been devoted to this case, but the CITB chairman has been able to give me his personal assurance that a great deal of time and consideration has been given to this case by the board.

In short, I have no doubt that Mr. O'Donoghue has been treated fairly and correctly, and while my acquaintance with Mr. O'Donoghue leads me to believe that he will not be convinced of that, I would like to think that I have been able to satisfy the House.

The hon. Gentleman has suggested—it was implicit in his remarks, but has been explicitly suggested by Mr. O'Donoghue on many occasions—that, in some way, the board has operated improperly when it comes to the question of its investments. Under the 1982 Act an ITB must obtain the Training Commission's approval for all of its investments. To the best of my knowledge, that procedure was fully adhered to in this case.

Question put and agreed to.

Adjourned accordingly at sixteen minutes past Twelve o'clock.

House of Commons

Thursday 23 February 1989

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

DEATH OF A MEMBER

Mr. Speaker: I regret to have to inform the House of the death of Sir Herbert Raymond Gower, Member for Vale of Glamorgan, and I desire, on behalf of the House, to express our sense of the loss we have sustained and our sympathy with the relatives of the hon. Member.

PRIVATE BUSINESS

ASSOCIATED BRITISH PORTS HULL BILL *(By Order)*

BIRMINGHAM CITY COUNCIL (NO. 2) BILL *(By Order)*

BRITISH RAILWAYS BILL *(By Order)*

HYTHE, KENT, MARINA BILL *(By Order)*

HYTHE MARINA VILLAGE (SOUTHAMPTON) WAVESCREEN BILL *(By Order)*

INTERNATIONAL WESTMINSTER BANK BILL *(By Order)*

ISLE OF WIGHT BILL *(By Order)*

LONDON UNDERGROUND (VICTORIA) BILL *(By Order)*

WENTWORTH ESTATE BILL *(By Order)*

BRITISH FILM INSTITUTE SOUTHBANK BILL *(By Order)*

BROMLEY LONDON BOROUGH COUNCIL (CRYSTAL PALACE) BILL *(By Order)*

CITY OF LONDON (VARIOUS POWERS) BILL *(By Order)*

REDBRIDGE LONDON BOROUGH COUNCIL BILL *(By Order)*

Orders for Second Reading read.
To be read a Second time on Thursday 2 March.

Oral Answers to Questions

NATIONAL FINANCE

Inflation

1. **Mr. Home Robertson:** To ask the Chancellor of the Exchequer if he will make a statement on the current rate of inflation.

2. **Mr. Illsley:** To ask the Chancellor of the Exchequer when he expects the inflation rate to go down.

10. **Mr. Leadbitter:** To ask the Chancellor of the Exchequer when he expects the inflation rate to go down.

The Chancellor of the Exchequer (Mr. Nigel Lawson): The retail price index increased by 7·5 per cent. in the year to January. I shall provide a forecast in the Budget in the usual way.

Mr. Home Robertson: Will the Chancellor confirm that housing costs are, and must remain, an integral part of any assessment of the retail price index? With that in mind, what has he to say to the many thousands of home-owners in this country who are struggling, month after month, to cope with the effects of virtually monthly doses of Treasury-led inflation? As for the figure of 7·5 per cent., was it not the Chancellor himself who said that the retail price index and inflation would be the judge and jury of his economic policies? That being so, how does he plead—guilty or very guilty?

Mr. Lawson: I am perfectly prepared to be judged by inflation. Inflation during the whole of the period in which I have been Chancellor of the Exchequer has averaged under 5 per cent. During the period of the Labour Government, which is almost as long as the period for which I have been Chancellor, inflation averaged over 15 per cent., so I am perfectly prepared to be judged by that.

Mr. Illsley: Does the Chancellor agree that the nine increases in interest rates since last June have severely increased the cost of living and particularly the cost of mortgages? Does he also agree that any perceived advantages from the tax cuts in the last Budget have been wiped away for all but the very wealthy?

Mr. Lawson: I do not accept that. Of course, mortgages have gone up because interest rates have gone up and that is essential in order to get inflation down. Labour Members, who all the time have been asking for lower interest rates, are asking for higher inflation. That is what it boils down to.

Mr. Leadbitter: The Chancellor must be aware that not only the Opposition but the Confederation of British Industry is currently urging him to reduce high interest rates and has pointed out to him the adverse effects on manufacturing industry and home demand as well as on exports. As inflation is still rising, will the Chancellor review the one instrument that he has invoked to deal with it—his high interest rate policy—and use other methods to deal with inflation?

Mr. Lawson: No, I will not, because that is the only effective way of controlling inflation and I will adduce as

a supporter on this, despite what the hon. Member said, Mr. John Banham the director general of the CBI, who said this on the one o'clock news on 17 February:

"We think the Chancellor should carry on with high interest rates to combat inflation."

That is the view of the CBI.

Mr. Tim Smith: As inflation in the United States is now only one point below the underlying rate in the United Kingdom, does my right hon. Friend agree that interest rates will have to remain high on both sides of the Atlantic until inflation is firmly on a downward path? Will he therefore ignore the mutterings of the Opposition, whose approach when in power was based not on the economics of the one-armed bandit but on the economics of the highway robber?

Mr. Lawson: My hon. Friend puts it extremely well and I agree with everything he has said. On the specific question of my policy towards interest rates, despite what the Opposition have been saying—and will, no doubt, continue to say today and subsequently—and despite, indeed, some of the curious things I read from some of the commentators, I can assure my hon. Friend that there will be no question of a premature let-up in interest rates.

Sir William Clark: Does my right hon. Friend agree that the lowest inflation rate achieved by the Labour Government was 7½ per cent.? Is it not hypocritical for Opposition Members to criticise this Government's economic policy when Britain is at the top of the economic league whereas in the 1960s and 1970s we were right at the bottom?

Mr. Lawson: My hon. Friend is right to say that, whereas in the 1970s we had the slowest rate of growth of all the major economies in the European Community, during the 1980s we have had the highest rate of growth of all the major economies in the European Community. As for our inflation record compared with the Labour Government's inflation record, yes, again, my hon. Friend is right. If we take the underlying rate of inflation—that is to say, excluding mortgage interest payments, which only one of the other 11 members of the European Community has—if we take that into account, our current rate of 5·5 per cent.—the most recent rate of 5·5 per cent.—compares on the same basis—on precisely the same basis, excluding mortgage interest rates—with the lowest monthly rate that the Labour Government ever achieved of 7·7 per cent.

Mr. Butterfill: Does my right hon. Friend agree that high interest rates are very much a sympton of his success in managing the economy? Can he imagine the Labour party ever presiding over the economy as we have done, given that we have been able to reduce taxes and repay the enormous debt that the Labour party accumulated and that we now have one of the most rapidly growing economies in Europe?

Mr. Lawson: My hon. Friend is right. Labour's record was lamentable in every way. In so far as it is possible to discern any policies emerging from the Opposition Benches, they would produce precisely the same lamentable results if they were put into practice today. Fortunately, that will not be the case.

Mr. John Smith: As the Chancellor accepts that inflation will be the judge and jury of his economic policy, is it not vital that the evidence should not be fixed by the removal from the retail price index of significant price increases? Did not representatives both of business and of the trade unions tell the official committee on the RPI that both the community charge and mortgage interest payments had to be included if the RPI was to retain credibility? In the light of that, may we have an unequivocal assurance from the Chancellor that both the community charge and mortgage interest payments will remain part of the RPI?

Mr. Lawson: I have to tell the right hon. and learned Gentleman that the Treasury gave evidence to the RPI advisory committee in 1986—very cogent evidence, as he knows—arguing that mortgage interest payments, as in most other countries—almost all other countries—should not be in. It took a different view and we accepted its advice at the time. I have to say that the only major change that there has been in the RPI that I can recall in recent years—the only major change—was in 1975, when the Labour Government put mortgage interest payments in because they thought at that time it would advantage them.

Mr. Watts: Is my right hon. Friend aware that, despite the claims of the hon. Member for Hartlepool (Mr. Leadbitter), the most recent survey of businesses in the Thames Valley shows that there is less complaining about high interest rates this year than at the same time last year, when interest rates were much lower? Should not businesses be taking advantage of the lower rates available in the long-term market, in which rates have benefited from my right hon. Friend's policy of repaying Government debt? In that way, it can obtain finance much more cheaply than by relying on overdrafts, which follow the base rate.

Mr. Lawson: My hon. Friend is right. Compared with previous occasions when interest rates have had to go up—and, of course, there have been many occasions in the past when interest rates have had to go up; this is by no means the first such occasion and, no doubt, it will not be the last—the difference is that the financial position of business is so much stronger now that it is far less affected and this, therefore, bites far more on consumer spending. Given that there has to be a slowing down of the rate of growth of the economy, this is desirable. My hon. Friend is also right to say that we now have a yield curve which is downward sloping so that industry is able to borrow for a term at a considerably lower rate than the cost of a bank overdraft.

Contingency Funds

3. **Mr. Robertson:** To ask the Chancellor of the Exchequer to what he expects to allocate resources from the contingency funds in 1989-90.

The Chief Secretary to the Treasury (Mr. John Major): Allocations from the reserve will be made as the need arises.

Mr. Robertson: Has the Chief Secretary had a chance to read the Home Secretary's speech last month when he promised that more resources would be devoted to better street lighting? As the Chancellor of the Exchequer's home town has had brighter and more energy-efficient lighting installed, may we expect that the contingency reserve will

be used to provide better lighting throughout the streets of Britain so that our citizens will have some relief from the constant fear of crime in our streets?

Mr. Major: I always read my right hon. Friend's speeches with great interest. There were substantial increases in the Home Office budget in the last public expenditure round, taking effect from 1 April. I have no further announcements to make about expenditure on street lighting today.

Mr. Kennedy: Is the Minister aware that the Scottish Office has asked for reports from local authorities in the Highlands because of the severe hurricane and flood damage there in recent weeks, which could mean additional resources being required for relief work in the 1989-90 financial year? If such an application is made, will the Minister look upon it constructively and favourably?

Mr. Major: My right hon. and learned Friend the Secretary of State for Scotland is an avid guardian of the interests of the Scots. If and when my right hon. and learned Friend approaches me on that or any other matter, I shall of course consider it carefully.

Mr. Bill Walker: When my right hon. Friend is contemplating any raiding of the contingency reserve, will he bear in mind that the Europeans have £2,000 million of our money that we could well spend on some of the problems in Scotland, that are the direct result of the storms, as well as on some of our roads, which certainly need upgrading and improving? We would rather see European money used than our contingency reserve.

Mr. Major: I am sure that my right hon. and learned Friend the Secretary of State for Scotland will read what my hon. Friend has said. I certainly endorse it.

Mr. Nicholas Brown: As the Government have committed themselves to allocating resources next year towards providing tax relief for pensioners' private medical insurance, can the Minister tell us what is the estimated cost of this concession? What provision have the Government made from the contingency funds or from elsewhere to provide a similar financial contribution towards the health care costs of the two thirds of British pensioners who do not pay income tax and are thus unlikely to benefit from the scheme? Will the Minister explain why the Government give priority to the wealthier pensioners rather than to all pensioners?

Mr. Major: The hon. Gentleman is less than wholly accurate. He confuses tax relief with expenditure. Even putting that aside, however, the hon. Gentleman has overlooked, first, the extra resources from the reserve next year to meet a great proportion of the pay review body awards for nurses and others, much of which will result in better nursing care for the elderly, and secondly, the significant package of extra help for poorer pensioners, which takes effect on 1 October and comes specifically out of the reserve.

Labour Statistics

4. **Mr. Gerald Bowden:** To ask the Chancellor of the Exchequer what was the total fall in long-term unemployment in the year to October 1988.

Mr. Lawson: In the year to October 1988, long-term unemployment fell by 280,000.

Mr. Bowden: I am encouraged by my right hon. Friend's reply. Is not that welcome news largely due to the strong growth in output and employment under this Government, with 2¼ million new jobs since 1983?

Mr. Lawson: My hon. Friend is right to say that this successful performance on jobs is as a result of the British economy performing better than it has ever done before. Here a great tribute is owed to all those in business and in industry who have done so much better than they have in the past. As a result we have seen unemployment fall in the past 30 months in a row—the largest and longest fall ever recorded.

Mr. Andrew F. Bennett: Does the Chancellor accept that the Government's infliction of long-term unemployment on many of my constituents has actually destroyed their lives? They were left, in their late fifties, with no prospect of jobs and in poverty both in unemployment and in old age. The Government's excuse was that they were determined to tackle inflation and to restore the competitive edge to industry in this country. What can the Chancellor say to those people who are now pensioners, who have been caught by increasing inflation and who see absolutely no sign of the competitive edge being restored to British industry?

Mr. Lawson: So far as the pensioners are concerned, we have fully price-protected the pensioners throughout our period in office, despite a rapid increase—a very large increase indeed—in the pensioner population. The hon. Gentleman is right to talk about the problems of inflation. As I pointed out, inflation over the past five years or so has been less than a third of what it was during the period of the Labour Government. Indeed, long-term unemployment over the past year has fallen even more in percentage terms than unemployment as a whole. I really am astonished that Opposition Members sit there looking so glum whenever they learn about unemployment coming down.

Mr. Redwood: Does my right hon. Friend agree that one of the most welcome aspects of the fall in long-term unemployment is that it is happening right across the country? Does he further agree that that is a welcome sign that some of the overheating in the south-east can be eased by growth and development in regional economies?

Mr. Lawson: It is true that unemployment, and in particular long-term unemployment, has been falling rapidly in every single region of the country—rather less so, I know, in Northern Ireland, but throughout the whole of the rest of the United Kingdom it has fallen very rapidly indeed. On average over the past year, there has been a fall of over 26 per cent. in long-term unemployment. This is something which I hope in time Opposition Members will come to welcome.

Mr. Holland: Do the Government admit that the fall in unemployment of less than 2 million is a phoney figure, that they have changed the estimates for unemployment 25 times, and that only once has the figure gone up rather than down? The real unemployment figure is 2·7 million. The Government may fool some of the people some the time, but the long-term unemployed are not fooled at all by the Government's fantasies.

Mr. Lawson: There really is no point in the hon. Gentleman weaving fantasies with figures. Everyone knows perfectly well that unemployment is coming down. It is not merely the official unemployment statistics. If he does not want to look at those, he can read the annual labour force survey which produces exactly the same picture. If he does not want to look at that, look at the number of people in work. There are now more people in work in this country—not counting people on training schemes—than ever before in our history.

Mr. Holt: Is my right hon. Friend aware that unemployment in my constituency in the north-east of England has fallen by 40 per cent. from its peak in 1984? That figure could be improved even more if we had an adequate motorway to the north-east of England. Last weekend, it took me six hours and 40 minutes to drive from here, leaving at 3 o'clock in the afternoon. If industry is to be encouraged to take advantage of the European market and the Channel tunnel, it is no good the Treasury sitting on the money that the Department of Transport needs to build motorways.

Mr. Lawson: I must tell my hon. Friend that the Treasury agreed—the Treasury has given them the money and agreed—I announced this in the Autumn Statement —an extra £220 million for spending on roads in the coming financial year. I am sure, too, that despite the difficulties, my hon. Friend will continue to provide an invaluable service to his constituents.

Foreign Investment

6. **Mr. Allan Roberts:** To ask the Chancellor of the Exchequer if he will make a statement on current foreign investment into the United Kingdom.

The Paymaster General (Mr. Peter Brooke): I refer the hon. Gentleman to the reply which my right hon. Friend the Chief Secretary gave to the hon. Member for Bridgend (Mr. Griffiths) on 23 January at column *374* of *Hansard.*

Mr. Roberts: That is very illuminating. Does the Minister agree that the Chancellor has been sitting on a mountain of hot money which has been attracted into this country by high interest rates and is financing the £14 billion balance of payments deficit? What will the Chancellor do when the Government have no more assets to sell to overseas customers? That is also masking the extent of the balance of payments deficit. What will he do when the new green mantle which has descended on the Prime Minister stops the import of toxic waste, which is also masking the balance of payments deficit? Is that not why he cannot bring interest rates down?

Mr. Brooke: It is impossible adequately to distinguish between short-term and long-term capital flows on account of the greater mobility of international capital and also because large balancing items confuse official figures. Inflows take many forms. Nevertheless, the underlying strength of total inflows and of sterling indicates overseas confidence in the United Kingdom economy and overseas confidence that the Government will pursue sound fiscal and monetary policies.

Mr. John Townend: Are not many of these inward investments a major cause of our balance of payments deficit, and when they become productive will they not be a major reason for the future reduction of that deficit?

Mr. Brooke: I am delighted to agree with my hon. Friend that foreign investment into this country continues to be strong, for both portfolio and direct investment.

Mr. John Smith: Is the Paymaster General not concerned about narrowing interest rate differentials between the United Kingdom and, for example, West Germany, which have caused some downward movement in sterling in the past few days? Will that not make it more difficult for the right hon. Gentleman to attract and retain the short-term hot money which finances Britain's very large balance of payments deficit?

Mr. Brooke: I infer from the right hon. and learned Gentleman's question that he wishes us to increase interest rates further.

Sir Peter Emery: Will my right hon. Friend assure the House that the Government intend to take no measures to limit the free flow of foreign exchange and capital in and out of the country, which is the basis for keeping the City of London the leading financial market of the world?

Mr. Brooke: My hon. Friend is right to draw attention to the immense gains that the economy has derived from the free movement of capital.

Work Place Nurseries

7. **Mr. Clelland:** To ask the Chancellor of the Exchequer what information he has from Inland Revenue as to how many children are cared for in work place nurseries in respect of which tax is payable.

The Financial Secretary to the Treasury (Mr. Norman Lamont): I regret that this informaton is not available centrally.

Mr. Clelland: The Minister will be aware, of course, that the tax exists. Is it not a further penalty on people with children? Will he confirm that the Government will abolish the tax on work place care, take a lesson from the Treasury and positively promote work place care among employers throughout the country?

Mr. Lamont: The Treasury scheme is self-financing, which should not surprise the hon. Gentleman. No tax charge arises. I am sure that the hon. Gentleman recognises that if employers wish to recruit married women there is no reason why they should not pay them the necessary rate, including the costs of child care. The availability of child care facilities is a substantial benefit. It is a long-standing principle of the tax system that we do not give tax relief for what is necessary to enable people to get to work.

Mr. Marlow: If we are to give tax benefits for creches, where will it all end? Are we to give tax allowances against nannies?

Mr. Lamont: I take it that that was a Budget representation from my hon. Friend, and it is noted.

Mr. Chris Smith: Is it not the case that the income derived by the Exchequer from the taxation of work place nursery provision is small, whereas the deterrent to women

with child care responsibilities is enormous? Should we not encourage women with children to seek employment rather than deter them? Can the Financial Secretary assure us that the Chancellor will consider two specific measures in his Budget—first, the removal of taxation from the receipt of work place nursery provision and, secondly, fiscal incentives to employers to provide nurseries?

Mr. Lamont: As the hon. Gentleman knows, all aspects of the tax system are reviewed, especially at this time of year. I cannot agree with the hon. Gentleman that there is any evidence that tax treatment deters married women from going to work, given the tremendous growth in the number of married women at work and, indeed, the considerable and continuing growth in such facilities.

Government Expenditure

8. **Mr. Arbuthnot:** To ask the Chancellor of the Exchequer if he will make a statement on the path of general Government expenditure over the period 1982-83 to the latest available date.

9. **Mr. Wells:** To ask the Chancellor of the Exchequer if he will make a statement on the path of general Government expenditure over the period 1982-83 to the latest available date.

Mr. Major: Excluding privatisation proceeds, the ratio of general Government expenditure to GDP has declined from nearly 47 per cent. in 1982-83 to just under 40 per cent. in 1988-89, the lowest it has been for over 20 years.

Mr. Arbuthnot: As the Government have increased public spending and at the same time reduced it as a proportion of gross domestic product, and reduced our rates of taxation as well the national debt, does my right hon. Friend share my hope that this Government will stay in power for a very long time?

Mr. Major: I share not only my hon. Friend's hope but his expectation that that will be the case.

Mr. Wells: Why is it that ever since my right hon. Friend took office in the Government there has been an annual decline in Government spending as a proportion of GDP? Why did that not happen earlier and when will my right hon. Friend be able to reduce that ratio to the 33 per cent. which obtains in Japan?

Mr. Major: I am grateful to my hon. Friend for his kind remarks. I hope that what he suggests will become a convention. We hope and expect to achieve further reductions.

Mr. Beith: Will the Chief Secretary confirm that capital spending is declining consistently as a proportion of Government expenditure, and does he agree that that is bad news for any organisation? Will he recognise that one of the less inflationary things that the Chancellor could do in the Budget would be to invest more on the supply side of the economy on those things that will make our nation more capable of competing, rather than giving money away in tax cuts?

Mr. Major: The hon. Gentleman should be aware that capital expenditure in the public sector as a whole, and not the more selective measures sometimes quoted, increased by £2¾ billion in the Autumn Statement, and that is the largest cash or real terms increase that we have seen for many years.

Mr. Neil Hamilton: Does my right hon. Friend accept that sensible people look forward to further reductions in the proportion of the GDP taken by public spending, and that one of the best ways to achieve that is to carry on repaying Government debt? Can he confirm that £10 billion or £11 billion of the £17 billion a year that we pay in debt interest is on the borrowings carried out by the previous Labour Government?

Mr. Major: I can certainly confirm that. I can also confirm that if the Government were borrowing at the same ratio to GDP that we inherited from the previous Labour Government we could abolish income tax.

Inflation

11. **Mr. Douglas:** To ask the Chancellor of the Exchequer what is the latest forecast for inflation for 1989-90.

14. **Ms. Walley:** To ask the Chancellor of the Exchequer what is the latest forecast for inflation for 1989-90.

Mr. Major: My right hon. Friend the Chancellor will be giving a forecast in his Budget statement next month.

Mr. Douglas: Does the Chief Secretary admit that one of the difficulties in anticipating the rise in inflation arises because the Chancellor has left himself only one weapon of economic management—interest rates—which is rather like asking Mr. Bruno to fight Mr. Tyson with one hand tied behind his back? As the Prime Minister was so appalled when the rate of inflation was 3 per cent., halving the value of money in a period of about 25 years, will the right hon. Gentleman give us some idea of what No. 10 is saying about that? When will the value of money be halved at the present rate?

Mr. Major: The hon. Gentleman may be under some misapprehensions, the first of which is about monetary policy, which has worked in the past and will work in the future. Neither is that the only aspect of my right hon. Friend's policy; it is buttressed at the moment by a firm fiscal policy and a huge debt repayment, which was not the position when the hon. Gentleman's party was in Government.

Mr. Batiste: Does my right hon. Friend agree that an increase in personal savings at the expense of personal expenditure would produce a downward pressure on inflation and the balance of payments deficit? If so, how best can such a welcome increase in personal savings be accomplished?

Mr. Major: I agree with my hon. Friend's opening remarks. My right hon. Friend's high interest policy offers people a great incentive to save.

Mr. James Lamond: Is the Minister aware that the monetary policy is not working as satisfactorily as he thinks, according to the Manchester chamber of commerce and industry, which, in its latest bulletin, complains that high interest rates and a high pound are preventing firms from expanding at the rate that they would wish? Is he

further aware that it feels that that policy may be all right for the overheated economy in the south-east of England, but is not acceptable in the north-west?

Mr. Major: The hon. Gentleman may have heard what my right hon. Friend said a few moments ago about the remarks of Mr. John Banham. In case he does not recollect them, I remind him that Mr. Banham said:

"We think the Chancellor should carry on with high interest rates to combat inflation."

The hon. Gentleman neglected to say that the Manchester report was highly optimistic.

Mr. Latham: Since the Government's interest rate policy is already having a dramatic effect in reducing overheating, and indeed output, in the private housing industry, is not the practical reality likely that market forces will soon force down building society borrowing rates?

Mr. Major: I am certainly not in the business of making that forecast, but my hon. Friend is entirely right that there are already clear signs of a slowdown in consumer spending, and one trusts that inflation will follow it down in due course.

Dr. Marek: Will the Chief Secretary accept that the Opposition are alarmed at the Paymaster General's complacency about the dominance of hot money over direct and portfolio investment on the capital account and its clear threat of inflation? What measures is the Chief Secretary going to take with regard to this matter, or is he just going to keep to an interest rate war with the United States of America? If he does not take further measures, the country, as judge and jury, will find the Government and their economic policy guilty as charged.

Mr. Major: The hon. Gentleman's remarks bear little or no relationship to the question. I find it very strange to hear lectures about inflation from the Labour party when every policy it recommends to us is inflationary in one aspect or another.

Tax and Prices Index

12. **Mr. David Martin:** To ask the Chancellor of the Exchequer what was the increase in the tax and prices index in the 12 months to December 1988.

Mr. Lawson: 4·8 per cent.

Mr. Martin: In order to get these things into perspective, would my right hon. Friend care to estimate the likely consequences for the rate of inflation of the spending, taxing and borrowing policies of the Labour party in the unlikely event of it ever regaining office?

Mr. Lawson: That is, as my hon. Friend says, an extremely unlikely eventuality. It is quite clear that, if the Labour party were ever to put into practice its policies of bringing interest rates down when it is not safe to do so, having a depreciated currency, spending more and pushing up borrowing again, we would see inflation go through the roof, just as it did when it was last in office. That is why, although I am very concerned about the current rate of inflation, I am certainly not going to take any lectures from the Labour party.

Mr. Robert Sheldon: Since the tax and prices index was the creation of the Chancellor of the Exchequer in his attempt to produce what he thought might be a fairer method of calculating price increases, will he now take some action to deal with soaring house prices, which are not reflected at all in the tax and prices index?

Mr. Lawson: The right hon. Gentleman is not strictly correct, because mortgage interest payments—it is, of course, mortgage interest payments not mortgage interest rates that reflect house prices—are in the tax and prices index, just as they are in the RPI. Since the right hon. Gentleman mentioned that this is a useful index, I will make a comparison with the Government in which he was a Treasury Minister. In the five and a half years or so that I have been Chancellor of the Exchequer the tax and prices index has gone up at an average rate of 3·7 per cent. a year, whereas during the five and a quarter years of the Government of which he was a member it went up by 16·1 per cent. a year.

Mr. Yeo: Is my right hon. Friend aware that if he is bold enough on 14 March to use a substantial part of his record budget surplus to cut income tax he could produce a fall in the tax and prices index?

Mr. Lawson: I am interested in my hon. Friend's suggestion, but I have to tell him—I trust this will not be considered a leak—that the Budget that I shall introduce on 14 March will be prudent and cautious.

Pensioners (Medical Insurance)

13. **Mr. Allen McKay:** To ask the Chancellor of the Exchequer what is his latest estimate of the total cost to the Exchequer in a full year, of tax relief for private medical insurance for pensioners.

Mr. Norman Lamont: I refer the hon. Member to the reply that I gave to the hon. Member for Dunfermline, East (Mr. Brown) on 21 February, at columns *542-43*.

Mr. McKay: Why should my pensioners who have worked and been taxed all their working life, and use the National Health Service, now have to subsidise those who wish to use private care?

Mr. Lamont: The purpose of the relief is to give help to older pensioners when they face increasing health costs. That will relieve pressure on the National Health Service, and that is to the benefit of everybody who uses the state service.

Mr. Nicholas Bennett: Does my right hon. Friend agree that tax relief would be lower if the earnings rule for pensioners were abolished? Will he bear that in mind in preparing the Budget as one way of helping to increase pensioners' earning power at a stroke?

Mr. Lamont: I note my hon. Friend's suggestion.

Tax Cuts

15. **Mr. Madden:** To ask the Chancellor of the Exchequer if he will estimate the differential impact of his tax cuts in the last Budget on the median earner in *(a)* the south-east and *(b)* other regions.

16. **Mr. Maxton:** To ask the Chancellor of the Exchequer if he will estimate the differential impact of his tax cuts in the last Budget on the median earner in *(a)* the south-east and *(b)* other regions.

Mr. Brooke: The impact of the income tax reductions in the 1988 Budget was broadly the same for the median earner in both the south-east and the rest of the country. In both cases the proportion of annual income paid in tax has fallen by two percentage points.

Mr. Madden: Is it not true that people on average incomes in the south-east gained more than £40 from the income tax cuts compared with those on average incomes in the regions, including Yorkshire? In the "prudent and cautious" Budget that the Chancellor has just announced that he is to make next month, will he heed the views of public opinion polls which have shown solid majorities, including Conservative voters, wanting the available resources to be invested in the National Health Service, in public housing and public education and not on more tax cuts which primarily overheat the economy in the south-east?

Mr. Brooke: The general statistics that the hon. Gentleman quoted at the beginning of his question were correct. However, he was relating them to the median earnings in the two regions. My right hon. Friend the Chief Secretary to the Treasury will have heard everything that the hon. Gentleman said about public expenditure.

Mr. Maxton: I apologise for just arriving in the Chamber——

Hon. Members: What is the question number?

Mr. Speaker: Order. I hope that the hon. Member for Glasgow, Cathcart (Mr. Maxton) heard the answer.

Mr. Maxton: Unlike Conservative Members, I knew that this was a connected question.

Will the Minister make every effort to ensure that the Budget provides proper investment in Scotland and the rest of England and not just another heating-up of the economy in the south-east?

Mr. Brooke: The hon. Gentleman had the disadvantage of not hearing my answer and of having forgotten his original question. This question has nothing to do with the Budget, but I heard the hon. Gentleman's question.

Mr. Ian Taylor: Does my right hon. Friend agree that the tax cuts in the last Budget have benefited people right across the country and, because of the resultant bouyancy of the economy, have resulted in higher expenditure in exactly those areas where the Laboutr party has urged us to spend more money? We have been able to spend that money without increasing the national debt.

Mr. Brooke: My hon. Friend is correct to draw attention to the way in which prosperity has fanned out across the country. As I said in my original answer, the effect of the 1988 Budget on those on median earnings was broadly the same in the south-east and elsewhere.

Mr. Hind: My right hon. Friend will be pleased to know that people living in the north-west will be glad to hear that they have benefited equally with the south-east from the tax cuts. In his deliberations with my right hon. Friend the Chancellor of the Exchequer, will he consider that some of those tax cuts could benefit the community by improving the income-to-savings ratio, thereby providing us with further investment in the north-west to tackle our unemployment problems?

Mr. Brooke: I am grateful for what my hon. Friend said, but I cannot make any comment about his Budget representation.

Mr. Robert Hughes: As the Chancellor has defended the tax cuts on the basis of having to protect pensioners against inflation, what does he say to my constituents and many others on income support who will find in April that pensions are going up, but transitional support is going down and they will be left with not a penny of an increase? Is that not robbery? Is he not ashamed of himself?

Mr. Brooke : The relationship between that question and the original question is not precise. However, what happens from April onwards will be determined by what my right hon. Friend the Chancellor introduces in his Budget.

Mr. Sumberg: Does my right hon. Friend agree that a feature of the north-south divide is that the north-west of England is booming, unemployment is being reduced there faster than in any other region and once again Labour Members appear to be walking around with their eyes closed and their ears blocked?

Mr. Brooke: My hon. Friend is quite right to draw attention to the greater incentives produced by the Chancellor's tax cuts and their highly beneficial effect on his region.

Incomes

18. **Mr. Jack:** To ask the Chancellor of the Exchequer what has been the growth of real personal disposable income over the latest 12-month period for which figures are available.

Mr. Norman Lamont: 3½ per cent.

Mr. Jack: Does my right hon. Friend agree that the increase in disposable incomes is the most tangible way in which people realise the success of the Government's economic policy, and that it has been reflected in increased home ownership, wider share ownership and an increase in the general standard of living of all people in the United Kingdom?

Mr. Lamont: My hon. Friend is absolutely right. He may recall that real take-home pay for a married man, with two children, who is on average earnings has gone up by some 29 per cent. since the Government have been in power. The comparable figure when Labour was in power was a miserly, measly 0·7 per cent.

Mr. Skinner: If real disposable income is increasing and if all the other answers that we have heard from Treasury Ministers are correct, why have they not told the voters in Richmond, Yorkshire, where half the Conservative vote is disappearing from view?

Mr. Lamont: I am sure that by this time tomorrow the hon. Gentleman's question will have been proved wholly wrong.

PRIME MINISTER

Engagements

Q1. **Mr. Baldry:** To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and held meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Baldry: Will my right hon. Friend confirm that drinking water throughout Britain is of a high quality and that the problems experienced in Swindon and Oxfordshire this week are very rare and, in this instance, have been dealt with properly and fully by Thames Water, and that with new capital investment of £1·4 billion in the water industry next year, the Government are doing far more for water quality than the Opposition ever did when they were in power?

The Prime Minister: I am happy to confirm that, generally, public water supplies in Britain are of a high quality. The incident in Oxfordshire is only the second such incident to have been identified in a public water supply in the United Kingdom. I agree that Thames Water has taken the necessary precautionary measures to safeguard public health and is investigating the cause of the incident as a matter of urgency. We are making heavier capital investments in the water supply than ever before, and the investment of some £1·4 billion next year will ensure a higher standard of water throughout the country.

Mr. Kinnock: In regard to the Prime Minister's plans for the Health Service, whose judgment should patients trust—that of the doctors who work in it or that of the Prime Minister who never uses it?

The Prime Minister: Perhaps they should judge the record of this Government compared with that of the Labour Government.

Mr. Kinnock: The Prime Minister has been telling us about that record for some time—

Hon. Members: It is true.

Mr. Speaker: Order.

Mr. Kinnock: The huge majority of patients are not reassured about it. Why should they be reassured about any of the Prime Minister's plans?

The Prime Minister: The huge majority of patients are reassured by using the Health Service. Public opinion polls show that those who use the Health Service are highly satisfied with it, and so they should be. There are far more doctors and dentists and a greater proportion of GDP is invested in the Health Service. The right hon. Gentleman's problem is that the National Health Service is better than it has been at any time.

Mr. Onslow: Is my right hon. Friend aware that the award of £100,000 in costs against a firm of developers that was flagrantly seeking to breach the Government's green belt policy will be particularly welcomed in south-east England and elsewhere? Does she agree that that decision should be taken as a warning by any other developers with similar ambitions?

The Prime Minister: Some two years ago my right hon. Friend the Secretary of State for the Environment said that if developers went to appeal in flagrant breach of green belt land, they would risk paying high costs. That is what has happened and it is yet another example of my right hon. Friend's determination to safeguard the green belt.

Q2. **Mr. Parry:** To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Parry: Will the Prime Minister make urgent representations to the Prime Minister of South Africa on behalf of Mr. Oscar Mptha, a sick, 80-year-old man who has been in gaol for nine years?—*[Interruption.]* Will she ask Mr. Botha to use his discretion and mercy before he has on his hands another murder which will be condemned by the western world?

The Prime Minister: I did not quite catch the whole of the hon. Gentleman's question, but I understand that it concerned South Africa and people who have been in prison for some time. The hon. Gentleman knows full well that the Government are anxious for Nelson Mandela to be released and believe that anyone who has been on remand should be either charged or released. We are closely watching events in South Africa, but we do not believe in sanctions. I should also point out that Namibian independence could scarcely have been achieved without the great co-operation of South Africa.

Dr. Twinn: Does my right hon. Friend agree that yesterday's vote by the Civil and Public Servants Association against having YTS trainees in the Civil Service was a disgrace and a slap in the face for young people genuinely seeking work and training?

The Prime Minister: I agree with my hon. Friend that it was a disgrace that the CPSA voted against having YTS trainees in the Civil Service. It was very disappointing for us all and for many young people who would have liked that opportunity to train.

Mr. Hume: In her discussions with Chancellor Kohl, did the Prime Minister discuss the possibility of moving towards a common European currency? Does she think it possible to have a genuine common market without a common currency?

The Prime Minister: I did not discuss that with Chancellor Kohl. It is possible to have a genuine single market without a common currency, which is not in any way necessary to achieve a single market.

Q3. **Miss Emma Nicholson:** To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Miss Nicholson: In her busy day, has the Prime Minister had time to glance at the copy of *The Meavy Times* that I left at No. 10 Downing street this morning? It is the Meavy primary school's entry in *The Daily Telegraph* schools newspaper competition. Did she note the pupils' call for a cleaner world, including beaches and rivers? Has she a message for me to give to those caring children?

The Prime Minister: Yes, thanks to my hon. Friend, she can tell those school pupils that I received a copy of *The Meavy Times* at No. 10 Downing street this morning. I congratulate them on its excellent content and production. Will my hon. Friend please tell the pupils that we must all play our part in improving the environment? I should be grateful if she would take back to them the Government's

leaflets and information on the environment and the British aid programme, overseas development and tropical forests, and the guide to protecting the environment.

Q4. **Mr. Morgan:** To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Morgan: As one of Sir Raymond Gower's constituents for the past 32 years, may I say on behalf of Welsh Members how much we shall miss his unfailing courtesy? May I also send that message to Conservative Members who were his friends, and to his family?

Will the Prime Minister confirm that she will be giving a keynote speech on 5 March at the conference on the ozone layer and CFCs at the Queen Elizabeth II conference centre in London? Will she also confirm that she refused to attend the international environment summit at The Hague on 11 March convened by her friend the Dutch Prime Minister, Mr. Lubbers? Will she accept from Opposition Members that if she wants to be taken seriously in international environmental scientific collaboration to solve the environmental problems affecting this planet, she should not attend only conferences at which Mr. Bernard Ingham can control the television cameras?

The Prime Minister: May I say how much we appreciate the hon. Gentleman's message of sympathy on the loss of our hon. Friend the Member for Vale of Glamorgan (Sir R. Gower)? He, like all of us, regarded it as a great privilege to serve his constituents in Westminster, and he will be greatly missed here and by them.

With regard to the ozone layer, I shall be making a speech at the conference, as will many others. The purpose of the conference is to create new and higher standards so that we cut the CFC gases by 85 per cent. At the moment we have reached our target of 50 per cent. reduction. By the end of this year, we shall reach a 60 per cent. reduction. The conference is designed specifically to raise standards and improve the quality of the environment.

The other conference to which the hon. Gentleman referred, which has been called by the French Prime Minister and is to be held in The Hague, is not on specific targets for the environment. It is to form a new organisation, and I respectfully submit that we do not need one, given that we have the United Nations, the European Economic Community, the World Climate Authority and the World Meteorological Authority. The conference is to set up yet another organisation, which is not necessary, and it proposes that compensation should be paid—without saying how—and that sanctions should be applied if rules are not complied with—again without saying how. We believe in calling conferences to do things about the environment.

Mr. Higgins: Will my right hon. Friend today meet ministerial colleagues from the Department of Employment, the Department of Social Security and the Treasury to discuss the earnings rule for pensioners, which is an anachronism that is long overdue for abolition?

The Prime Minister: I take note of what my right hon. Friend says. I know that he has long held this view and we shall, of course, consider the matter.

Q6. **Mr. Mans:** To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Mans: Will my right hon. Friend join me in condemning the action of the Association of University Teachers which, in order to pursue its pay claim, is threatening not to set the examination papers of students, thus jeopardising their degrees and causing them a great deal of anxiety and worry?

The Prime Minister: I agree. The action taken by some university lecturers to the effect described by my hon. Friend is deeply disappointing, very irresponsible, wholly unprofessional and careless of the interests of the students in their care. It also goes contrary to what they frequently tell us—that it is vital that we have graduates of high calibre. If we are to have more of those, teachers must carry out their duties of teaching and setting and marking exam papers.

Mr. Healey: Does the Prime Minister recall instructing her spokesman to inform the *Sunday Times* last November that she would—I apologise for using his indelicate words—

"help Kohl to screw Genscher"?

Can she explain how it happened that when she visited Germany this week it was, in fact, Kohl who helped Genscher to conduct the same indelicate operation on her?

The Prime Minister: Such indelicate language and thoughts do not come from any part of Downing street during the lifetime of this Government.

Mr. Cormack: Will my right hon. Friend take a little time today—or over the weekend—to select appropriate thank-you cards to send to the Leader of the Opposition, the hon. Member for Linlithgow (Mr. Dalyell) and all the others who played such a signal part in defeating devolution, which led to her return to power 10 years ago?

The Prime Minister: My hon. Friend has saved me the expenditure involved in doing what he requires, but the feelings are precisely the same as they were then.

Q7. **Mr. Eastham:** To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Eastham: Noting the Government's fanfare about finally bringing unemployment down to fewer than 2 million after nearly 10 years of Conservative Government, may I ask the Prime Minister to tell the House how many more years it will be before they can bring unemployment back to what it was under the Labour Government?

The Prime Minister: The employment we have now is not full of restrictive practices as it was at the time of the Labour Government. May I remind the hon. Gentleman that the work force in employment is at a higher level than ever. There are more jobs now than ever before.

Mr. Burns: Can my right hon. Friend confirm that the British Government will not be bounced by the European Commission into a phased withdrawal of the mile and the pint? Is my right hon. Friend aware that it would cause widespread dismay?

The Prime Minister: As my hon. Friend is probably aware, there is a permanent derogation for the pub pint, for the bottle of milk on the doorstep, for the mile and for the acre. I hope that that reassures him.

Q8. **Mr. Simon Hughes:** To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Hughes: How many more opinion polls will there have to be which show—*[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman has only just started.

Mr. Hughes: How many more opinion polls will there have to be which show that four fifths of general practitioners believe that the proposals in the White Paper will result in a poorer service for patients before the Government change in any substantial respect their proposals for the Health Service?

The Prime Minister: The poll to which the hon. Gentleman refers was sent to 33,000 general practitioners. Some 631 replied before the White Paper was published; a further 262 replies were received before the working papers in detail went out this week; the rest did not reply at all. It seems strange to do a diagnosis before examining the patient.

Business of the House

3.32 pm

Mr. Frank Dobson (Holborn and St. Pancras): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. John Wakeham): The business for next week will be as follows:

MONDAY 27 FEBRUARY—Debate on a motion to take note of proposals for agricultural prices for 1989-90 and related issues. Details of the EC documents concerned and of those relevant to the debate will be given in the *Official Report*.

Motion to take note of EC document relating to Community strategy and action in the forestry sector. Details will be given in the *Official Report*.

TUESDAY 28 FEBRUARY—There will be a debate on the Royal Navy on a motion for the Adjournment of the House.

WEDNESDAY 1 MARCH—There will be a debate on Welsh affairs on a motion for the Adjournment of the House.

THURSDAY 2 MARCH—Until seven o'clock, there will be a debate on housing on a motion for the Adjournment of the House.

Afterwards there will be a debate on a motion to take note of EC documents on the annual report from the European Court of Auditors for 1987 and related matters. Details of these and of the document relevant to the debate will be given in the *Official Report*.

FRIDAY 3 MARCH—Private Members' Bills.

MONDAY 6 MARCH—Second Reading of the Self-Governing Schools Etc. (Scotland) Bill.

[Monday 27 February

(1) Relevant European Community Documents:

(a) COM(89)40	*Agricultural Price Proposals 1989-90*
(b) 4536/89	*Agricultural markets in 1988*
(c) 8960/88	*Sheepmeat regime*
(d) 10083/88	*Imports of sheepmeat from New Zealand*
(e) 9629/88	*Cereals: incorporation into animal feeding-stuffs*
(f) 10140/87	*Use of milk co-responsibility levy funds*
(g) 10419/88	
(h) 8502/88	*Court of Auditors special report: management and control of special storage*
(i) 8951/88	*Pigmeat market*
(j) 9658/88	*Cereals: co-responsibility levy*
(k) 9275/88	*Aid for conversion of agricultural production*
(l) 10416/88	*Extensification of agriculture*

Relevant Reports of European Legislation Committee:

(a) HC 15-xi (1988-89), para 3 and HC 15-xii (1988-89), para 3
(b) HC 15-xii (1988-89), para 5
(c) HC 15-ii (1988-89), para 3
(d) HC 15-v (1988-89), para 1
(e) HC 15-v (1988-89), para 3
(f) HC 43-xi (1987-88), para 9
(g) HC 15-vi (1988-89), para 10
(h) HC 15-i (1988-89), para 3
(i) HC 15-i (1988-89), para 13
(j) HC 15-v (1988-89), para 8
(k) HC 15-v (1988-89), para 7
(l) HC 15-iv (1988-89), para 9.

(2) Relevant European Community Document: 8415/88 Strategy and action programme: forestry sector

Relevant Report of European Legislation Committee: HC 15-viii (1988-89), para 1

Thursday 2 March

Relevant European Community Documents:

(a) 9908/88	*Annual Report of the Court of Auditors 1987*
(b) 8502/88	*Management and control of public storage of agricultural products*
(c) 9945/88	*European Coal and Steel Community Finances*
(d) 4782/88	*Community Budget 1987: Implementation*

Relevant Reports of European Legislation Committee:

(a) HC 15-viii (1988-89), para 2
(b) HC 15-i (1988-89), para 3
(c) HC 15-xi (1988-89), para 4
(d) HC 43-xxvii (1987-88), para 5.]

Mr. Dobson: I thank the Leader of the House for that statement and, in particular, for providing Government time for a housing debate to make up for the time lost on a previous occasion.

Will the Lord President tell the House whether we may expect a debate on private Bill procedure in the reasonably near future? That is an important and complicated matter and right hon. and hon. Members in all parts of the House will find it helpful to know in advance when that debate will be, as that will assist them in their preparations and in consultations with people outside the House.

Can the right hon. Gentleman say when there will be the promised debate on student loans, and the debate—which has been promised even longer—on the Fennell report on the King's Cross fire? I understand that the Secretary of State for Transport made a brilliantly witty speech at the Press Gallery lunch yesterday. We should like the Secretary of State to come to the House, and—although we do not mind about the standard of his speech—we think that he ought to reply to the points we have to make.

Finally, I press the Leader of the House for an early debate on the Government's review of the National Health Service. The Secretary of State for Health spent more than £1 million initially trying to publicise the White Paper. By any standards of measurement, it is clear that its proposals have yet to prove popular, either with doctors or with the public. One expects the Secretary of State to be pressing the right hon. Gentleman for an early opportunity to provide better and more attractive explanations than hitherto. We wish to know whether there will be an early debate on that subject, and whether the Secretary of State for Health will explain then how on earth the proposals in the Griffiths report for care in the community can be reconciled with those in the National Health Service review.

Mr. Wakeham: I am grateful to the hon. Gentleman for his questions, and for his remarks concerning the housing

[Mr. Wakeham]

debate that I have been able to arrange for next week. It is an important subject, and the Government have a good story to tell. We welcome the opportunity to tell it. As to private Bill procedure, I know of the keen interest in a debate on that subject. I am arranging for the precise timing to be discussed through the usual channels, but it is my intention that the debate will be shortly after Easter.

On student loans, the White Paper asked for responses on a number of points, and my right hon. Friend the Secretary of State for Education and Science is considering them. Meanwhile, he is preparing for implementation of the Government's plans in the autumn. To that end, he is discussing with a variety of financial institutions and other potential agents administration of the top-up loans. It is clearly a matter that the House will want to discuss, but the timing of a debate is a matter for the usual channels.

As to the Fennell report, I cannot add anything useful to my remarks to the hon. Gentleman of last week. I agree that it will be appropriate to have a debate but, again, the precise timing is best left to the usual channels.

I agree with the hon. Gentleman that we should have a debate on the Health Service and on the Griffiths report. We are giving the Griffiths report active consideration and hope to bring forward our proposals in the near future. We recognise the concern that our response should not be unduly delayed, but it is vital that we reach the right solution. The Government remain of the view that a debate will be most helpful when our proposals are available for discussion.

Mr. Robert Rhodes James (Cambridge): I welcome my right hon. Friend's remarks in response to the question of the hon. Member for Holborn and St. Pancras (Mr. Dobson) on student loans. I emphasise to my right hon. Friend that, before any decision is made, the House should have an opportunity to debate the matter, and that that debate should be as soon as possible.

Mr. Wakeham: I acknowledge my hon. Friend's knowledge of and interest in the subject, but I cannot usefully add to my earlier remarks.

Mr. Robert Parry (Liverpool, Riverside): The Leader of the House may have had an opportunity to note early-day motion 395, signed by 110 hon. and right hon. Members, concerning Mr. Oscar Mpetha, a sick man aged 80, who has been imprisoned in South Africa for the past nine years.

[That this House calls upon the South African Government to release Mr. Oscar Mpetha a 79 year old trade union leader imprisoned since 1980; notes that he had his leg amputated in 1983, that he is a diabetic with complications and was refused permission to leave prison in 1986 to attend his wife's funeral; believes that his imprisonment is solely due to his struggle on behalf of black workers and as a member of the South African Congress of Trades Unions and as President of the African National Congress in the Cape; welcomes Her Majesty's Government's representations to the South African Government on his behalf; and calls upon the South African authorities to release Mr. Mpetha as as matter of urgency.]

Will the Leader of the House ask his right hon. and learned Friend the Foreign Secretary to make urgent representations to South Africa's Foreign Secretary, Mr. Botha, before it is too late?

Mr. Wakeham: The Government have certainly noted the early-day motion, and we have made representations to the South African Government on behalf of Mr. Mpetha on at least five occasions. I note the hon. Gentleman's request.

Sir William Clark (Croydon, South): May I draw to the attention of my right hon. Friend the practice, indulged in by some hon. Members, of complaining about the shortage of time resulting from the use of the guillotine and then wasting time by raising point of order after point of order? Should not this practice be roundly condemned?

Mr. Wakeham: I agree with my hon. Friend. I find it very difficult to understand why those matters were pursued yesterday, especially as it had been made clear that everything was in order, and especially since those right hon. and hon. Members who had been most vociferous about the time provided for the debate were most prominent in taking up over an hour of that time by raising bogus points of order.

Mr. James Wallace (Orkney and Shetland): Can the Leader of the House tell us how discussions in the usual channels are going with regard to the question of our having a debate on the matter of displaying petrol prices in gallons? This is something for which the Chairman of the Trade and Industry Select Committee has been asking for a long time. If it is not possible to have a debate specifically on that matter, could it be brought up in the context of a debate on the question of metrication generally?

Secondly, is it likely that there will be an announcement next week about the British-Irish parliamentary tier? If so, will it be possible to give a guarantee that the composition of that body will include representation of the Alliance Party of Northern Ireland, which has representation in another place?

Mr. Wakeham: The hon. Gentleman raised two points about metrication. My right hon. Friend the Chancellor of the Duchy of Lancaster has had discussions with the Chairman of the Trade and Industry Select Committee, my hon. Friend the Member for Hastings and Rye (Mr. Warren), about the display of petrol prices, and he has now asked that Committee for any further suggestions it might like to make. My right hon. Friend awaits those suggestions with interest.

With regard to metrication generally, no doubt the House will have an opportunity to debate these matters in the near future.

As to the British-Irish parliamentary tier, the details have not yet been settled fully, but the intention is that this should be a matter primarily for the Dublin and Westminster Parliaments.

Mr. Michael Marshall (Arundel): Can my right hon. Friend say whether he hopes shortly to find time for a debate on the report of the Council on Tribunals, which was laid before this House on 16 January, particularly in view of the significance of its recommendations in respect of ministerial accountability for the actions of the general commissioners of taxation?

Mr. Wakeham: I know of my hon. Friend's interest in these matters. The Government are at present studying this very important report, and an announcement will be

made in due course. I cannot promise an early debate in Government time, but I am sure that my hon. Friend will be able to find another way of raising the matter.

Mr. Peter L. Pike (Burnley): Will the Leader of the House recognise that many people in receipt of protected transitional payments, following the change from supplementary benefit to income support, are suffering very severely as a result of the current level of inflation? Will he try to ensure that time is provided for a debate at the earliest opportunity—before those people suffer a further erosion of their standard of living when the new benefits come into effect in April?

Mr. Wakeham: I am sure the hon. Gentleman recognises that this Government have at least kept pace on behalf of people in receipt of pensions and other social security payments, and that they have not done so by fiddling the figures. I recognise that the hon. Gentleman would like to raise the matter, but I cannot promise a debate in Government time in the near future.

Mr. John Carlisle (Luton, North): In the light of the slight hiccup in another place this week, when their Lordships decided to try to phase in the Football Spectators Bill *[Lords]*, will my right hon. Friend give the House an absolute assurance that the Government will not be deflected from this admirable legislation and that it will be brought before this House unamended as quickly as possible?

Mr. Wakeham: Of course, I cannot comment in detail on a Bill that is before another place. However, I can say that I understand that the effect of the amendment was perhaps not what its proposers intended. I believe that the matter will be resolved happily before the Bill comes to this House.

Mr. Gerald Bermingham (St. Helens, South): In view of the number of informed leaks that have occurred recently with regard to the inviting of tenders for the construction of private remand prisons, will the Leader of the House undertake to bring the issue of private prisons to the Floor of this House before the Government take any definitive action? There is a fundamental principle at stake here.

Mr. Wakeham: I do not know about informed leaks, and I do not know whether the hon. Gentleman does either. I therefore cannot accept that part of his question. I cannot imagine, however, that development of policy in that regard would go very far before an announcement was made in the House.

Sir Richard Body (Holland with Boston): Further to what my right hon. Friend said recently about the House being given an opportunity to debate metrication, may I ask whether there would be any point in our having such a debate if the Government have already agreed to what is now known as the Cockfield directive—the last proposed directive that Lord Cockfield signed before giving up office—in which he said clearly that imperial measurements would be phased out over a period of years, with only a few exceptions?

Mr. Wakeham: I think that my hon. Friend emphasised in making his point that it might be desirable to debate the matter in the House. As my right hon. Friend the Prime Minister pointed out a few minutes ago, permanent derogations have been included for the pub pint, the pint milk bottle on the doorstep and the mile—for both distance and speed measurement.

Mr. Robert N. Wareing (Liverpool, West Derby): In view of the growing concern in Europe at the Prime Minister's intransigence in insisting on the modernisation of short-range nuclear weapons, is it not right that she should make a statement in the House about her meetings with the German Chancellor Herr Kohl in Frankfurt this week so that we can have a full view of that intransigence and the fact that she is out of step with nearly every world leader at present?

Mr. Wakeham: The hon. Gentleman has got it completely wrong. What my right hon. Friend the Prime Minister was doing in Frankfurt was discussing and supporting unanimous decisions by NATO. The interesting question is whether the Opposition support NATO.

Sir Anthony Grant (Cambridgeshire, South-West): Is my right hon. Friend aware that there is a very simple solution to the problem of the display of petrol prices in gallons and litres which can be achieved without any lengthy discussion—namely for the Government to withdraw the order that they laid just before we rose for the Christmas recess?

Mr. Wakeham: I know my hon. Friend well enough to be aware that when he says that there is a simple solution there is usually a catch in it. I think that I will leave it at that.

Mr. Harry Barnes (Derbyshire, North-East): You are aware, Mr. Speaker, of the disruption of last Thursday's Adjournment debate, and condemn it. Nine points of order were raised. I know that the Leader of the House did not like the points of order that were raised yesterday—and I do not think that you were too pleased with some of them either, Mr. Speaker.

On Thursday, the hon. Member for Derbyshire, West (Mr. McLoughlin) spied Strangers and then did not bother to vote in the Division, and there was continuous caterwauling from some Conservative Members, including the hon. Member for Derbyshire, South (Mrs. Currie). Will the Leader of the House ensure that nothing like that takes place in future Adjournment debates?

Mr. Wakeham: The hon. Gentleman is right to disapprove of disorder, wherever it comes from, but I hope that he is also big enough to recognise that it does not always come from one side of the House. His hon. Friend the Member for Bolsover (Mr. Skinner) can dish it out, and I think that he can take it as well.

I do not approve of disorderly conduct. I believe that the House does itself credit when it conducts itself in accordance with order. The question of order at any particular time, however, is a matter for the occupant of the Chair and not for me.

Sir Peter Emery (Honiton): My right hon. Friend would not expect me to discourage him from arranging a debate on procedure, particularly when it concerns a report that has been before the House for nearly two years and on which I have urged him many times to arrange a debate. May I point out, however, that because of certain happenings during the present Session a paper is currently before the Procedure Committee about private Members' time. It might well be useful to ensure that that was placed

[Sir Peter Emery]

before the House, as I think that it may assist the House in coming to decisions that go further than those in our original report.

Mr. Wakeham: As my hon. Friend knows, on all such questions—but particularly questions of procedure—I seek to make progress through as much consent and agreement as possible from both sides of the House. Relatively simple changes often have complications which are not necessarily readily understood at the time.

I think that my hon. Friend will agree that he and I have discussed these matters; and I have discussed them with many other Members of the House. We are slowly making progress in finding ways of dealing with some of the issues, but I do not wish to rush to quick and simple solutions, because they are not there—and I know that my hon. Friend does not believe that they are there either.

Mr. Dennis Skinner (Bolsover): Can I begin by saying that I agreed with the Leader of the House when he referred to the fact that we must be prepared to take the rough with the smooth in this place. The only point I quarrelled with was that the way in which hon. Members dealt with the matter was a little bit inept. I actually got to know about the so-called ambush before it started, which spoilt the adventure that could have occurred. It got a bit boring really.

The Secretary of State for Energy gave a reply during last Energy Questions about miners who have been called to go on restart schemes and who may lose their benefits from British Coal or the state. Attempts are being made by various Departments, including Energy, to try to remedy the matter. Will the Leader of the House talk to the respective Departments—Employment and Energy—with a view to ensuring that by next Monday, when the Department of Energy reports again to the House, the matter will be resolved, so that those miners who have been made redundant are not called on to go through this procedure and will be treated in the same way as those who are given the golden handshake and go on to the professional and executive register? We should treat everyone alike.

Mr. Wakeham: I certainly give the hon. Gentleman the undertaking that I shall have a word with my right hon. Friend. I wonder whether the hon. Gentleman would do a favour for me some time and have a word with some of his hon. Friends to teach them how to proceed in the House with the same skill as he has.

Mr. Skinner: I do it all the time.

Sir John Stokes (Halesowen and Stourbridge): Will my right hon. Friend find time for us to debate the implications of the second Astra satellite, which will soon become available to all homes in England prepared to pay? Its programmes consist mainly of indecent foreign films. Can we not stop this debauchery of our morals before it starts?

Mr. Wakeham: I understand my hon. Friend's concern. We have recently had a debate on broadcasting, so I cannot find an early debate in Government time. It is a matter to which we shall come back and I know that my hon. Friend will be in the forefront in expressing his views.

Mr. Greville Janner (Leicester, West): Can we have an early debate on road safety? Is the Leader of the House aware that the Government have reduced by £4,300,000 the money available to Leicestershire county council for roads, including road safety, this year? That means that 17 pedestrian crossings that are needed in dangerous places cannot conceivably be installed. There has already been the death of one child, Kelly Allen, aged eight, in my constituency. It is a scandal, increased by the fact that there is £600,000 unused in the gritting fund and the Government will not permit it to be employed for road safety because it is in the wrong account.

Mr. Wakeham: The hon. and learned Gentleman knows that these matters are a bit more complicated than he implied by his question. It seems primarily a matter for Leicestershire county council and not for my right hon. Friend the Secretary of State for Transport, although I shall certainly refer the matter to him. I hope that the next time the hon. and learned Gentleman asks a question on roads and road safety he will recognise the substantial increase of about 40 per cent. in real terms that the Government have funded for road improvements.

Mr. Michael Latham (Rutland and Melton): Regarding my Adjournment debate next Friday, can my right hon. Friend say which junior Minister has drawn the short straw of replying? Will he ensure that that junior Minister, whoever he is, co-ordinates with the Foreign Office, the Home Office, the Attorney-General and the Ministry of Defence so that he can answer all the questions relating to the death of Petty Officer John Black, as this is the second time that I have had to seek an Adjournment debate on this distressing subject?

Mr. Wakeham: As my hon. Friend knows, it is not customary on these occasions to say which Minister will be replying to a particular debate, but my hon. Friend makes his point clearly and I shall see to it that the Minister responsible is aware of my hon. Friend's points before he comes to reply to the debate.

Mr. Jeff Rooker (Birmingham, Perry Barr): Can the Leader of the House arrange for the Secretary of State for Defence to come to the House to make a statement explaining exactly what the Ministry has been doing since last April when I raised in the House the case of the massacre of the Royal Warwickshire prisoners of war and the allegations regarding Wilhelm Mohnke? Bearing in mind and notwithstanding its contacts with the West German Government, I was informed yesterday by the United States Department of Justice on behalf of the director of special investigations that the United States Government have no fewer than 70 cases of documents regarding massacres that occurred in Normandy, many of which refer to Wilhelm Mohnke. The department stands ready to help any Government who request information. It is clear that the British Goverment have never once asked to see those files. Can we have an explanation from the Ministry of Defence next week about exactly what it has been doing since last April?

Mr. Wakeham: Obviously, I cannot give an answer to that question off the cuff, but I know that the hon. Gentleman is concerned about the matter, which he has raised a number of times. I shall see to it that he gets an answer from the Ministry of Defence.

Mr. Andrew MacKay (Berkshire, East): In view of the ill-informed intervention by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) yesterday evening, will my right hon. Friend confirm that it is up to the House authorities to decide whether amendments should lead to the costly reprinting of a Bill, and that it has absolutely nothing to do with the Government?

Mr. Wakeham: My hon. Friend is right. There are long established customs in this matter. Once a Bill is introduced, it becomes the property of the House, not the Government, and the decision whether to reprint a Bill following amendments in Committee is a matter for the House authorities. The practice is that if an amendment relates to a very few words, no further reprint is necessary for Report and Third Reading. I should have thought that that was a perfectly practical and sensible way in which to proceed.

Mr. D. N. Campbell-Savours (Workington): May we have a statement next week on the provision of classified material to Select Committees? To whom must I go if I want to challenge the provision of classified documents, stamped "secret" by the Ministry of Defence or another Department, to Select Committees and members of those Committees? Will the Leader of the House tell me to whom I must go? Someone must answer the question that I ask.

Mr. Wakeham: I am afraid that, as the hon. Gentleman knows, I am not prepared to answer questions on security.

Mr. Campbell-Savours: On a point of order, Mr. Speaker.

Mr. Speaker: Mr. Budgen.

Mr. Nicholas Budgen (Wolverhampton, South-West): Would not 1 March be a suitable occasion to allow the Government to remember in a debate that 10 years ago the legislative proposals for devolution in Scotland and Wales were defeated, and to allow a spokesman from the Conservative and Unionist party to explain why devolution is so wrong in Scotland and Wales but so right in Northern Ireland?

Mr. Wakeham: My hon. Friend would not seriously want to pursue that issue. Wednesday 1 March is St. David's day, and I cannot think of a more appropriate subject for debate on that day than Welsh affairs. I remember that when I arranged last year's debate for 2 March I got into considerable trouble with the Opposition for not getting the right day.

Mr. Dick Douglas (Dunfermline, West): Does the Leader of the House realise that many Scottish Labour Members would welcome a debate on devolution and the Government's record in Scotland?

More particularly, I want to ask about Energy Questions next Monday and the serious matter of the contract between the South of Scotland Electricity Board and British Coal, which is still to be resolved. My constituents, and those of many of my colleagues, have been very patient, considering that the contract runs out on 31 March. We have heard good noises from the Secretary of State for Scotland to the effect that the matter will be resolved, but may we expect that the Secretary of State for Energy will tell us, on Monday or very soon after, that it is to be resolved and that deep-mined coal will continue to be produced in Scotland for power stations?

Mr. Wakeham: What I can confirm is that my right hon. Friend will be in the House on Monday to answer questions on energy matters. No doubt the hon. Gentleman will be able to pursue the matter with him.

The hon. Gentleman suggested that the Opposition would like to take part in a debate on Scottish matters. I am sure that he is right and that, if we had such a debate, he would make one of his usual trenchant contributions, although whether it would be acceptable to those on the Opposition Front Bench is another matter.

Mr. Graham Riddick (Colne Valley): As we are to debate a wide range of issues next week, does my right hon. Friend think it appropriate that we should debate the wool textile industry, following the announcement last week of record export figures for 1988? Would he like to comment on those figures, and does he not think that they are a tribute to the industry's increasing investment over the years and to its identification and exploitation of the market opportunities that are present now?

Mr. Wakeham: My hon. Friend is absolutely right. The wool textile industry has produced some very good figures. I would love to be able to arrange a debate next week, but my hon. Friend would be the first to recognise that quite a number of subjects are down for debate and I do not think I can add to them.

Mr. Max Madden (Bradford, West): Is the Leader of the House aware that there is mounting concern among elderly people living alone, women fleeing violence and those granted political asylum about their names and addresses being published on the poll tax register? Will the right hon. Gentleman arrange for the Secretary of State for the Environment to make urgent inquiries and to make a statement to the House making clear that those responsible for drawing up the public poll tax registers will have complete discretion to delete from the public extracts the names and addresses of those who are fearful for their well-being, and in some cases their lives, if their names and addresses are published?

Mr. Wakeham: The hon. Gentleman has not chosen an especially good topic this week. He should perhaps compare the position with that of the register of electors. I do not believe that he is justified in saying what he said. He has grossly overstated the case.

Mr. Harry Greenway (Ealing, North): I remind my right hon. Friend of his opposition to debates on opinion polls, in which I support him. I invite him, however, to have a debate on a real poll which took place in my constituency last Thursday in the Hobbayne ward, in which the Conservatives gained an Ealing council seat from the Labour party, with a swing from Labour of 23·6 per cent. Will he include in any motion relating to that the fact that that is the third gain by the Conservative party of a seat on Ealing council in five months?

Mr. Wakeham: If I arrange debates every time that the Conservatives win a by-election, we would do nothing else but have debates on that subject.

Mr. Spencer Batiste (Elmet): Is my right hon. Friend aware that the majority of the legal profession welcomes

[Mr. Spencer Batiste]

the Lord Chancellor's important and far-reaching proposals in the Green Paper? Will he organise, as early as possible, a debate on this subject to demonstrate both the important need for urgent action and the relative isolation of the few objectors?

Mr. Wakeham: My hon. Friend has expressed his opinion, which I value. My view is that the Green Paper is a detailed and complicated document and, before considering the possibility of a debate, it would perhaps be better if we waited until right hon. and hon. Members and those outside the House have had time to consider it properly. I am sure that that is a matter to which we shall want to return.

Mr. John Wilkinson (Ruislip-Northwood): Will my right hon. Friend explain why no Minister from the Ministry of Defence has made a statement to the House about the recent IRA bombing of the Tern Hill barracks? Were there not serious questions to be asked about security, rules of engagement and liaison with the police? Was not grave damage done to property? If such an eventuality were to occur in the future, will my right hon. Friend ensure that, instead of Ministers giving interviews to the media, they come first to the House?

Mr. Wakeham: My hon. Friend will remember that I answered questions for the Prime Minister on this matter earlier in the week. It is a matter of judgment whether it is right to make statements in the House. That is something which the Government consider carefully on each occasion. On this occasion, it was not thought that it was appropriate or helpful, but that did not in any way diminish our horror of and concern about that terrible event.

Mr. Bill Walker (Tayside, North): Will my right hon. Friend give serious consideration to the request from my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) for a debate on 1 March on devolution? Does my right hon. Friend realise that in the running of this unitary Parliament proposals for the forms and structures of government and voting patterns are reflected and impinge on all the areas covered by the unitary Parliament? In particular, there is no way that Scotland can ignore developments in Ulster, any more than Ulster can ignore developments in Scotland. That has been frequently shown by the number of arms caches recovered in Scotland, which has a direct link with the hostilities in Ulster.

Mr. Wakeham: My hon. Friend has made his point. Of course it is an appropriate matter for the House to discuss, but it is not something that I can see my way to finding a place for next week.

Mrs. Teresa Gorman (Billericay): Is my right hon. Friend interested to learn that, after I raised the subject of the need for a necessary knick-knack kiosk in this place, I was approached by a score or more hon. Members with their own hard luck stories, including one hon. Member who said that his marriage was threatened because of his inability to buy a birthday card for his wife? Is my right hon. Friend interested to know, further, that the Doormen and the Badge Messengers have brought to my attention the fact that they used to be allowed to run such a store in Westminster Hall and that it has been a long tradition in the House to use that area for commercial purposes? Will my right hon. Friend reconsider reinstating that tradition?

Mr. Wakeham: My hon. Friend wants to be careful of hard luck stories inside or outside the House from men —hon. Gentlemen or not—whom she does not know too well. I know that she is well capable of looking after herself on those occasions. I am glad that her story ended happily. If my hon. Friend believes that there are any changes that we should make to our arrangements, I suggest that she contact the Chairman of the Accommodation and Administration Sub-Committee, which is responsible for such matters.

Points of Order

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Speaker. You will know how I have persisted with you over these weeks—indeed, I courteously left the Chamber last week at your request—on the question of six Conservative Members of Parliament. You will have noted once again the reply of the Leader of the House when I asked a question about the provision of classified information to Select Committees. He immediately hid—as indeed, you did, Mr. Speaker, two weeks ago—behind the concept of security being so important that these matters cannot be discussed. Where do I go from here, Mr. Speaker, because this matter remains? I do not intend to give up, and I may have to persist in ways that the House might not like. *[Interruption.]* I am just saying what will happen.

I believe that there is a serious consideration that hon. Members must examine, which is the question whether classified information should be given to Select Committees without us knowing whether the members of those Committees—or even members of the Committee of Selection—are fit to handle classified material. The matter cannot go away. I wonder whether you will go away and examine this matter and give me further advice, because I intend to persist in asking for it, and taking other routes if necessary.

Mr. Michael Latham (Rutland and Melton): Further to that point of order, Mr. Speaker. Would it not solve all the problems if the hon. Gentleman were to have a chat with my hon. Friend the Member for Thanet, South (Mr. Aitken) and then we could perhaps know who those six Conservative Members are? I would like to know, for example, whether I am one of them.

Mr. Speaker: Me too.

Mr. Campbell-Savours: Might I add to that, because it would be helpful to the House? I have done precisely that. The hon. Member for Thanet, South (Mr. Aitken) is a Member of honour, and he has refused to give me that list.

Mr. Speaker: I cannot help the hon. Member. As he well knows, I have given the matter great consideration. He will have to pursue it in the way in which he thinks is right.

Mr. Tony Benn (Chesterfield): Further to that point of order, Mr. Speaker. Can I ask you to consider another aspect of this matter? I do not share my hon. Friend's view that Members of Parliament should be vetted——

Mr. Campbell-Savours: I am not saying that at all.

Mr. Benn: My understanding is that——

Mr. Campbell-Savours: I am not suggesting that at all.

Mr. Speaker: Order. The point of order is to me and not to the hon. Member.

Mr. Benn: My concern is that there should be vetting of Members of Parliament by the security services, which is a threat to the rights of the House. I am not concerned about whether Members are able to pass the MI5 test or not, because that of itself is a threat to the independence of the House. I would only ask you, therefore, to consider whether it is in order and whether you, Mr. Speaker, would ascertain whether it has occurred and that security services personnel have come to conclusions about the reliability of hon. Members. If that were to prevail, it would not be long before candidates standing for Parliament would have to prove not only that they were not disqu[illegible] according to the statute, but that they were not disqu[illegible] according to a secret vetting procedure. I hope that [illegible] putting it this way, I can help you to make inquiries [illegible] behalf of the House to find out whether it is true that t[illegible] security services vet Members of Parliament. If that were to occur, that would be the ultimate capitulation of the legislature to the Executive.

Mr. Speaker: I share the right hon. Member's views. I hope that hon. Members would not be vetted. We are all right hon. or hon. Members, whichever side of the House we sit on.

BILL PRESENTED

Abolition of Domestic Rates Etc. (Scotland) Act (Amendment)

Mr. James Wallace, supported by Mr. Menzies Campbell, Mr. Archy Kirkwood, Mrs. Ray Michie, Mr. Charles Kennedy, Mr. Malcolm Bruce and Sir Russell Johnston, presented a Bill to amend section 29 of the Abolition of Domestic Rates Etc. (Scotland) Act 1987 to provide for the hearing of evidence in relation to appeals under the Act: And the same was read the First time; and ordered to be read a Second time upon Friday 3 March and to be printed. [Bill 83].

European Community

Mr. Speaker: I must announce to the House that I have not been able to select the amendment on the Order Paper.

4.10 pm

The Minister of State, Foreign and Commonwealth Office (Mrs. Lynda Chalker): I beg to move,

That this House takes note of the White Paper "Developments in the European Community January-June 1988" (Cm. 467).

I know that the House wishes to be fully informed about proposals and discussions in the European Community. The House deserves both individual and general debate. I join the hon. Member for Hamilton (Mr. Robertson) in regretting that this debate could not have been held earlier. We would have preferred it, but it did not prove to be possible.

I accept that there is genuine concern in the House about the need to make the process of parliamentary scrutiny more timely and effective. I have noted the amendment that was tabled by some of my hon. Friends. I assure them that, although we are not debating the amendment, as the issue was raised in section 15 of the White Paper, we are noting carefully the views of all right hon. and hon. Members. My right hon. Friend the Lord President will look carefully at what is said in the debate.

We must ensure that the recommendations of the Scrutiny Committee on European Community legislation are acted on in good time. Of course there are difficulties in arranging the timing of debates, but I am determined to do all possible to improve the situation. Our record in 1988 shows a welcome increase: 39 scrutiny debates on 109 documents. Last year, we debated the largest number of documents for many years. We shall aim for further improvement. We shall try to make the mechanics of the scrutiny system work better, for the benefit of good discussion in the House. We look forward to the comments and suggestions that will be made in the coming weeks to my right hon. Friend the Lord President.

Sir Russell Johnston (Inverness, Nairn and Lochaber): Did any of the debates and reports that the right hon. Lady listed result in any change of any kind?

Mrs. Chalker: Off hand, I would be foolish to give the hon. Gentleman an exact answer. My memory—it is only my memory, and it is fallible from time to time—tells me that suggestions were made and were later taken up, but I rather doubt whether the actual wording was changed. If I have erred, I shall tell the hon. Gentleman so that he knows the correct answer and can make it available to other hon. Members.

Mr. Jonathan Aitken (Thanet, South): Not only the Leader of the House but my right hon. Friend's Department needs to note some of these suggestions. I refer my right hon. Friend to the debate on 14 November on tobacco products. The most gentle of amendments suggested that the Government should be sensitive to not trying to make article 100A, as Mr. Speaker's counsel has said, do more work than it was ever intended to do. According to revelations that were made by the recently ministerially deceased Under-Secretary, the hon. Member for Derbyshire, South (Mrs. Currie), that amendment was voted down on the instructions of the Foreign Office. That point appeared in correspondence in *The Guardian*. It is not good enough for the Foreign Office to take such a strong line on a sensible House of Commons suggestion.

Mrs. Chalker: I remember reading something in *The Guardian*. I am surprised that my hon. Friend believes everything that he reads in it. I remember that the facts were not quite as described in *The Guardian*. I do not have the relevant papers with me, so I hope that my hon. Friend will forgive me if I refer to the White Paper.

Mr. Tony Marlow (Northampton, North): I am sure that my right hon. Friend would be happy to agree with me that if there is to be a debate in the House on many of these instruments—there are many important ones and many are coming through at the moment—if democracy is to mean anything at all, it should take place before the common position has been agreed within the Community.

Mrs. Chalker: It is quite difficult to know the best time to have a debate. My hon. Friend is aware that the Commission will put forward a proposal, and comments will be made on it. It may be changed, and it may then go forward again. If the time of the House is not to be concentrated solely on these matters, which would not be in the best interests of the House, we must investigate the best possible times, which may differ according to the matter under consideration, to look at the details. My right hon. Friend the Lord President is concerned with these very measures, as are all Ministers who are engaged on European business, not solely the Foreign Office.

Mr. Marlow *rose*——

Mrs. Chalker: If my hon. Friend will forgive me, I should like to refer to the White Paper.

Mr. Marlow: Just briefly.

Mrs. Chalker: I shall give way for the last time.

Mr. Marlow: Is there a lot of point in having a debate after the common position has been reached?

Mrs. Chalker: I should not think so, either. My hon. Friend made a reasonable point. My only caution is that I have known an occasion on which we thought that a common position had been agreed, and a further common position was subsequently arrived at. If such an event is possible, we must look at the best possible time to discuss every subject. In this matter, we are concerned to get a better system not only to notify hon. Members when things will come forward but to try to arrange the business of the House in a better fashion to get proper scrutiny. My hon. Friend has my full assurance that nobody will be happier than I if we can get scrutiny debates better organised than they have been for a long while.

In commending to the House this White Paper on 1988 events in the first half of the year, I shall single out three main developments: first, the February 1988 agreements on reforming the common agricultural policy and controlling Economic Community expenditure; secondly, the dramatic progress on the single market which this unlocked; and, thirdly, the consequent developments in the Community's relations with the wider world.

The White Paper covers the period of the German presidency. It was a significant six months for the Community. It included the special European Council in Brussels, on 13 February, and the Hanover European Council, held on 27-28 June. It was at the 1988 February

Heads of Government Council that final agreement was reached on the key issues of future financing and agriculture.

That agreement was an excellent one, both for Britain and for the Community. It was a threefold triumph to ensure, first, that future increases in Community resources go hand in hand with effective and legally binding controls on expenditure; secondly, that measures to reduce agricultural surpluses would be effective; and, thirdly, that the Fontainebleau abatement mechanism for the United Kingdom was maintained in full. That is how, in 1989, we will receive an abatement of £1,179 million.

Some of my hon. Friends have argued that we could have painlessly achieved all that if we had adopted a more accommodating negotiating style. With every respect, they were wrong. I know of no one who was involved in the negotiation leading up to February 1988, in any Community capital, who agrees with them. Some argued that the achievements were illusory and that, in particular, time would tell that we have not succeeded in limiting the CAP. I should like to show some of my hon. Friends who still think that why they are wrong.

The February 1988 texts were given legally binding form in June, and the impact was immediate. The 1989 budget was adopted with CAP spending well within the legal guideline. During the 1989 budget process, the Commission proposed, and the Council and Parliament agreed, extra savings worth some £2,500 million. They came from improvements in managements and the change in the dollar-ecu relationship and changes in world prices and, indeed, production due to drought.

The agricultural "stabilisers", that 1988 innovation, were triggered for a wide range of arable crops. This produced 1988 price cuts of up to 20 per cent. For the key cereals crop there will be a 1989 price cut of 3 per cent. The intervention stocks dropped sharply. The milk powder mountain has gone, with quantities in store amounting to only about two days' supply for the Community. The butter mountain shrank by 88 per cent. in 1988.

Mr. Teddy Taylor (Southend, East): Will the Minister give way?

Mrs. Chalker: If my hon. Friend will allow me to complete this section, I shall give way.

Even the once stubbornly high stocks of beef are falling significantly. They are now 38 per cent. down on last year. In short, financial control is now biting, and biting hard.

Mr. Taylor: How can the Minister, who is speaking to a half-empty House of Commons, talk about the butter mountain being reduced because of reforms? Do not the figures which I have sent to my right hon. Friend and which have been published in *Hansard* show that we had a thorough clearance sale whereby 877,000 tonnes of butter were sold at prices as low as 2·75p a pound instead of the usual 400,000 tonnes per year? How on earth can the Minister call this the outcome of reform when the figures published by the Ministry of Agriculture show that we had a thorough clearance sale of the existing mountain at a ludicrously low price? How can that be a reform?

Mrs. Chalker: The fact that the stocks have moved from that figure to a current level of 102,000 tonnes does not belie the fact that they have gone down. When they are reduced, it saves storage costs. By saving storage costs, we are not putting good money into a non-productive sector. That was the importance of these reforms.

Clearly, there is much more to be done. The fact that financial control is now biting is one of the most important aspects of the decisions made last year. Obviously, not everything can be put right overnight. In particular, we need to ensure that value for money in European Community expenditure is pursued with equal rigour. That means effective and continuing action to detect and deter fraud.

The United Kingdom has consistently argued for this. In 1987, I urged the late Mr. Aigner, who was then chairman of the Budgetary Control Committee of the European Parliament, to stimulate an increase in his efforts. I am pressing Mr. Schön, his successor, to give extra attention to this.

Last week, it was alleged in another place that in 1987 the United Kingdom vetoed action on fraud by the Commission. I have to tell the House that that was not so. On the contrary, the United Kingdom has been the leading advocate of the anti-fraud unit which has been set up inside the Commission. Fraud must be tackled by the Commission, and by member states working together, and we shall see that it is. The decision taken in March 1987 at the ECOFIN Council was unanimously to reject the Commission's proposal because it was not thought right to have a Commission-led investigative mission. It is thought right that both the Commission, and the member states working together, should tackle the problem and get it right.

The House may be interested to know that I spent part of Tuesday of this week with Commissioner Schmidhuber on this very subject. We shall indeed make sure that this is high on all the agendas. My right hon. Friend the Chancellor of the Exchequer will be raising the matter in March at the ECOFIN Council.

Mr. Marlow: Will my right hon. Friend give way?

Mrs. Chalker: Very well—for the last time.

Mr. Marlow: Let us be realistic. Is it likely that the Italian Government will prevent the Mafia from fraudulently applying Community funds? It is very difficult for the Italian Government to deal with the Mafia. If they get the money, more Community money goes to Italy, and so Italy will benefit anyway. As the Italian Government will not do it, perhaps it is time that we had an extra-national body that could sort out the problem.

Mr. Teddy Taylor: Euro-police?

Mrs. Chalker: I am slightly surprised at my hon. Friend's suggestion for an extra-national body. I believe that a combination of Commission and national Government action is right. Whatever may be the problems of the Italian Government in dealing with criminality in their own society, I cannot answer for them this afternoon. I will say, however, that we have made this a British priority, and it has now become a Community priority. We shall consistently support the work of the Court of Auditors. I agree with my hon. Friends that its report for 1987 makes several disturbing criticisms. It is clear that more action is needed.

It is totally wrong if large amounts of Community money are being wasted, because Community money is

[Mrs. Chalker]

taxpayers' money and we certainly do not need gamekeepers turned poachers at taxpayers' expense. We must remember that.

At last week's Agriculture Council, my right hon. Friend the Minister of Agriculture, Fisheries and Food strongly supported the Commission's determination.

Dame Elaine Kellett-Bowman (Lancaster): Will my right hon. Friend give way, on the point of fraud?

Mrs. Chalker: I am still dealing with fraud, if my hon. Friend will just allow me to complete it first.

My right hon. Friend strongly supported the Commission's determination to follow up the Court of Auditors' findings. Community controls over intervention stocks and export refunds must be strengthened. That is why my right hon. Friend pressed a strong case for a change to the control procedures. Those adopted up to now have clearly failed to deter fraud effectively, and new proposals are needed.

Dame Elaine Kellett-Bowman: Would my right hon. Friend consider, as there has been a lot of fraud in olive oil, linking receipts of EEC money with tax returns in Italy? If one applied for a tax return, one could get olive oil money only on the amount that had been declared.

Mrs. Chalker: I understand my hon. Friend's concern. It is worth investigating measures to get a more accurate figure. Jokes about tax returns have come from various Community countries for a long time. I am not sure that it would be the absolute safety line that my hon. Friend suggests, but we shall consider my hon. Friend's suggestion most carefully because we wish to investigate thoroughly any suggestion to detect and deter fraud.

I mentioned that my right hon. Friend the Chancellor will raise the matter on 13 March at the ECOFIN Council. Let there be no mistaking our determination to pursue the matter. My right hon. Friend the Prime Minister has made clear that she will, if necessary, raise the question of fraud at the European Council in Madrid in June. That is a measure of how seriously we view the problem. We want thorough and effective action, not words.

We have made important strides in 1988 towards the completion of the European single market. That has been, and remains, the major United Kingdom priority. To do this, the Community needs policies which encourage enterprise. It is remarkable how that message of liberalisation has been taken up throughout Europe, including by the Commission. The Hanover European Council endorsed it and called, specifically, for further work on financial services, public purchasing, standards and intellectual property, which are all areas in which we want early progress.

In the six months to June 1988, we secured agreement on a string of 56 liberalising, enabling or market-opening measures, all of them to encourage enterprise. We agreed to abolish quotas for international road haulage. Permits for lorry journeys will be increased each year, so that by the end of 1992 there will be no further restrictions on choice of road transport for businesses throughout the Community. That must bring down costs, and the United Kingdom transport industry stands to benefit greatly.

Secondly, after more than a decade of negotiation, we finally liberalised non-life insurance. That will leave companies free to choose their insurers anywhere in Europe. Choice is the hallmark of a free market, an efficient market and a low-cost market. We intend to press ahead now with liberalising other areas of insurance. We are determined to provide tangible evidence to the consumer of the value of EC liberalisation. The United Kingdom insurance industry, which has such special skills, is well placed to benefit from that. At last it can now market EC-wide. Progress on insurance is a major United Kingdom interest and advance for us.

Mr. Teddy Taylor: In declaring my interest as a director of a large insurance company, may I appeal to my right hon. Friend to look at that directive, which does not bring about liberality but rather allows only a measure of liberality for what are loosely called large risks, but does nothing for the mass risk market? That is particularly true since there is something stuck in it called the "Kumul" rule which says that, if others can provide the same service, they can keep us out. It is a load of rubbish. If my right hon. Friend talks to a few insurance companies, they will tell her themselves.

Mrs. Chalker: I note what my hon. Friend says and I shall look into it. *[Interruption.]* The hon. Member for Hamilton (Mr. Robertson) laughs. I do not know whether he thinks that I am supposed to be an expert on insurance matters. I am paid by the Government, not by an insurance company, and I need to look into what my hon. Friend has said in order to give him an answer. I am happy to give him an answer, but when I have had a chance to look into the matter.

We agreed that professionals should be free to work anywhere in the Community without requalifying in their profession. At the moment, it would take an accountant or an insurance man up to 50 years to qualify to practise throughout the Community. Under the new rules that have been agreed and are being introduced bit by bit up to 1990, one qualification will be enough.

Public purchasing is another protected citadel of the Community where our current onslaught is penetrating some major regulatory defences. The House will probably know that public purchasing accounts for about 15 per cent. of total Community GDP. Last year we agreed far-reaching changes to the rules governing access to that market. Those changes are opening up opportunities for business throughout the Community. They will bring down costs and produce better value for money for taxpayers, consumers and businesses. This year we are continuing our efforts to extend Community liberalisation to cover formerly excluded sectors, such as transport and telecommunications. That is an important advance.

Last but not least, most member states have agreed to abolish exchange controls by next year. The United Kingdom did that in 1979. Now, the Community has accepted that that makes sense. The last two countries to do that will be Greece and Portugal, by the end of 1992.

There has been good steady progress and it is right that all eyes should be focused on the single market. Those eyes are not just within the Community but outside too, and some third countries have expressed concern. They want to ensure that the removal of internal barriers benefits not only the twelve EC member states, but them as well. More importantly, as internal barriers come down in the Community, they are concerned that no new outer walls should go up.

Let me make that quite clear. We are totally opposed to proposals that would create a fortress Europe. That is why we cannot accept proposals that the liberalisation of financial services should involve protectionist provisions on reciprocity. Such proposals rightly concern our other partners across the world. The Commission's proposals for automatic reciprocity clauses in the second banking directive and in the investment services directive have met with considerable opposition from member states. I am glad to say that the Commission is now thinking again. We shall continue to ensure that liberalisation of financial services does not lead to protectionism. A liberalised economy within Europe is no excuse for a protectionist wall around Europe. That would defeat the whole object of the single market. It is in that context that I shall look carefully at what my hon. Friend the Member for Southend, East (Mr. Taylor) has said.

Mr. John Butterfill (Bournemouth, West): Will that extend to banking, where we have taken certain powers in recent legislation?

Mrs. Chalker: I believe that it will extend to banking in due time, but I would want to know the precise aspect to which my hon. Friend refers. He may care to ask my hon. Friend the Economic Secretary to the Treasury to respond on that issue when he replies.

Fortress Europe would make no sense for the Community. The Community has recognised, partly as a result of strong pressure by the United Kingdom, that the single market must be open to third countries. The European Councils in Hanover and Rhodes made that clear. One could quote from the conclusions of Hanover and Rhodes, both of which show clearly that the internal market will be a decisive factor in contributing to the greater liberalisation in international trade. I can assure the House that the Government will continue to work for a liberal approach towards our trading partners.

Mr. Edward Leigh (Gainsborough and Horncastle): Will my right hon. Friend give way?

Mrs. Chalker: I have given way many times and I do not wish to take up too much of the time of the House. Therefore, if my hon. Friend will allow me, I should like to continue.

Progress in completing the single market has greatly increased interest in the Community among third countries. Let me mention our closest partners—our six European Free Trade Association friends. They are collectively the Community's largest trading partner, and they are anxious to preserve the benefits of their free trade agreements with the Community. They are determined to share in the greater prosperity of the single market, and we believe that they should. Therefore, they are negotiating for even closer links to the Community, and we welcome that. We are also seeing considerable new investment by them, and others, in the Community. That is a sure sign of our success in revitalising the European economy.

Another important development in recent years in the Community has been the strengthening of European political co-operation. The depth of day-to-day consultation and the continuity of policy, despite changes in the nationality and political complexion of the presidency, are perhaps surprising to outsiders. Both are helped by the efficient functioning of the EPC secretariat in Brussels. That was a British initiative, taken during our presidency in 1986.

The Twelve's close co-ordination in EPC made a substantial contribution on two particular occasions. One was to the successful conclusion of the Vienna conference on security and co-operation in Europe meeting. But dealing with much more recent events, we were extremely heartened by the solidarity of the Twelve on Monday last on our problems with Iran. That gave us precisely the timely and substantive support that we sought, and demonstrated the ability of the Twelve to take effective, speedy and united action on a key political issue. European political co-operation is now a vital part of the Community's business, and one that we welcome very much.

Mr. Quentin Davies (Stamford and Spalding): My right hon. Friend puts those points extremely modestly. Will she accept the most heartfelt congratulations of many hon. Members and most people outside the House on her and her right hon. and learned Friend the Foreign Secretary's diplomatic triumph the other day in securing the support and solidarity of the rest of the Community behind Members over this difficult Iranian issue?

Mrs. Chalker: I am grateful to my hon. Friend for his most generous remarks. We shall always seek to work in such a way to support one another in the important area of political co-operation.

I have spoken of the Community's internal work and of our external negotiations. The two come together very much on the international trade front. I am convinced that the Community must use its own internal liberalisation constructively as a lever to bring about wider international liberalisation. Nowhere is this truer than in services, a new area for the general agreement on tariffs and trade. We now have an important opportunity. Economic liberalisation has been the hallmark of this Government's success domestically. We are achieving that now in Europe too. Hon. Members can be certain that we shall fight for it globally in the GATT Uruguay round.

One key to progress in GATT at present is agriculture. That well illustrates the inter-relationship of what we are doing within the Community and our negotiations with the outside world. Reduction in agricultural support will benefit everyone. The consumer is helped by lowering prices; the taxpayer by providing value for money; the Third world by allowing developing countries to compete fairly on world markets; and on top of that the international trading system as a whole by encouraging liberalisation world wide.

That is why we fought last year to reform the CAP and why our success in February last year was so important a step. But the Community must be prepared to go further. We cannot afford to let the Uruguay round fail.

The United States needs to move from its utopian demand for commitment to the complete long-term abolition of agricultural support. Real progress can and will be made only provided there is no politically unrealistic target of total elimination. Once this is recognised, negotiaions can begin on further short-term reductions.

The next step is the senior officials' meeting in April. For our part, the United Kingdom must live up to its commitment to sustained reductions in CAP support. The

[Mrs. Chalker]

Commission proposals for the 1989 CAP price fixing—a price freeze in most sectors and a reduction in some—are good. They could have been better, but if we do not fulfil the expectations of continuing progress on CAP reform the Community will be rightly isolated and rightly blamed. That would be in no one's interest.

The Community has a heavy and important agenda ahead. I recognise the value of the major work done under the German presidency. This afternoon I have touched on three main strands. On all of them the results of last year are directly relevant to our current negotiating tasks in the Community: first, expenditure control and CAP reform; secondly, our main priority—the single market; and, thirdly, our relations world wide.

Mr. Leigh: May I bring those three strands together by asking a question? Will my right hon. Friend agree that there are two scenarios in the future of the Community? One scenario, which I call the nightmare scenario, is that in which standards are laid down by Brussels. These often result in the lowest common denominator. The other, which I call the dream scenario, is one in which countries, currencies and Governments compete for the highest common denominator. Would she favour the dream or the nightmare?

Mrs. Chalker: I have always tried to keep my feet firmly on the ground and make sure that my head is not in the clouds. I suppose that every human being likes sometimes to dream dreams, but progress is made only when one's feet are firmly on the ground.

Our internal reforms must be used as market-opening measures. We intend to use the Uruguay round to achieve a more open international trading system. The Government are playing their full part in working for open trading and that momentum must be maintained.

Changes that bring direct benefit to United Kingdom consumers and taxpayers are our overriding goal. The White Paper demonstrates some of the major steps which our European Community policy has made towards achieving it. We have made progress. We intend to make more progress in the area I have described.

4.44 pm

Mr. George Robertson (Hamilton): This debate is taking place a year beyond the period that we are supposed to be discussing. Notwithstanding the apologies of the Minister on behalf of those in the Government who arrange the business, it is an outrage and an affront to Parliament when these debates are designed for the review of the multiplicity of issues dealt with by the European Community in the period January to June 1988. That may have a lot to do with the fact that attendance at these debates is as limited as it is. It is hardly an inspiring prospect for hon. Members to come here on a Thursday afternoon and debate events so far away.

Sir Russell Johnston: Is the hon. Gentleman aware that there are excellent short-break holiday opportunities in Richmond at the moment?

Mr. Robertson: I can only assume that that suggestion has already been taken up. The hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) must be the only member of the SLD, the SDP and who knows what else not actually campaigning in that part of the world—and a fat lot of good it seems it will do them—despite the fact that at the end of the day the Government will win the seat, having lost the vote.

The Minister confirmed the intention of this debate in her own speech, in which she sought to look at what happened during the period under consideration, which is now so much history. What concerns the British people is here and now and the future. These debates have degenerated into a farce in which we catalogue events of a year ago but are given no opportunity to influence events that Ministers will decide this week, next week and in the coming year. The Minister conceded that, even with her well-known and established encyclopaedic memory, she could not recall one incident in which a debate on the hundreds of documents that are considered, usually after midnight, by the House of Commons had led to any change in any of the words.

This brings to mind a story I was told by a Conservative Member last week. He recalled an elderly Tory Member telling him that he had heard many brilliant speeches in the House in many debates. The first Conservative Member asked him if they had ever changed his mind. He said, "Of course; some of them were very persuasive. They never changed my vote, but they often changed my mind." Here we have that incident being repeated. The Minister tells us that despite these great and important debates not a single one of the documents referred to in the report before us today—in section XV: "Parliamentary scrutiny of EC legislation", which runs to two paragraphs and simply lists a number of documents—has been changed. That is the brutal truth.

Sir Anthony Meyer (Clwyd, North-West): I wish that the hon. Gentleman would not give up so easily. I am quite sure that, with the power of his oratory, he might tempt me into his Division Lobby tonight, if there is a Division and if he is sufficiently persuasive.

Mr. Robertson: Who can tell? I am sure that the looks that the hon. Gentleman is getting from the Whips on this occasion more than make up for the smiles of welcome he might get from me. If he will wait until I am finished, I am sure that, as ever, he will be persuaded.

Even before the Single European Act, the way in which Parliament dealt with the European Community was lamentably less thorough than it should have been. We had, of course, our admirable but circumscribed Select Committee on European Legislation. We had regular reports from key Councils of Ministers and we had these twice-yearly review debates. We also had that long succession of late-night debates on specific issues which had been recommended by the Scrutiny Committee for debate in the House. That was little enough, given the scale of the legislation powering its way through Councils of Ministers, but that little turned into sheer farce when the Single European Act came into existence.

We know that the Prime Minister does not feel any affection for the child to which she gave life in the Single European Act. She now pretends that she did not really authorise the Minister's signature to it or agree to its parts. Her Bruges speech was the repudiation of Mount Ararat and the denunciation of the tablets of stone which the right hon. Lady the Minister of State brought back. The Act included majority voting, harmonisation at a high level, European political co-operation and European monetary

union. All that was thrown out as ideological baggage thrust on the Prime Minister in a moment of incomprehending weakness. That fools no one. It does not fool the Minister of State, it does not fool the House and it does not even fool the Prime Minister. However, the Prime Minister will not admit, because it conflicts with her blustering nationalism, that the Single European Act has had a dramatic impact on decision-making in all the European Community countries.

In 1986 the House of Lords Select Committee on the European Communities was blunt about this. In paragraph 28 it stated:

"The powers of the United Kingdom Parliament will be weakened by the Single European Act . . . Since the United Kingdom Parliament exercises no control over Community legislation other than through the voice and vote of UK Ministers in the Council of Ministers, weakening of the powers of UK Ministers is felt equally by the UK Parliament."

The report concluded on that theme:

"The power of UK Ministers will therefore be circumscribed in five ways."

With those new processes in place and with those new weaknesses imposed on our Ministers—and through them on this House—what has been the Government's response?

We now have fewer oral statements after European Community Councils of Ministers than ever before. We have the same limits on the remit of the Scrutiny Committee in this House and the same lack of opportunity to discuss key issues, often vital to the interests of Britain, before they emerge from the Commission or are dealt with by the European Parliament, or decided upon by the Council of Ministers sitting behind closed doors. To call that satisfactory is grossly to understate the position today.

It is time that the House took a grip on its own future and brought Ministers, who seem increasingly careless of any responsibilities to inform and consult Parliament, to account. We must radically alter the procedures of this House properly to reflect the new circumstances placed upon us by the Single European Act.

Sir Nicholas Bonsor (Upminster): Does the hon. Gentleman share my concern and the concern felt throughout the country about the number of laws which are introduced into our legal system and which have nothing to do with the will of this House or our people? We have draft directives which direct the Government on what laws they will introduce and which the Government pass through the House by virtue of their enormous majority, despite the wishes of most of us that they should not be passed. There are also regulations whereby laws are introduced into our legal system without any consultation with our Government or people except on a vote of the majority of European Ministers. Those regulations cover such things as driving minibuses and the use of lead shot in shotguns. They are minutiae in the legal system of this country which should have nothing to do with the European Commission. Does the hon. Gentleman agree that we must reform the way in which those laws are introduced into this country through the House?

Mr. Robertson: Those views come ill, even from individual Tory Members. We remember only too well the way in which decisions have been taken in this Parliament by means of the silent majority who troop through the Division Lobby every night. We also recall that the Single European Act was passed through this House on a guillotine against a vote by the Opposition. Precious few Conservative Members voted then.

Mr. Teddy Taylor: How many Labour Members voted against the Act?

Mr. Robertson: If the hon. Gentleman will let me finish answering the hon. Member for Upminster (Sir N. Bonsor), we can get on. The hon. Member for Upminster made a similar point to mine. Several decisions at least deserve the scrutiny and consideration of the House. We have made that point repeatedly in debates with precious little support from the vast majority of Conservative Members.

Mr. Teddy Taylor: Although not many hon. Members listen to these debates, I am told that people in Europe read the reports of these debates. To clarify the position, how many Labour Members voted against the appalling Single European Act? Was the hon. Member for Hamilton (Mr. Robertson) one of them?

Mr. Robertson: Yes, is the answer to the hon. Gentleman's final question, and the Labour party voted against Third Reading and the guillotine motion. The hon. Member for Southend, East (Mr. Taylor) came to the House with a compromise proposal during the truncated debate on the guillotine motion on the proceedings on the Single European Act. He is responsible for the deal that was struck in order to give an extra handful of hours' consideration to something which he now calls a constitutional travesty. He came back with a deal which the Leader of the House accepted. I sat through hours of debates and was willing to argue for even longer so I will not tolerate arguments from Conservative Members about the way in which the procedure was carried out.

Decisions on important bread-and-butter issues affecting our constituents are determined by Ministers usually sitting in private in Brussels and it is time that we had a tight, disciplined procedure to ensure that those Ministers are acting with the knowledge and political authority of the United Kingdom Parliament when those decisions are taken.

The European Community has other political implications for the United Kingdom. My hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) and I represent Scottish constituencies. We are aware that in Scotland today a dangerous fantasy is being peddled by people who want to make separatism more palatable. The salesmen of an independent Scotland in Europe are using justified discontent at the Government's careless big-business-orientated Europolicy to sell secession to the Scottish electorate.

The independent Scotland in Europe notion is a sham and a pretence that Scotland would have an effortless, automatic entry into the European Community, if the Scottish people were to go it alone. Such a move would involve what even the Scottish National party admit would be lengthy negotiations and the near certainty of a veto from member states with their own separatist splinter groups.

The sham scenario is immediately dangerous because by threatening a decade of constitutional turmoil in Scotland's future the effect will repel investment and jobs from outside and inside Scotland's borders. To inflict that

[Mr. Robertson]

new agony on the damage already done to Scotland by 10 years of the Tories would be a tragic folly of historic proportions.

Mrs. Margaret Ewing (Moray): I waited until the hon. Gentleman had reached an appropriate point in his diatribe, which he has obviously carefully rehearsed. Is the Labour party now saying that if the people of Scotland vote in democratic elections to achieve the ultimate goal of independence in Europe, he and the Labour party will oppose it? If there should be a Labour Government, will he try to apply a veto?

Mr. Robertson: The hon. Lady and I both represent Scottish constituencies and we both became Members at roughly the same time. I remember that she voted to bring down the last Labour Government and offered the key to No. 10 to the present Prime Minister. If the Scottish people, in some moment of madness, voted for the Scottish National party and for separatism, they would have to face the fact that they would have to apply to the European Community. I cannot say what the rump of the United Kingdom Government would do in the Council of Ministers. I make a perfectly valid point, although we are only considering a hypothetical situation. Other countries in the Community have separatist movements and they have made their position crystal clear. There is not the slightest chance of those countries voting for the entry of a seceded Scotland in the United Kingdom. That veto would be exercised by them no matter what anyone in the rump of the United Kingdom did.

Mrs. Ewing *rose*——

Mr. Robertson: I have answered the hon. Lady's point and I should like to move on to the major subject on which the Minister of State chose to address the House—the drive to complete the internal market by 1992.

In no other sphere does the clash of vision on Europe appear so marked and the differences between the parties seem so clear as their attitude towards completing the internal market. There are alternative visions and clashing ideologies even within the Conservative party and deep divisions have emerged. Those divisions are openly displayed in the European Democratic group, which is what the Conservative party calls itself in the European Parliament where the war between the nationalists and the federalists is open and I am sure there is no quarter given.

The argument is also taking place within the Government. The Prime Minister took to the stage at Bruges last September to repudiate her acceptance of the centralising Single European Act and simultaneously to re-invent British nationalism. She said:

"We have not successfully rolled back the frontiers of the state in Britain only to see them reimposed at a European level, with the European superstate exercising a new dominance from Brussels."

That was trumpeted by a Prime Minister who used the guillotine to ram through the House of Commons the Single European Act, a measure described by the House of Lords Select Committee as

"the gradual replacement of national competence by Community competence, sometimes even without any parliamentary approval of that replacement."

That contradicts the Prime Minister's speech.

Mr. Andrew Rowe (Mid-Kent): Will the hon. Gentleman give way?

Mr. Robertson: No.

Last month, on 25 January at the Royal Institute of International Affairs, the Chancellor of the Exchequer laid into the social dimensions of 1992. He said:

"Grandiose attempts to reduce regional disparities by ever-greater resource transfer is likely to be no more successful at Community level than it has been within individual countries."

But he had not checked notes with the Foreign Secretary, because speaking only three weeks after the Chancellor made that speech the Foreign Secretary attacked the Labour party's report on 1992 saying that:

"It forecasts the exploitation of poor regions by the rich —although we have agreed to double the structural funds and put 52 million ECU into them before 1992, half as big again in real terms as the Marshall Plan after the war."

But the Chancellor said at the Royal Institute of International Affairs:

"Another area where the rival visions of the Community are seen is the so-called 'social dimensions' of 1992."

The Minister of State, Foreign and Commonwealth Office, the right hon. Member for Wallasey (Mrs. Chalker), made a speech at the Management Centre Europe—*[Interruption.]*—last November saying:

"Britain is sometimes charged with having no interest in the social development of Europe. This is simply not true; of course there has to be a social dimension to the single market."

But the Chancellor said:

"The attempt to level up all sorts of so-called 'worker protection' provisions is a sure way not of protecting jobs but of destroying them."

The Minister of State said:

"We need progress on the agreed programme of action on health and safety at work."

But the Chancellor said:

"Subsidising industries and subsidising regions destroys their will to compete and thus their ability to compete."

The Minister of State said:

"The Community structural funds are helping the Community's less developed areas to move towards the prosperity of its richest areas."

Mrs. Chalker: Since the hon. Member for Hamilton (Mr. Robertson) is having such fun taking a sentence out of one speech and seeking to match it with a sentence from another speech, let us examine the entire situation. The social dimension has a role, but in our view that role is limited to ensuring that we do not burden industry in ways which would destroy what we have achieved so successfully in the United Kingdom. Through minimum regulation and maximum freedom we have created in Britain more jobs than the rest of the Community put together between 1983 and 1987. We have also said that we need labour mobility, free access to training and retraining and sensible health and safety at work provisions. That was all part of the 1986 agreement of the Social Affairs Council when we held the presidency. We have not moved from that. That is the social dimension on which we shall press for the advancement of jobs and opportunities in Europe and the diminution of unemployment as we have diminished it in Britain.

Mr. Robertson: I know that the right hon. Lady has to find an alibi, since at the moment the Chancellor's ideology is triumphant over hers. Before the Chancellor makes high-profile speeches at the Royal Institute of International Affairs, the right hon. Lady should tell him

about those priorities and about what has been agreed by the Government. It comes a bit thin from the right hon. Lady, who comes from Merseyside, to boast about the Government's record on employment. I should have thought that Merseyside would be the last region in Britain to make that boast.

There are massive contradictions, not just in single elements of individual speeches. When I mentioned the right hon. Lady's speech at the Management Centre Europe the hon. Member for Southend, East shouted out that it was a disgraceful speech. We do not know where the Government stand. We do not know whether they favour the enlightened view of the Minister of State or the blinkered, dogmatic prejudice of the Chancellor of the Exchequer. It is small wonder that a Government who are so confused, divided and incoherent can find unity only in attacking the Labour party's policy towards Europe.

Two weekends ago, the Foreign Secretary and the chairman of the Tory party, who still moonlights as a Treasury Minister, although clearly he is away campaigning in Pontypridd this evening, set up the Tory European election stall, and the goods on display look mighty tatty, even by the barrow-boy standards that we have come to expect. The Paymaster General gave the key theme of the Tory assault. He said:

"Britain under Margaret Thatcher is not falling behind the rest of Europe—our policies of privatisation, freedom of choice and low taxes are envied and copied across Europe because they have made Britain the best performing major economy in Europe in the 1980s."

The so-called

"best performing major economy in Europe"

now boasts inflation at 7·5 per cent. and rising, against the European Community average of only 4·6 per cent.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Robertson: No.

In Germany the rate of inflation is 1·6 per cent. Britain's inflation has been above the European Community average for more than four years. Only yesterday Mr. Christopherson, the European Commissioner responsible for economic affairs, said that the European Commission expressed "growing concern" about the failure of the British Government to reverse the worsening inflation rate and balance of trade deficit.

Mr. Butterfill: Will the hon. Gentleman give way on that point?

Mr. Robertson: No, I shall not give way.

Mr. Butterfill *rose*——

Mr. Robertson: No. I am not providing opportunities for Conservative Members to make a brief appearance in *Hansard* before they disapper for the evening. I have given way enough. *[Interruption.]* The best performing major economy in Europe now has——

Mr. Butterfill *rose*——

Mr. Robertson: No. I shall not give way—is that clear? The hon. Gentleman should read my lips when I say that I am not giving way.

The best performing major economy in Europe now has another record manufacturing trade deficit with the rest of the European Community that amounts to almost £12 billion. No wonder Mr. Christopherson is getting uptight, because that reverses the £1 billion surplus that the Government inherited from the last Labour Government.

On the very day this week that the Prime Minister was badgering Chancellor Kohl into supporting her lonely, wrong-headed isolated position on the modernisation and expansion of short-range nuclear arsenals in Europe, the British trade deficit figure with West Germany was published and showed a record £6·9 billion. That is the mark of this so-called best performing major economy in Europe, which has almost been overtaken by the Italian economy. Indeed, economists cannot agree which country has the bigger deficit, so close are the figures.

The so-called best performing major economy in Europe has an investment record, expressed in gross fixed capital formation at 1986 prices, that puts us behind all our community partners except Belgium—behind Turkey, New Zealand, Finland, Canada, Austria and others.

This so-called best performing major economy in Europe paraded by the Paymaster General is one in which skill training—on which, more than anything else, our ability to compete will be based—lags behind all our major competitors.

A recent publication by the National Institute of Economic and Social Research which compared Britain and France showed that, in France, 55 per cent. of skilled engineering workers and more than 20 per cent. of unskilled engineers had a formal craft qualification. That is light years away from Britain. Three times as many French engineering workers as British obtain vocational qualifications.

In the vital civil research and development area of this so-called best performing major economy in Europe, public expenditure is at a virtual standstill. Between 1983 and 1986 civil research and development rose by only 2 per cent., compared with 15 per cent. in Germany, 33 per cent. in France, 43 per cent. in Italy and 20 per cent. in Belgium. On this subject, the influential Henley Centre said:

"Fundamental economic factors such as profitability and spending on investment and R and D will continue to play a major role in determining competitiveness and the ability to gain market share."

Mr. Graham Riddick (Colne Valley): I was under the impression that this was a debate about the European Community, not a comparison of various countries. Will the hon. Gentleman answer this simple question: What is the Labour party's policy on the EC?

Mr. Deputy Speaker (Mr. Harold Walker): Order. I have allowed a wide debate so far, but the intervention of the hon. Member for Colne Valley (Mr. Riddick) will take us even further beyond the terms of the White Paper that we are supposed to be debating.

Mr. Robertson: I am extremely glad to have your endorsement, Mr. Deputy Speaker. We are talking about the Government's report and the European Community document. The Minister rightly directed the attention of the House to the progress made on the drive towards completing the European single market. After all, the Government have spent £9 million of taxpayers' cash in hyping up the promotion of 1992. It is the centrepiece of their report on the position a year ago and of the report on the past six months. Presumably, the latter relates to last year—goodness knows when we shall see it, never mind debate it. The single European market will be the centrepiece of the three reports that will follow.

[Mr. Robertson]

I merely make the point that this country's future in a completed internal market—either post or pre-1992—will crucially depend on the condition of its economy. It is my contention and that of the Labour party that the Government have brought the British economy to a parlous condition. We shall find our competitiveness in that single market so poor that the regions and jobs will be in severe danger

Mr. Ian Taylor (Esher) *rose*——

Mr. Robertson: I shall not give way. The debate is being delayed, other hon. Members wish to participate in it and I have given way generously so far.

This so-called best performing major economy in Europe has reached the point at which one in three of our beaches does not come up even to the minimum cleanliness standard laid down by the Community. We are bending sensible Community rules by delaying for six years our compliance with its purity standards for drinking water.

In this so-called best performing major economy in Europe, the Government have had to fiddle the figures to bring the jobless rate down to near the Community average. They have to include an army of part-time jobs to bolster their suspect job creation figures and ignore the disastrous years of 1979 and 1980 to do tricks with the figures for rates of growth.

The Foreign Secretary claims that the Labour party preaches doom about 1992, but he chooses to ignore the real danger signals to British industry, represented by the deregulated, big business free-for-all that the Government champion out of ideology.

It was not the Labour party but the influential Henley Centre which said:

"There is a real danger that it will be Japanese companies who have the most to gain from completing the Internal Market",

and:

"If the UK is to substantially gain from the proposals, it will be the South East rather than any other region that benefits",

and:

"However the stress laid by the UK Government on competition as the prime determinant of the public interest is probably unique in Europe and increases the possibility of UK firms being the ones most susceptible to takeovers from inside and outside the European Community."

When he spoke a couple of week ago the Foreign Secretary made light of the Leader of the Opposition's forecast of the impact of 1992 on British regions, especially the midlands. However, has he read the Henley Centre report, or the Ceccini report, which forecasts significant short-term job losses—"rationalisations" it calls them—in the, only hopeful, interests of long-term growth in the Community?

The industrialists are being sold this pipedream and bought off by £9 million worth of advertising hype. Do they realise how inadequate is the Government's planning compared to other nations' industrialists that they will meet in the market place before and after 1992?

Mr. Quentin Davies: Has the hon. Gentleman read the reports?

Mr. Robertson: Yes, I have read the Ceccini and Henley Centre reports, and many others. If the hon. Gentleman disagrees with me, I advise him to read the Henley Centre's report.

Alone among our competitors, Britain has no detailed studies into the impact of the single market on industrial sectors. Alone in Europe, our Government are making no serious assessment of the impact that a barrier-free Europe will have on some of our fragile regions. All that we and business men receive are vacuous, clichéd exhortations such as those that the Foreign Secretary gave the patrons of Harborough Conservative association—it sounds like the Mafia—on 4 February. He said:

"There is a new spirit and dynamism here"—

that is, the midlands—

"of which the forecasts of doom, based on old trends and models take no account. The Midlands will have opportunities for growth and prosperity and jobs they have not seen for years."

Prospects for jobs and growth in the midlands have certainly not been seen for years. Where is the evidence for what the Foreign Secretary says? All that the patrons receive are words from a passing wordsmith.

In France, Germany, Italy and Belgium, industrialists get real backing from their Governments. There is still no real effort at Government level to establish which technical and professional standards adopted at European level might assist our industry. Instead, while the Prime Minister parades the European theatre as the demonic irritant so graphically described by Lord Jenkins of Hillhead in his memoirs in the Sunday newspapers in the last few weeks, the Germans, French and Italians are capturing the real prizes—the standards which will apply in the new single market.

Nor do the Government have any real clue about how Sir Leon Brittan will apply competition policy and how that will impact on British industry. Given the warnings of the likes of the Henley Centre about the vulnerability of British industry, what precisely is the Government's position on the takeover of British companies, or does the French takeover of our water industry mirror what will happen in many other cases? Are we in favour of giant Euro-companies competing with the Japanese and the Americans, risking monopoly along the way, or do we subscribe to trust-busting, anti-monopoly policies, which might give some protection to European consumers and to small and medium companies in this country? Do the Government know?

How can we hope to gain from the single market when, as a direct result of Government mismanagement of the economy, we have such an undertrained labour force, such underfunding of research and development, an assaulted industrial consensus and a fatal north-south divide, with no coherent idea of where we are strong or vulnerable?

The Prime Minister makes much of diversity in Europe. That is admirable, and we share her antipathy to the implausibility of the concept of a united states of Europe. But uncontained diversity spells anarchy. Diversity which is unrestrained, uncontrolled and unmanaged will produce only a random, arbitrary outcome. Where market dominates Community, the people, the companies, the regions and the cities which are not at the centre will go to the wall. Japan manages her market ruthlessly and successfully. If Europe does not do the same, with the same determination and dedication, we will not compete at all, still less triumph over the forces ranged against us.

The Government are like a rabbit caught in car headlights. They are mesmerised by the unrestrained, liberalised, uncontrolled power of the market, believing against all experience and common sense that standards will automatically be maintained, that regions will get their fair share, and that small companies will survive the onslaught of the Euro megacompany. They are peddling a deadly mixture of complacency and dogma.

The European market of today and of the 1990s, like Japan and the United States of America at the same point in history, is no place for the incurable romantics who place supreme faith in the invisible forces of the market place. The prudent can benefit from and thrive in the European single market, but that will only happen when we have a Government with the vision and the will to prepare our country for the challenges that it faces.

5.23 pm

Mr. Ian Taylor (Esher): The speech of the hon. Member for Hamilton (Mr. Robertson) was the most vacuous that I have ever heard from the Opposition Front Bench. It was words, words, words, and most of them were emotional claptrap. If that is the current state of Labour party policy on the European Community, you have real troubles ahead of you internally in the next few months before the European election.

Mr. Deputy Speaker: Order. I do not anticipate any internal troubles in the next few months.

Mr. Taylor: You are quite right, Mr. Deputy Speaker, to call my attention to what I said. Of course, my remarks were not directed at you. It will probably save the hon. Member for Hamilton embarrassment if I get to the subject of my speech. I wish that he had done the same when he had the chance.

The debate is about a year too late. We are considering events which happened early in 1988, so in a sense we are reviewing history. I share the view of many hon. Members that the House must organise itself better in this respect. It is crazy to have before us a paper about events when we already know not only their effects but their consequential developments. The Commission's own report on the period up to October 1988 was issued this week and would be a far more interesting document for us to discuss and a better focus for the debate. In addition, major initiatives are being taken at the moment by the Spanish presidency which are also of more interest to the House than the subject for the current debate.

The European Parliament, too, is taking various initiatives which the House should discuss in more detail. The latest figures show that 45 per cent. of amendments tabled in the European Parliament are translated into European legislation, which means that they become part of our legislation. That is a significant proportion, and it shows that the House needs to pay more attention to the proceedings of the European Parliament.

It is also worth remembering that it is all too easy to assume that any Euro-level regulation is bad for Britain. That negative approach, which is shared by some hon. Members on both sides of the House, is dangerous—given that the Single European Act has been passed, albeit reluctantly. In many critical areas there will be majority voting. We must therefore be more positive about leadership within the Community and about the way in which we try to influence our 11 partners to ensure that our interests are protected.

It is difficult to argue that there should be no regulation at European level. When we are busy making regulations in the United Kingdom about food, toys, fire protection and other essential concerns we should consider the implications throughout the Community. The issue is whether there will be less bureaucracy and more consumer protection if common EC standards are agreed for such matters. That must surely be the case for food, which is a very topical concern. The only way in which one country can protect itself against less strict regulations in another is to destroy the goods at the frontier, which is hardly the most sensible way to proceed.

In the dreaded area of social policy, too, we must not assume that we do not have social policies in this country and that it is therefore inappropriate for the European Community to wish to discuss social policy. Instead of carping, we should take the message to our partners that there are better ways of proceeding than those currently proposed. There was a report this week about worker participation. This country does not want a form of rigid worker participation—it does not want Mitbestimmung. The German businesses that I know do not want it either, but they do not know how to get rid of it.

Mr. Robertson: Rubbish.

Mr. Taylor: From a sedentary position, your observations are even less impressive than when you are on your feet.

Mr. Deputy Speaker: Order. I am sure the hon. Gentleman could not possibly have meant that.

Mr. Taylor: When we had a drink the other night, I paid tribute to your Office, Mr. Deputy Speaker——

Mr. Deputy Speaker: Order.

Mr. Taylor: It was a slip of the tongue, Mr. Deputy Speaker.

One way in which the House could take the initiative in social policy is to propose to the Council of Ministers a solution which would be very British. A European report which has just come out shows the lead that we have taken in the development of employee share ownership schemes. It is interesting that more and more firms in the rest of the Community are looking to us for advice on such schemes.

Mr. Eric S. Heffer (Liverpool, Walton): I often hear Conservative Members saying that there should not be worker participation in industry. I do not know what they mean.

Dame Elaine Kellett-Bowman (Lancaster): Not on the German model—that is what we mean.

Mr. Heffer: Workers do participate. If they did not, no work would be done and no profits would be made. This country's wealth comes from the participation of workers in industry. The trouble is that they do not share in the profits. I came from the shop floor and know something about those matters. What is wanted is not so-called participation but a society in which workers enjoy a share of the profits made from the work they do.

Mr. Taylor: The hon. Gentleman mistakenly interprets my meaning, perhaps because I used the German word

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"Mitbestimmung". We do not want a rigid system of worker participation. I proposed employee share ownership plans which, had they been in place at the time when the hon. Gentleman was working in industry, would have given him capital interest—making him a much wealthier man than he probably is.

Mr. Tim Boswell (Daventry): Does my hon. Friend agree that a start has been made? Personal shareholders in Britain now number 9 million. That is substantially more than the number of trade unionists, some of whom are among those shareholders. Will my hon. Friend seek to build on that with his new proposals which I warmly welcome?

Mr. Taylor: My hon. Friend makes a valid point. But we should deepen and widen share ownership to bring capital sharing to the workshop floor. That is the motive behind employee share ownership plans.

Legislation on employees' rights and interests within the European Community must be decided unanimously, but we must watch out for clauses slipped into health and safety regulations—many of which are adopted by majority vote. That is one of the reasons why I said earlier that the House should give more scrutiny to what is happening on the Floor of the European Parliament and in the Council.

Some regulation of the Community's economy is necessary to ensure that the free market is not distorted and that the consumer is protected. Recently, when the House debated the draft second banking directive, right hon. and hon. Members acknowledged that the Commission had made welcome progress in realising that the regulations need only represent the minimum provision required. The mutual recognition criteria and the selection of home country controls enshrined in the directive are extremely welcome. Mr. Jacques Delors, with whom I do not always agree, said:

"I don't know of any historical example of a liberal market without a minimum of regulation and, frankly, it is possible to discuss quietly this question. The question is when can a regulation at the European level work more efficiently than at the national level. Believe me, I repeat each week to my top civil servants: 'Please, avoid all directives, all initiatives, which are not indispensable to an efficient single market'."

I praise Mr. Delors for this insight. The pity is that he did not express it earlier and more often. I encourage him to make it clear that minimum regulation at a European level is desirable. We are really talking about competition in goods, services and regulations between companies and between member states. One must therefore question what role Brussels should have in enforcing the openness of the market and ensuring compliance by national authorities.

A major future incentive and development will be the removal of restrictions on the movement of capital. If capital can be moved freely, no member state could afford to impose tax levels which drive away capital, create unemployment or erode the tax base. Competition through the movement of capital is much better than harmonisation, but there remains a need for common guidelines.

The hon. Member for Hamilton mentioned the key area of takeovers, mergers and acquisitions. There is a role for the Commission, particularly in respect of consumer protection, but it should not extend to protecting companies or monopolistic practices, nor to imposing some form of Community-wide industrial policy. Without competition policy, 1992 will not be viable. It is no use allowing free movement of goods if nation states subsidise their industries. In 1986, EC states spent 93 billion ecu on subsidies, which is three times the Community's whole budget. Neither will competition by possible if takeovers are impeded by different regulatory hurdles, nor if price cartels undermine enterprise. It is interesting to note that this week's judgment by the European Court, on an action taken against a German firm, upheld the Commission's powers to prevent a cartel.

Current takeover and merger activities are covered by articles 85 and 86 of the treaty of Rome, but these create considerable uncertainty and must be replaced by some other regulation. One issue at stake is the level at which the Commission should intervene. The original proposal that it should do so in respect of companies having more than 1 billion ecu per year combined turnover was recently revised, the qualifying figure now being 2 billion ecu. At that figure, at least 100 deals a year will be referred to the Commissioner, Sir Leon Brittan, who will become in effect a one-man mergers and acquisitions department. He has about 120 staff in the relevant group, DG4, but even that does not make for a viable team when we need a firm hand at the tiller to ensure that no competitive activities leading to oligopoly or monopoly are overlooked. A more favourable cut-off point would be 10 billion ecu combined turnover, resulting in the more reasonable and practical figure of about 10 to 20 referrals per year.

Mr. William Cash (Stafford): When the Select Committee on European Legislation took evidence from the Secretary of State for Trade and Industry it emerged that when one has dealt with the thresholds, and so on, a critical factor is the procedures that are followed and the way in which the Community handles merger and takeover procedures, which at present is wholly inadequate. The Community would do well to study carefully the way in which such matters are dealt with in this country to ensure that European practice is fair and deals with the problems properly.

Mr. Taylor: My hon. Friend makes an extremely good point. The regulations must be carefully considered in the light of who will make the final decision—the Commissioner alone or the whole Commission. We do not want such matters to become a political football. However, I am sure that my hon. Friend agrees that such safeguards do not invalidate the need for some form of regulation at European Community level. It is essential that we do not fall into the trap of double jeopardy, with companies having to refer both to the Community and to their own national authorities.

As to the clearance procedure and the speed at which decisions are taken, I entirely endorse the Confederation of British Industry's proposal that takeovers clearly not infringing competition rules should not be suspended but allowed to pass very quickly, but that those which affect competition criteria should lapse and be dealt with speedily. A period of three months has been suggested.

In defending British interests we should not try to erect artificial barriers to investment in this country. Britain has a very good reputation for investing world wide. The flow of investment from this country for the purpose of acquiring companies in America and in Europe is distinctly ahead of investment the other way. We should be

foolish to provoke other countries susceptible to such provocation into erecting barriers against our own desire to acquire. I therefore regard the CBI's proposals—I am uncertain about their status, but they have certainly been discussed this week—either to tinker with the takeover code or to introduce a form of reciprocity preventing the bid if the bidder itself is bid-proof as a very dangerous move. The CBI should think again very seriously about what it is proposing, which I do not believe to be in the interests of its members.

In a sense, the level playing field argument will resolve itself through the market. There will be difficult periods, but the change within Germany that we are beginning to see, and the change in France, with the increased role of equities and the increased power of institutional investment in pension funds, will force those institutional investors to look for a proper return. I believe that that will enable them to follow the more open pattern of the London stock exchange. That is a particular reason for my not wishing to see the London stock exchange, at this very difficult stage, turn its back on open market practices.

I wish to make a final point about the Commission's judgment on takeovers in terms of whether European Community directives are legally binding. We have a voluntary code, which has worked extremely well and is much tougher in effect than those in other countries. I hope that when my hon. Friend the Economic Secretary to the Treasury considers this matter, he will consider how we reconcile our voluntary code with what I should nevertheless like to see, which is some defined European responsibility for takeovers.

The major issues that we face in the European Community in economic policy, in takeovers and mergers and in competition will be difficult to reconcile with national interests. This goes to the heart of what we regard the Community as being. The Community should not be a socialising, centralising force, but there is no way that we can avoid regulation at the central level. We must go forward positively urging the European Commission to realise that the setting of minimum standards, acting as a referee, the breaking up of cartels and oligopoly positions, is the role that it should take upon itself and the role most likely to gain support and enthusiasm in this country for the Commission's work. My right hon. Friend the Minister of State, Foreign and Commonwealth Office will then find that she can come to the House and receive the enthusiastic support for her personal efforts which she fully deserves.

5.43 pm

Mr. Tony Benn (Chesterfield): As I listen to the debate, my first thoughts are of the fact that some hon. Members are only just beginning to realise that we in this Parliament are totally powerless in respect of what we are discussing. When the Minister goes to Brussels she does not exercise statutory powers; she exercises prerogative powers. When we signed the treaty of Rome, all our negotiations about takeovers, and everything else, became treaty-making negotiations, and under our constitution all treaties are signed under the prerogative. The implementation of the decisions reached under the prerogative are then made under an enabling Act known as the European Communities Act 1972, and whatever may be said—whether we have the debates early or late, whether the Scrutiny Committee meets in full or does not—we have no role whatever in deciding anything. We are back to the position of the Parliament that used to petition the King.

Mr. Win Griffiths (Bridgend): Would my right hon. Friend care to make some comparison with the situation in Denmark, into whose parliamentary system is built provision for proper scrutiny of the legislation?

Mr. Benn: My hon. Friend is perfectly right. Whether the Danish system would stand up to examination by the European Court I am not sure, because under the treaty of accession any nation becoming a member of the EEC has to agree to abide by Community law. But that does not alter my point. This House capitulated, gave all its powers up, and the slightly frustrated and irritable note that enters into some of the discussions seems to me to arise from the fact that people are beginning to realise that they have no role whatsoever.

Sir Richard Body (Holland with Boston): Does the right hon. Gentleman not agree that under article 100A, as it now is following the Single European Act, the powers of the Danish Parliament are now much diminished in this respect and almost negligible?

Mr. Benn: My argument is that it never really had any powers but it tried. We did not even try. Any Member of this House who voted for the legislative provisions that led us to this position will have a lot to answer for at the bar of history.

However, I do not want to go over the past; my purpose is to look ahead to the future of the continent of Europe because the time has come when the House should think afresh, taking account of experiences, some of which I have touched on, and of the enormous new opportunities that exist. It is astonishing to me that up to now—I hope I am right—nobody has mentioned Mr. Gorbachev. The changes in eastern Europe and in the Soviet Union are fundamental, yet here we are going on with our little discussions about agriculture and takeovers. Nobody has discussed, to the best of my knowledge, the impact on our continent of the changes in eastern Europe and the Soviet Union. I am arguing—and I do not want to take too long because other Members want to speak—that we should discuss the alternatives openly and try to develop a practical vision of how the people across the whole of Europe might live together in peace, co-operating with each other free from the structures that now divide us.

This is a very timely debate. We have had these rather formal, ritual debates, sometimes rather late, about developments in the Community in six-month periods under various presidencies, but this time we are having a debate on the eve of the European elections. Many people —not just hon. Members—will want to know what alternatives there are for the future of Europe when they come to vote in June. Of course, there are many different views. They are not necesarily the same on either side of the House.

There is, of course, the simple nationalist view—one that I have never shared—that foreigners start at Dover, though some have already got to Wolverhampton, and that we should pull up the drawbridge. As I have said, I have never held that view but there are certainly some people who do. At the other extreme there is a view, which probably has more support than we have ever been allowed to know about in Britain, of western Europe as a

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nuclear superpower, federal in character with a European Bank, and with modernised nuclear weapons as a rival to the United States, Japan, the Soviet Union and China. That idea of a superpower with its own weapons is one much discussed on the continent but hardly ever mentioned here, apart from some vague indications that the Western European Union might perhaps fit in and merge with the Economic Community and provide us with a little bit more muscle.

Then there is the Government's view, which has come across quite clearly in the course of the debate so far. The Prime Minister signed the Single European Act using prerogative powers but, in her view, what we want in Europe—and this emerged from the speech of the hon. Member for Esher (Mr. Taylor)—is that market forces should be supreme. The Government do not want the Commission to intervene with any of this European dirigisme. They do not want a Social Europe, or any co-determination on the German model with the trade union movement, thus evoking a nationalist response. But the Prime Minister is utterly powerless to stop a process of which she has already approved.

Mr. Ian Taylor *rose*——

Mr. Benn: I will give way to the hon. Member in a moment because I know that he is expert in some fields.

Having been on the Council of Ministers for some years, and having been president of the Energy Council for six months during our presidency in 1977, I must tell the House that, once a law is passed, neither the Prime Minister nor any other Minister has power to stop the Commission applying the law—not just in Brussels but through the British courts. As the British Energy Minister, I was threatened with court action by Guido Brunner and by one of the other commissioners on two grounds: they objected to a British interest relief scheme to provide employment in Scotland, and they claimed that the treaty of Rome gave them authority over the continental shelf where our North sea oil was situated. They took me to court on what, from their point of view, was a very useful day, polling day in 1979, the day on which, I was removed from Government by the British electorate. But let us not think that the Prime Minister has power to stop all this dirigisme. She has not, because she gave away even more powers when she signed the Single European Act.

Mr. Ian Taylor: When the right hon. Gentleman reads *Hansard* he will see that what I was saying was that the British Government should take the lead in formulating the type of social policy that the European Community wishes to endorse. In fact, I propose employee share ownership rather than the worker participation espoused by the Germans.

Mr. Benn: I understood the hon. Gentleman perfectly. I am telling him that he has no power to act in that way. The strange thing about the EEC, which those who have not been on the Council of Ministers may not realise, is that there is no provision for repealing laws without unanimity. EEC regulations and directives are like a lobster pot: it is easy to get in but impossible to get out. Once there is unanimity on going in there must be unanimity on coming out, and not even the Prime Minister, with all her rhetoric in Bruges, can do anything about the mass of bureaucratic excrescences that surround the European process.

Several Hon. Members *rose*——

Mr. Benn: I want next to set out some alternative views so that hon. Gentlemen can declare to which they attach themselves.

Another view of the future of Europe associated with the Social Democratic parties in Europe is that of a social Europe, linked to federalism and a European union. That view emerges in the Euro-manifesto, which was adhered to very recently—with reservations—by the Labour delegation. A reading of the manifesto leaves us in no doubt that the Labour delegation wants a federal union in Europe. Although I do not share that feeling, I understand the reason for it. The Social Democrats suffered terribly under Hitler and Mussolini, and for them a European Union is a guarantee that there will not be another war in Europe, and some guarantee that the trade unions will have a better deal than before. They want a Social Europe. They want the European Union. They would really like Britain—a Labour Britain—to go into the European monetary system. It should be understood that that manifesto is on offer, although not from me, and will be on offer in the European elections in the summer.

I am sorry that the hon. Member for Moray (Mrs. Ewing) is not present, because I wish now to talk about —I was going to say the Europe of regions, but Scotland is not a region, so I shall say a Europe of nations and regions. I remember saying and believing—at a time when the hon. Member for Glasgow, Govan (Mr. Sillars), who has just been re-elected to the House, was still a Labour Member—that joining the Common Market meant disintegrating the United Kingdom, and that process has just begun. My hon. Friend the Member for Hamilton (Mr. Robertson) was right to point out that an independent Scotland might find it hard to get in if he were the Minister there, and perhaps the Spaniards would be worried about the Basques, but we should not imagine that the process of disintegration has not already begun.

This is a superficial argument, but no doubt the SNP is putting it forward to the Scots with some feeling. Now they think they have found the answer—two Scottish Commissioners in Europe, Scottish Members at the European Assembly—and no one can argue that it means a frontier post with England, because England is in the Common Market as well.

Then there is the Labour party's view. It is difficult for anyone to identify that view correctly, but I shall be as honest as I can. The Labour party conference has always been hostile to the Common Market. It fought for the referendum. The right hon. Member for Old Bexley and Sidcup (Mr. Heath) signed the treaty of accession without it even being published, and we did not know what he had signed until he had signed it. He signed it under the prerogative; we said that we would have a referendum, and the vote went against us.

At various times the party of which I am proud to be a member has favoured the repeal of section 2 of the European Communities Act, as the House must know very well. Whatever may be the result of our present policy reviews there is a total lack of enthusiasm for the sort of Europe spoken of by some in my party and the Conservative party. I suspect that, as the election

approaches, that European Social Democratic manifesto will not feature very much in our campaign. *[Interruption.]* That speculation is based on a certain amount of inside knowledge which I will not quote. I cannot believe that that will be the basis on which Labour candidates will be presenting themselves, because we still have our own manifesto, which we shall be preparing in the national executive committee.

Mr. Robertson: May I put the record straight? Unlike my right hon. Friend, I am not a member of the national executive committee of the Labour party, but am I not correct in saying that this week the NEC endorsed the manifesto to which my right hon. Friend has referred?

Mr. Benn: It did endorse it——

Mr. Deputy Speaker: Order. I hope that the right hon. Gentleman recalls that earlier in the debate I said that there was nothing in the White Paper about the Labour party's policy on membership of the EEC.

Mr. Benn: Perhaps that is wise. But, in a discussion on the future of Europe, it is reasonable for different views to be——

Mr. Deputy Speaker: Order. The Chair is taking a relaxed view and allowing very wide debate, but we cannot ignore the fact that the debate is concerned with the White Paper on developments in the European Community between January and June 1988.

Mr. Benn: I understand that, Mr. Deputy Speaker, and it is not my purpose to run into difficulties with the Chair. I was tempted by my hon. Friend the Member for Hamilton, who asked me a factual question. The endorsement of that manifesto was carried by 20 votes to four—I was one of the four. For further details I must refer the House to diaries that will be published later.

You worried me rather, Mr. Deputy Speaker, when you set a time limit on the scope of the debate, for, in the course of the century, there have been four of five different Europes. Before the first world war Queen Victoria had a grandson on every major throne. George V was her grandson; Kaiser Wilhelm II was her grandson; the Czar Nicolas II was also her grandson. We did nothing about human rights in Russia when Queen Victoria's grandson was on the throne. That was the Europe that people took for granted at that time. Then Edward VII went to Paris and consolidated the entente cordiale—in ways that I will not go into. Imperialism was what pre-war Europe was about.

Next came quite a different Europe, the Europe that followed the Russian revolution, when we sent an army into Russia to destroy the revolution. Schoolchildren are never told that: they are probably told that the Russians sent an army here. Hitler and Mussolini built their whole position on an anti-Soviet stance. When Lord Halifax went to visit Hitler in 1937—I shall not weary the House with an exact quotation from the German archives—Halifax congratulated Hitler on crushing Communism in Germany and on being a bulwark against Bolshevism in Europe. That was the Europe between the wars.

Then we had the wartime alliance, which in fact followed the opposite policy. The Germans attacked the Soviet Union; Hess came and tried to get Winston Churchill—then Prime Minister—to join him. To his credit, Churchill refused. He was no friend of Communism and once described Lenin as a grinning monster sitting on a throne of skulls, so he was not exactly a member of Militant Tendency. Churchill would have nothing to do with it. Some of the most powerful speeches in support of the Soviet Union came from Winston Churchill, and even Eden.

During that war, we signed a treaty of friendship with Russia—I have a copy—saying that we would pledge ourselves not only to eliminate fascism but to co-operate after the war. That was a third Europe. I have lived through two of them, although I did not experience the one before the first world war.

The wartime alliance looked to the Security Council, and the idea of a united Europe. When the United Nations held its first assembly in Central hall, Westminster—I remember it well: Gladwyn Jebb was acting Secretary-General in 1945—we really believed that we would have a Europe based on co-operation between the Allies.

Finally, we have had the cold-war Europe—the one in which we still live. That Europe was quite different again. NATO was there to keep the Red Army out. I do not know how many people ever believed that the Red Army would land in Britain, but according to the latest polls only 2 per cent. now hold the cherished view that Gorbachev is about to land it here and make us listen to a lecture on perestroika whether we want it or not.

The Europe of the last 40 years was therefore quite different from the expectation during the war. It was a Europe that we had deliberately divided. No one should think that we did not do that; we played a large part in the division of Europe, based on the Soviet threat and the fear of Socialism and, on the other side, the Warsaw pact, the Brezhnev doctrine and the militarisation of Europe. Hitler's greatest and most tragic legacy was that he left our continent divided.

Sir Anthony Meyer: I was a little disturbed when the right hon. Gentleman talked of a Europe based on the fear of Socialism. He must recall that at various points in that long catalogue Socialist Governments in western Europe were as resolute in standing up to what was then Soviet expansionism as any Conservative Government in this country.

Mr. Benn: I can only give my honest opinion to the hon. Gentleman. I believe that nobody in western Europe ever believed that the Red Army would attack, but they were afraid that Socialist ideas would spread in western Europe. I shall not argue that any more.

We then come to British membership of the Community. I do not wish to go over that because I want to look forward, but when we joined the Community we were told that it would give us endless prosperity. I remember making a speech in which I said that joining the Community would cause unemployment and I was denounced by Roy Jenkins, who was then the Labour Home Secretary. He said that he "could not take me seriously as an economic Minister." Yet looking back, we had a £4 billion surplus in manufactured trade with the EEC in 1970, whereas the deficit is now £14 billion. We have not done very well, yet we are getting the same arguments again now. People say that if we work for the Single European Act, women will get their rights, the water will be purer and training will be better. That is rubbish. It is part of the attempt to consolidate the EEC.

[Mr. Benn]

I finish by looking at the alternative open to us. I mentioned a moment ago that the Gorbachev reforms had transformed the prospects for the continent. They are as great a change as the Russian revolution, the advent of Hitler or the end of the war. Gorbachev's reforms are very popular and I think that he might have won the American election if he had been a candidate. He would certainly have been an improvement on the other two candidates. His disarmament proposals are credible for the simple reason that they are not presented as part of the long exchange of politically motivated disarmament proposals. Gorbachev says that he wants to cut weapons expenditure to improve the standard of living of the Russian people. Of course, people here say, "We want that too", so Gorbachev is much more popular in Britain than any other Soviet leader.

I want a wholly non-nuclear Europe. I would like to see all trade restrictions with eastern Europe lifted. When I signed technological agreements in the 1960s, as the responsible Minister, the Americans held us back all the time. They did so allegedly on strategic grounds, but actually because they were waiting for the moment to go in and do the trade themselves. We want closer cultural and political links. I feel strongly that the moment is coming when there will be reunification of the trade union movement and when the division between the International Confederation of Free Trade Unions and the World Federation of Trade Unions will be ended. I would like to see the United Nations Economic Commission for Europe, set up after the war and allowed to wither on the bough, revived instead of the bureaucracies of Brussels and the Comecon countries.

I want to see—and I have said this in trips to eastern Europe—a restoration of the treaty of friendship between Britain and the Soviet Union and its extension to others on a bilateral basis. I want to see a European security pact, which is now a serious possibility, and the withdrawal of all foreign troops from Europe—the Russians from eastern Europe, all American soldiers and bases from Britain and the removal of British troops from Germany. I might add, for good measure, that I want to see the removal of British troops from Ireland. If we are going to build a world at peace in Europe, we cannot have occupying forces, even if they purport to be allies—as the Hungarians and Czechs learned to their cost in 1956 and 1968. I want to see the closure of foreign bases and a massive switch of resources from war to peace. The money saved might go towards the cancellation of the Third world debt.

Those ideas, put in the present mood and atmosphere, may seem somewhat outlandish, but I ask the House to go back to 1945. If anybody had said then, "Let us re-arm the Germans and put two German commissioners in charge who can make laws for Britain", he would have been laughed out of court. Yet 40 years later, because of the cold war, structures have been built up which have changed our view of Europe. I argue that we have come to the time when we must look again. We must move towards a different idea of Europe. I shall pluck one word out of our experience to describe it. We want a Commonwealth of Europe—a commonwealth being a free association of fully self-governing states. We may talk about harmonisation, but only by agreement. We want to look at a way of repatriating the powers from Brussels, in the way that the Canadian Government repatriated their powers from Britain. When I look at the changes over the past 80 years, I can see great support——

Mr. Deputy Speaker: Order. I have allowed a very wide debate, but I find it difficult to see how the events of the past 80 years can be reconciled with the White Paper that we are debating, which covers the events of January to June 1988.

Mr. Benn: Somebody once said that history is bunk, but I am sure that is not your view, Mr. Deputy Speaker. I do not believe that we can understand where we are or where we are going unless we look back at where we have come from, and that is true of nowhere more than Europe. But I shall not tempt you, Mr. Deputy Speaker, by trying to abuse your kindness.

I believe that the Common Market, NATO, the Warsaw pact and Comecon are out of date. They are dinosaurs, overtaken by events, and we should look beyond them to the future. There is an urgent need for new thinking. As there is no vote, I am not asking any hon. Member to come into the Lobby with me in support of my views, but we need more imagination than has been shown by—dare I say it—all parties in the House. There are people with a vested interest in the division of Europe, not least the Commission in Brussels, including the generals in NATO and the Warsaw pact and not least the arms manufacturers, who make billions of pounds out of keeping us at a high level of military expenditure that we do not need. I believe that the time has come to think about ending the division of Europe because it is no longer relevant, necessary or desirable. Above all, if we could replace the fear that lies behind the division of Europe with hope, then we would release the energies of our continent and allow it to contribute more effectively to the peace of the world.

6.7 pm

Mr. John Butterfill (Bournemouth, West): Before commencing my remarks, I must say that I am sure that the hon. Member for Hamilton (Mr. Robertson) did not wish to mislead the House when he stated that inflation on a directly comparable basis was 7·5 per cent. in the United Kingdom and 4·9 per cent. in the rest of the Community. I am also not sure that 4·9 per cent. is correct, but it may be. But I do know that it is not true to say that 7·5 per cent. is directly comparable with 4·9 per cent. As my right hon. Friend the Chancellor of the Exchequer told us this afternoon, we are the only country in western Europe that includes the mortgage interest rate in that calculation. The hon. Gentleman also told us that, on a directly comparable basis, our inflation rate would be 5·5 per cent., which would mean that we have by no means the highest inflation in western Europe. That is an important point to have on record, and I do not see the hon. Member for Hamilton seeking to contradict me.

I welcome this opportunity to debate recent events in Europe, although I, like many other hon. Members, also regret the fact that we are debating them so retrospectively and are not having the opportunity—which I hope we shall have in future—to look forward to where we are going in Europe, rather than always looking back at where we have been. If we look forward in Europe, we can see many encouraging events taking place, not least the solidarity

this week over the Salman Rushdie affair and the helpful foreign policy posture that our partners in Europe have taken.

I shall now turn, as some other hon. Members have tended not to do, to the contents of the White Paper, and I shall look at some of the developments that are outlined therein. It may be helpful to see where we may be going.

One of the most important areas of co-operation that is outlined is co-operation on the environment. That is a topical issue in this country and, I believe, an issue on which we should be concentrating our energies in partnership with our European colleagues to build a better environment than our present one. There have been important agreements on sulphur dioxide and nitrous oxide emissions and on diesel emissions. Those of us who travel through London's traffic know how irritating the latter can be.

It was very important that we ratified the Montreal protocol. I hope that we shall be able to go much further in tackling Europewide environmental problems that we must undoubtedly share if we are going to overcome them. If Chernobyl taught us anything, it is that we cannot be an island, and nor can any other country in Europe. Major environmental disasters can overtake all of us, unless we take care to ensure that they do not happen.

I am equally concerned about the trend towards protectionism. The White Paper refers to the trade problems that we have had with the United States and Japan. We should be careful that we do not develop a protectionist policy of our own in Europe and put up barriers around us so that we can no longer look outwards. In that respect, the agreement that we have reached with Hungary, and the important agreements that we have reached with our friends in the Gulf States, are encouraging. We should pursue that example.

There is one rare respect in which I agree with the right hon. Member for Chesterfield (Mr. Benn), which is that we need to look beyond the immediate frontiers of Europe. We need an outgoing Europe. Britain depends more on external trade than any other country in the world. We export a greater proportion of our GNP than any other country—almost double the proportion that Japan, for example, exports. We would therefore be the first to be hurt in any trade war or by European protectionism, which I am sure no Conservative Member would wish to happen.

The White Paper refers to deregulation and gives some important examples of what we have achieved. I should like to express my pleasure that in June we managed to end steel quotas once and for all. All such arrangements are totally undesirable in the view of those of us who believe in free trade, and the completion of the internal market should be a major priority for all of us in future.

I agree with my hon. Friend the Member for Southend, East (Mr. Taylor) that we have failed to tackle adequately the terrible problem of agriculture. It is totally unacceptable that such a high proportion of the Community's budget should continue to be devoted to agriculture. It is essential that we build on the limited successes that we have had so far—with stabilisers, milk quotas and ceilings on agricultural spending—to try to ensure that the Community's attention is turned to matters far more important than agriculture. Agriculture is significant, but in global terms—in terms of the economy of the Community as a whole—it is only a minor part of the matters to which we should be addressing ourselves.

The White Paper goes on to deal with the budget, and pleasure is taken in the fact that we have managed to maintain the Fontainebleau agreement, so vital to British interests. It was interesting to discover that the Council agreed that we needed to tighten the budgetary management of the Community. That is a great understatement. The budgetary management of the European Community to date has been lamentable. If the member states are to be asked to agree to increase the budget of the Community—no doubt there are respects in which that might conceivably be desirable—the Commission will have to show that its budgetary management is a good deal superior to that which it has achieved to date.

The White Paper discusses the single market and instances what it claims to have been significant successes in promoting the single market. Undoubtedly, there have been successes, and I would not wish to decry what progress we have made. We have had limited successes in banking and financial services. We have had limited successes with insurance—my hon. Friend the Member for Southend, East was right to point out just how limited those successes have been. In general insurance, our success has been very limited indeed, and as yet we have made no progress on life assurance. It is vital that we make progress in these matters and that we in Britain take the lead in ensuring that we make progress. We have a great deal to contribute to the Community, and we also have a great deal to gain from the Community if we can make that progress.

Hon. Members have referred to monetary union—with which the White Paper also deals—and to the directive on free capital movement. I have one or two things to say about that. This country gave the lead on free capital movements some time ago by abolishing exchange controls. The Opposition predicted that that would have dire consequences and that it would be an appalling thing for our economy. Quite the reverse has happened, and we have been able to show our fellow member states what a good thing free capital movement would be.

I am nevertheless concerned that the price being asked for free capital movement is the imposition of a 15 per cent. withholding tax throughout the Community. What an absurd suggestion. I put it to the Minister that it may also be ultra vires in terms of the treaty, as such a tax would achieve no Community purpose. While it can be argued that VAT should be harmonised and even that VAT should be imposed because it is the base tax for the Community's own finances, there is no justification in any Community purpose for the existence of a withholding tax, which would be raising revenue from non-resident members, not for the Community but for the member states. That is an extraordinary suggestion.

I know that the suggestion comes from the French and that it comes from them because, with the retention of their Socialist philosophies, they cannot believe that, given free capital movements, their citizens would not remove all their money from France and make fraudulent returns to their tax authorities. The French must give up the shibboleths of state authoritarianism and move with the rest of us into the latter part of the 20th century and have a good deal more confidence in the integrity of their own citizens.

Mr. Ian Taylor: Does my hon. Friend agree that the French would be better off if they imposed a 15 per cent.

[Mr. Ian Taylor]

withholding tax on suitcases, in recognition of the most common way in which the French transfer money across borders and frontiers?

Mr. Butterfill: That is true, although it would probably cause problems for the travel industry in France, which makes a lot of money out of those who travel back and forth carrying the suitcases to which my right hon. Friend rightly referred.

The other great plank in the argument about monetary union is that Britain should join the European monetary system. No doubt as a long-term objective, monetary union and membership of the European monetary system could be a good thing, as it might facilitate internal trade within the Community, but we should not under-estimate the problems that would arise not only for us but for the Community if we joined now.

No other European country has a reserve currency such as the pound. The currencies of most European countries are traded in only to the extent that they need to have trade within their borders. Trade in the pound is very much greater because so many countries external to the Community use sterling as a reserve currency. If hon. Members do not believe what I am saying, they need only consider the recent enormous movements in the pound's parity against the deutschmark and the United States dollar. Not all that long ago, we were discussing the possibility of having a pound parity with the dollar. Now, the value of the pound is close to $1·80.

There is no way that the EMS, as presently constituted, could have survived swings and changes of that nature, nor do I believe that we should have been able to take the measures necessary for the correction of the great stimulus that we have give to the British economy if we had been members of that system. Therefore, I believe that, both for our own internal purposes and for the benefit of the EMS as a whole, it has been right that our Chancellor and our Government have decided not to join the EMS at this time.

Much has been said about the social market, and there has been some concern that we should be giving any support to the concept of a social market. I do not have any problem with the concept of a social market, but I have a problem with the concept of a Socialist market. I do not want to see a Common Market or a European Community that imposes upon us the sort of Socialist measures that we have so successfully removed from our own economy, and that would bring back our previous problems.

If we look, for example, at the fifth directive on company law, the Mitbestimmung or the proposals made by Mr. Vredeling, we see that we are being asked to accept worker directors, two-tier boards and trade union participation. Make no mistake about the fact that the worker participation would be through the trade unions. We would be back to the days of beer and sandwiches at No. 10.

Mr. Win Griffiths: The hon. Gentleman referred to the co-operation of workers and the introduction of boards, but does he acknowledge that Germany already has a similar system to that which was proposed? Can the hon. Gentleman explain why, if that system works in Germany, it cannot work anywhere else in the European Community?

Mr. Butterfill: I am happy to explain that to the hon. Gentleman. The system of trade unions in Germany is different from the system here, as are German traditions. In fact, a large number of companies in Germany and in Denmark—where similar systems exist—would like to get rid of those systems. I have no objection if they wish to keep them, or if some British companies wish to adopt them, but I object to them being imposed upon this country and all other countries of the European Community whether they are wanted or not. It is that dimension of the social market to which I most profoundly object.

If we are to have company law directives, it would be far more profitable for Brussels to look at the restrictions in company law and in the articles of association of companies in the European Community and, indeed, the governmental restrictions which frustrate takeovers of companies on the continent, in contrast to the freedom which exists for countries to come here and take over British companies. That appears completely unacceptable, and it is an area of company law that the Commission would do well to look at.

I believe that it is vital that we have an agreement on that, and that we remove all those areas of covert and actual restrictions that exist within companies—for example, in Germany, where it is almost impossible for a major German public company to be the subject of a hostile takeover bid. That cannot be acceptable while the reverse is not true in this country. Those are the areas to which I would like the Commission to devote its attention.

If we consider, for example, the interference which the Commission is proposing in the employment of part-time workers, we see that it is telling us that, if we want to have part-time workers, they must have exactly the same conditions of employment and rates of pay as full-time workers. That is absolute nonsense. It is saying that there should be limitations on the hours that part-time workers can and will be permitted to work. That is an awful piece of authoritarian jargon. How damaging that would be to the economy of this country and the economies of the other European countries. Such authoritarian Socialism plays no part in the sort of Community that I wish to see; nor does paternity leave.

If the Belgians and the French would like to have a 35-hour week and believe that that would benefit their economies, let them have it. Let it not be imposed, however, on all the other countries of the European Community.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): When the hon. Gentleman is speaking against worker participation and the provisions which would protect and give rights to the worker, is he speaking as the Member of Parliament for Bournemouth, West, as the president of European Property Associates, as a director of John Lelliot Developments, or on behalf of any of his other declared interests? Is it not clear that the hon. Gentleman is looking after those interests—as representing the employers—rather than representing the interests of his constituents?

Mr. Butterfill: The hon. Gentleman does himself rather a disservice by that intervention. He knows that I am speaking not only for my constituents in Bournemouth, West, but for the benefit of the great majority of British, and indeed European, people. I believe, for example, that

a 35-hour working week which was imposed upon the whole of Europe would lead not to benefits for workers or for any of my constituents, but to higher inflation, lower output and loss of productivity. I cannot see any benefit to my or the hon. Gentleman's constituents in adopting all this Socialist claptrap.

I do not expect the hon. Gentleman to agree with me, because the Labour party never agreed. It was the burden that the hon. Gentleman's party imposed upon this country under successive Governments after the war that brought us almost to our knees. It is only this Government's subsequent actions to divest ourselves of those burdens that have enabled us to become as successful as we are today.

Mr. Foulkes: The hon. Gentleman mentioned my constituents in Carrick, Cumnock and Doon Valley. Whenever I speak in the House, there is no doubt that I am speaking on behalf of my constituents. I have no other outside interests. I have no consultancies or directorships. It is incumbent upon Conservative Members to reveal from time to time that they are speaking not necessarily on behalf of their constituents, but on behalf of their outside interests. The hon. Gentleman has outside interests, and what he is saying is directed much more to defending those interests than those of the people of Bournemouth.

Mr. Butterfill: I believe that the hon. Gentleman's allegation is disgraceful, and unworthy of him. He will know that I have made a full declaration of my interests, which are well known to the House. I have not taken directorships of any companies of which I was not already a director before I became a Member of this House. Nor have I taken any consultancies since I became a Member of this House. Indeed, I have refused all consultancies since I became a Member of this House, quite deliberately, because I believed that I should represent my constituents and that I should not use my position as a Member of this House to further my personal career. Therefore, my business career has been damaged and not enhanced by being a Member of this House.

I do not speak on behalf of any of the companies mentioned by the hon. Gentleman. In fact, I am no longer a director of John Lelliot Developments. If the hon. Gentleman looks in the Register of Members' Interests, he will see that I resigned from that company some time ago. I am now a director of fewer companies than I was when I came into the House. His allegations are really quite beneath contempt. I do not propose to deal with them any further.

Mr. Boswell: Is it not the case that my hon. Friend's constituents contain an unusually high number of retirement pensioners? Are not their interests quite as important as those of people who are in employment, both in this country and throughout Europe? Do they not all have an overriding interest in economic efficiency and a reduction in inflation?

Mr. Butterfill: My hon. Friend is right. I am grateful to him for that helpful intervention. It is, however, dignifying the hon. Gentleman's comments far more than they deserve to proceed to consider them any further.

I would like to turn to some of the other areas in the European Community where I believe that we are being damaged by the sort of claptrap that the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) believes in. The Commission is, for example, seeking to promote new funds. It is not content with its existing empire, but wishes to move into new areas of activity. The latest proposal is a draft directive for a medium term transport infrastructure fund. With this fund, the Commission proposes to tell us how we can best build roads in the individual countries of Europe so as to better create a road infrastructure for Europe. Certain people, including representatives of the CBI in the south-west region—my region—say that that is a good thing. They think that they might get the A350 rebuilt more quickly if they latch on to the idea of a European infrastructure fund.

As I told them, there is no such thing as a free lunch. If we were to contribute to such a fund, the vast majority of it would go to building new roads in Spain, Portugal, Greece, and other parts of the Community. They would be rather less likely to get their road than if they left the process to our national Government. It is far more appropriate for national Governments, being more responsive to their citizens' wishes, to decide what roads are needed, and where. I object to the concept that some gentleman in Brussels will decide where my constituents will need a new road. That is another case of empire building.

Sir Russell Johnston: I agree with the hon. Gentleman's argument, but does it not apply with equal logic to Scotland, which is within the United Kingdom?

Mr. Butterfill: That may be the case. No doubt the hon. Gentleman will have an opportunity later in the debate to propound that view.

There are matters within the European Community in which we should make further progress, and there are other matters in which it is quite inappropriate for a supranational body to make such decisions. It is much more appropriate for them to be left to local decision.

Mr. Win Griffiths: Will the hon. Gentleman give way?

Mr. Butterfill: I shall not give way. I am winding up my remarks—I have been very generous in giving way—and many other Members wish to speak.

We did not defeat the slush fund philosophy of public expenditure in this country to accede to it again in Europe. That is why we are being so vigorous and why the Prime Minister was so vigorous in Bruges in opposing that philosophy, and why it is—unexpectedly, perhaps, for those who were so opposed to Europe—gaining so much currency among Opposition Members.

6.32 pm

Sir Russell Johnston (Inverness, Nairn and Lochaber): Perhaps the hon. Member for Bournemouth, West (Mr. Butterfill) will forgive me if I do not directly follow him. I agree with his remarks about environmental co-operation and the avoidance of the development of a protectionist attitude within the European Community. However, as will become evident, I do not go along with some other things that he said.

Sadly, the right hon. Member for Chesterfield (Mr. Benn) has abandoned us after a robust, vigorous and entertaining contribution. When I stand at the bar of history—I am not terribly keen to do so all that quickly—I shall stand with my head high and be proud of what I did in respect of the European Community. I shall not be

[Sir Russell Johnston]

at all apologetic for my position and the critical Liberal vote in 1972. I reject the right hon. Member's argument. However amiably it was presented, he was wrong. The Community is in time and has imagination. It is not about division. In many respects, it is the most stable and encouraging element in world politics.

The hon. Member for Hamilton (Mr. Robertson), who led for the Opposition, said that we are supposed to be debating something that happened a year ago. As has been observed, that is ridiculous, and it is reflected in the turn-out of hon. Members. It is not entirely due to winter breaks in Richmond and Pontypridd. What is the point of talking about something that is a year old?

The page in the White Paper dealing with parliamentary scrutiny is the only page which is about three quarters blank. It has two sentences which state that lots of things were discussed, lots of reports were looked at, and lots of debates took place. In response to an intervention by me, the Minister said that, as a consequence, nothing happened. Therefore, why do right hon. and hon. Members spend so much time in committees? Why did the Secretary of State for Trade and Industry—a chap with a lot of things to do—trot along to give evidence? What effect will his evidence have, on whom, and when? I doubt whether it will have any. The Minister said that we must examine the way in which we are doing things.

However, there is a simple answer. We must give greater powers to the only body that is in a position to do anything, and that is the European Parliament. We should recognise that fact. It is simply not good enough for opponents of the Community to whine on about a lack of accountability when there is a realistic solution. Hon. Members would not expect me to say anything other than that, from a British point of view, this means changing the way in which we elect Members to the European Parliament. It is the last debate before direct elections. I shall take two or three minutes—no more—to say, not for the first time, that this matter is important.

We must examine the matter from a philosophical point of view. I must admit that the Conservatives are increasingly ideological in their approach to life. They were not ideological in the past. They used to be perfect empiricists, but now they are ideologues—much more ideological than the Leader of the Opposition, who is the master pragmatist of the day.

It is contradictory for a Government to advocate the virtues of free competition versus monopolies and the right of each invidual to have the option of share ownership and a stake in what were once state industries and, at the same time, not champion the idea that each individual should have a stake in Parliament. In the 1984 election—the last election—19·5 per cent. of the votes were cast for Liberal and Social Democratic candidates. About 2·5 million people voted for them, and we got no representation of any kind. That is wrong. It had a considerable impact on the balance within the European Parliament, in which all other member states have proportional systems. The European Liberal and Democratic group polled 10 million votes throughout the Community and got 32 seats in the European Parliament. The British Conservatives, who, in a remarkable euphemistic jump, described themselves as democrats, polled 6 million votes and got 50 seats. That is wrong.

If one is prating about accountability without taking account of that flagrant and peculiarly British injustice, one is approaching matters in a superficial way, and it is small wonder that the turn-out at the election was so low.

The hon. Member for Upminster (Sir N. Bonsor) talked about "the will of the House and the will of the country". In those terms, such concepts are nonsense. In 1979, when I stood for the European Parliament, Angus Maude, as he then was—he is Lord Maude now—speaking about the 13 per cent. Liberal vote, said that it was not fair and that something should be done. The man who is now the Home Secretary said and wrote similar things, but nothing has been done. The time has come for something to be done.

The Minister said that we are debating the period of the German presidency. I welcome the opportunity to pay tribute to Hans-Dietrich Genscher who was the Chairman of the Council of Ministers at the time. A former leader of the Free Democrats—the German Liberal party—his sane and enlightened influence has contributed much to the more effective operation of the Community, as, for that matter, it has in other matters, not least defence. The right hon. Member for Chesterfield referred to that point.

The period that we are referring to, as the Minister rightly said, was dominated by the Brussels agreement. That reasonable settlement tackled many of the problems that had beset the Community. Those of us who appreciate the importance of the Community to the United Kingdom were especially grateful that, on this occasion at least, the Prime Minister was for turning and was prepared to accept a deal that she had rejected in Copenhagen two months previously. Therefore, the European single market was on track.

I should like to commend in particular the increasing support for the European social fund which resulted from the agreement, and which supports job creation and training throughout the Community. I also commend the regional funds and measures to control the cost of the common agricultural policy. The regional fund is to double between 1987 and 1992. There is a risk, confirmed by the Padoa-Schiotta report, that the single market will draw even more money and economic activity into the central golden triangle about which so much has been said. It is necessary to counter-balance this trend.

I am very alarmed by the view of the Chancellor of the Exchequer. It has been referred to by the hon. Member for Hamilton, quite properly, and I want to put a direct question to the Minister about it. The Chancellor said in his Chatham house speech that the growth of regional policy within the Community would be positively damaging. That is a very alarming statement. Secondly, and related to that, when will the Government face up to the issue of additionality in respect of the regional fund? Unless one has the money as an addition rather than a substitute, it makes a mockery of the whole business.

The Chancellor's appalling view is certainly contrary to what the Secretary of State for Scotland or the Secretary of State for Wales continually tells us, as no doubt do the Ministers who claim that they are working for the betterment of the north and west of England.

In my part of Scotland we have a state development authority called the Highlands and Islands Development Board. It was established in 1965 by the Labour Government following, incidentally, three Liberal wins in the Highlands. We had advocated the idea since 1929. Little plugs like that can do no harm. The board has certainly been effective and works very well with the

regional fund of the European Community. Is the Chancellor attacking that as well? That is the logic of it. The Chancellor said—and I repeat it—that the growth of regional policy within the Community would be positively damaging. That means that he is against the Highlands and Islands Development Board.

Presumably also he believes that the approach of the Federal Republic of Germany, that of decentralised economic planning, is wrong. I do not believe it to be wrong. I hope that the Minister will clarify this. If the Chancellor's words represent Government policy, they suggest that the Government are moving back from the Brussels agreement.

The same consideration applies to the European social fund. The United Kingdom is the largest beneficiary of the fund within the Community. I think it forms a large part of the funding of employment training and the youth training scheme projects, although I am not sure how much money is involved; perhaps the Minister will tell us. But it is certainly something that the United Kingdom desperately requires, as the hon. Member for Hamilton says.

The director general of the National Economic Development Council has pointed out:

"60 per cent. of the German work force have attained apprenticeships or similar qualifications, compared to only 30 per cent. in the United Kingdom."

Additionality applies here as well, whether the money through the social fund is used to make better provision or simply as a substitute within the budget. The Government must not treat help from the European Community as an excuse to save money. Rather, they should take full advantage of it to ensure that our work force is well trained. It is very welcome to the Social and Liberal Democrats that we are making progress towards the single market. One is always ready to welcome converts to this cause. As a Liberal who has been involved in European matters for a long time, I believe that we have sustained and been consistent in our position, but I am worried that many within the Government and certainly within the Conservative party regard the Community as some kind of "EFTA" writ large, rather than a community of peoples working towards a supranational cohesion.

The Prime Minister held up a vision of Europe open for business. I support that fair view, but I cannot support the idea that Europe can have a genuinely common internal market without the necessary economic means. I must say to the hon. Member for Bournemouth, West that that means a European monetary system. I shall not argue with him about the moment of its introduction, which has been discussed for so long. Many people disagree with the hon. Gentleman's stance. I believe that we should also move towards the creation of a central bank. There must also be the necessary environmental and regional policies to complement the market.

Over the past months, those whose view of Europe is contrary to mine have been organising more effectively in this country. A new brand of Right-wing anti-Europeanism has grown up in the Conservative party. It has not articulated itself perhaps so long as the hon. Member for Southend, East (Mr. Taylor). The hon. Gentleman's record in the matter is so blemished as to be unblemished, if I may put it that way. There can be no doubt that the hon. Gentleman is most consistent.

I am referring not just to the Chancellor but to the so-called "Bruges group" which has just been established. One has the impression that some members of the Conservative party want to have their cake and eat it too. They are happy enough when European Community action cuts Government intervention across Europe. But as soon as it involves any increase in the role of Government, for whatever good or bad reason—of course there may be bad reasons for Government intervention—they take refuge in this great notion of sovereignty.

Mr. John Redwood (Wokingham): Will the hon. Gentleman give way?

Sir Russell Johnston: I shall give way in a moment. If we are referring to jargon, as some hon. Members have done, the concept of sovereignty is the acme of casuistic jargon.

Mr. Redwood: I should like to point out that, as I understand it, the "Bruges group" has been established by a Cross-Bench peer in the Upper House and is a group of academics that has not stated its party political disposition.

Sir Russell Johnston: I shall titillate the hon. Gentleman with some quotations from the statement of the Bruges group later on. If that is a Cross Bencher, I am a cross—well, I do not know what; but that was not my impression.

The Bruges group claims to favour a Europe of sovereign states competing and co-operating. The whole idea of the single internal market is that there should be fair competition between business and individuals within Europe. Once sovereign states try to compete within the market, real competition is stifled.

The Bruges group's prospectus has come into my hand. I understand that it is freely available. The gentleman concerned may be a Cross-Bench Peer, but the basis of the document seems to be in a pretty narrow conservative ideological brace. Let me give three short quotations. The document says:

"The Bruges Group not only denies politicians the right to pronounce on issues relating to national sovereignty, but it also strongly feels that political integration of the European States is a negative step that will severely damage the security at present enjoyed by Europe. It will also heighten existing tensions and differences in Europe."

That is gobbledegook, but never mind.

Secondly, the document says:

"In principle, therefore, increasing the powers of Euro-MPs, even to act strictly within the limited context of an economically-integrated Europe, would be quite undesirable".

Lastly—this might interest the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes)—the document says:

"We have to ensure that social measures do not extend into the domain of worker participation, social security, pensions, etc. because this would represent a massive interference into the workings of the Free Market".

If the free market were left to work by itself, without the state doing anything about pensions, social security and such matters, we know perfectly well that the free market would pay remarkably little attention to them.

Now that the Prime Minister claims to have seen, as it were, the "green light", it is to be hoped that we shall see increased environmental protection at European level. As the hon. Member for Bournemouth, West said, pollution knows no boundaries. But that too means ceding a degree of national sovereignty, which may be for very good reasons.

[Sir Russell Johnston]

To say, as the hon. Member for Wokingham (Mr. Redwood) so blandly said, that the Bruges group was led by this Cross-Bench chap, which presumably implies a moderate, reasonable, fair-minded objective fellow who could not in a way be described as a Conservative, is a lot of poppycock.

Mr. Butterfill: The facts just did not happen to suit the hon. Gentleman's argument. The person concerned did not happen to be a Conservative. The hon. Gentleman was seeking to say that the Bruges group is a Conservative group, when it is not.

Sir Russell Johnston: Let me give the hon. Gentleman another quotation. The document says:

"This vision of Europe runs against the free market economic philosophy of the present Conservative Government that has set such a good example to the rest of the world".

If that is the view of a Cross-Bench peer, he is not all that objective.

This debate has occurred at an historic time. There has already been a reference to the co-operation in foreign affairs which led to concerted action on the appalling conduct of the Iranian Government over the Rushdie book. It must have been a good experience for the Foreign Secretary to find that all the Community countries meeting in Brussels were rallying to support the British position. There was no question of him pressing them to do anything; he was perhaps taking the softest line of all. There is great scope for the EC to make considerable advances in foreign affairs, and it is something of a criticism of us that the Soviet Foreign Minister is moving positively into the middle east at the moment when the EC, against the background of the Venice declaration, should have done much more.

The Prime Minister has condemned the visionaries of European unity. It is always easy to condemn people who dream dreams and hope hopes, but without vision the Community would never have been created. The Prime Minister warns of a centralised federal Europe, showing that she does not really understand the word "federal". It means co-operating on the broad issues of economy and environment within the federation while giving self-recognising communities the institutional right to run their own affairs. *[Interruption.]* The hon. Member for Newham, South (Mr. Spearing) is making squeaking noises. Does he wish to intervene?

Mr. Nigel Spearing (Newham, South): I was not going to intervene because I have not been present throughout the hon. Gentleman's speech, but does he agree that the definition of "federal" is essentially that of a legal constitution, not necessarily of a modus operandi, and to mix the two is constitutionally imprecise and misleading?

Sir Russell Johnston: I admit that the hon. Gentleman makes a fair point. It is a constitutional institutional legal arrrangement. Nevertheless, the modus operandi of federations, as we have seen them, is to achieve the balance of powers to which I referred. That is true in the Federal Republic of Germany, Canada, the United States and so on. That is certainly what I would wish to see in the EC. It involves a balanced and democratic approach which could provide not only effective co-operation on a wider scale, but new freedoms for old nations such as Scotland and Wales and Bavaria and Catalonia as well.

That is the only sane future for the EC and for us within it. Such a concept of a federal Europe, focusing on the rights and social situation of the citizen, is that for which the European Liberal, Democratic and Reform group, of which we are a part, will work, I hope successfully, in the European elections to come.

6.55 pm

Mr. Teddy Taylor (Southend, East): The wild enthusiasm of the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) for the Common Market and all it stands for has never been in doubt, but he has been a bit unfair to the Bruges group. I happened to go along to its first conference, not because I was part of a conspiracy, but because I was curious, and I can assure him that far from being some kind of promoted arm of the Conservative party, it is pretty representative of what he will find in the Labour and Conservative parties and throughout the country—a rising tide of concern over what is going on in the Common Market.

Mr. Foulkes: It is important to be clear about what the hon. Gentleman is saying. Is he saying that Labour party Members are actively involved in the Bruges group? I hope that he will clarify that, because that is not the case.

Mr. Taylor: I have not the slightest idea about the parties of the people involved in the Bruges group. All I can say is that there seem to be some genuine academics who are putting forward what seems to be a genuine point of view.

The attendance in the House today tells us what is happening in British politics today. The Labour Benches have almost been deserted, not because Labour Members are lazy or do not want to come, but because they are too embarrassed to talk about the Common Market because they are changing their policy, although there are one or two exceptions, such as the right hon. Member for Chesterfield (Mr. Benn) whose views are clear. The Conservative Benches are more crowded than used to be the case because there is no doubt that there is a rising tide of concern in the Conservative party about what is going on.

I want to make three brief points because I realise that other hon. Members wish to speak. First, I appeal to the Government to consider seriously that there might be a case for stating things as they are in the Common Market, not simply living in a dream world and trying to pretend that things are what they are not.

I could give a mountain of examples, but the best one occurred again today when my right hon. Friend the Minister kindly talked about the great reform of the Common Market, initiated by the United Kingdom, which had led to a reduction in the butter mountain. The facts are there for all to see. Hon. Members know exactly what has happened. We simply agreed to a fire clearance sale, more than doubling our sales of butter at a ludicrous price. There was no reform or great mystery; there was simply a fire clearance sale. It is rather like Harrods saying that it had improved its sale by reducing the price of its fur coats to 28p each. If only the Government would stop trying to

pretend that miracles are happening when they are not, they could make more progress and we would have a far more satisfactory debate.

We all know that our trade with Europe is bad. In fact it is worsening. The position is serious. There has been a deficit in our trade in manufactured goods with Europe of £12·75 billion over the past 12 months compared with only £2 billion for the rest of the world. I am not saying that that is the fault of the Common Market. I do not know what the reason is. But it is a serious problem.

The same applies to budget control. After Fontainebleau Ministers were saying what they are saying now after the February Council meeting about budget control. They say that matters have been resolved and they have made decisions which are binding on the Council. We all know that budget control was a sick joke. Sadly, the same is true of the CAP. We repeatedly hear all the pledges about what Ministers think will happen and the spending cuts that they hope will happen. In every previous instance they have been totally and completely wrong.

Sadly, it is the same now about 1992. I am sure that the Minister is well aware that we are not seeing moves towards free trade. We are seeing a move towards massive harmonisation. On insurance, in which I am involved, a measure has been proposed for a very limited form of flexibility, which certainly might not happen in Germany because of the special rules which they have there. I would love to see free trade within the EEC, but I think we are kidding ourselves if we believe that great progress has been made.

It is the same with fraud and, in particular, protectionism. The Minister said that she was very pleased with the measures being taken to try to undermine protectionism. I must ask her if she knows of any measure at all that has been taken within these six months that has reduced the amount of protectionism in the EC. We all know that it is increasing.

The Economic Secretary to the Treasury (Mr. Peter Lilley): Is my hon. Friend aware of the liberalisation of road haulage?

Mr. Taylor: I was not aware that that was a measure dealing with protectionism. I asked the Minister if she knew of a measure to do with protectionism—in other words, Europe against the rest of the world.

I appeal to the Minister to look at the issue of the use of anti-dumping procedures. The Commission is now using, not dumping procedures, but what it regards as a normal price as a means of increasing substantially the price of imported goods, or else forcing domestic producers to increase their prices.

I am not trying to say that everything is bad. I do not want to preach against membership of the EEC, because that is a battle of a long time ago. I simply appeal to the Minister and to the Government to make a positive decision not to try and sell the Common Market but just to try and say how things are. On that basis we could make more progress.

Secondly, on the question of documents and our debates, I hope that we shall not go through the whole nonsense of saying that somehow things will improve dramatically if we have our debates at 7 o'clock instead of at 10 o'clock, if we have more time, and so on. Other hon. Members have rightly said that—sadly or happily for the country, we do not know which—massive amounts of sovereignty have been surrendered. Many of the laws which we used to make in the House of Commons are now being made by the Council of Ministers on the recommendation of the Commission. Although the views of the House of Commons are interesting, we know that as far as decisions are concerned they do not affect things at all.

It would help enormously if, instead of trying to pretend—as the right hon. Member for Chesterfield rightly said—that we are influencing decisions in Europe and that our views are terribly important, we simply accepted the fact that most of the big decision-making has gone to another place. What should worry us is that it has gone to a new form of democracy where there is no elected assembly controlling Ministers and policies, but——

Mr. Benn: The hon. Gentleman, being a realist in his present manifestation, says that we should accept it, but of course it is our electors who put us here. I wonder if he would comment on the possibility that I see ahead one day that people would vote for a party expecting something to be done and discover, after that Government, if they were able to form one, were in office, that they had no power to do what they had been elected to do. That is the real issue. It is the rights of the electors, not the rights of individual Members of Parliament, that seem to me to matter. That is when the threat to democracy will become apparent.

Mr. Taylor: I am sorry if I was confusing the right hon. Gentleman. I listened to his speech with infinite care and I thought it was a masterful speech about what had happened in the past. When he came to looking to the future I am afraid I got rather confused, because the idea of Britain signing some kind of treaty of friendship with the Soviet Union as a means of solving the practical problems of the EC did not seem to me to be very practical.

What I am saying is that we in the United Kingdom —I do not care whether it is the Government, the Opposition, the press, television or anyone at all—should surely accept the fact that this has happened, reluctantly in my case, not so reluctantly in the case of others. We should say what has happened and then ask ourselves what we should do about it.

Thirdly, we should accept—I hope the right hon. Member for Chesterfield, who I know has a terrific interest in the time of Oliver Cromwell and King Charles and a great historical interest generally, will agree—that there is a case for the Government and the House of Commons saying: "This has happened, power has gone, the Common Market is not working well; it is not an efficient body; it is a body with a lot of fraud and overspending. When and how can we influence this?"

There is, in my view, apart from the endeavours of our Ministers who go to the Council of Ministers and try their best but often get outvoted, only one time when we can do anything. That is when the Common Market runs out of money and has to ask for more resources. At that point, of course, we have a veto. That is the situation that arose in February 1988, and then the Prime Minister sought an assurance, as she did at the time of Fontainebleau, that there would be strict budgetary controls. Sadly, we shall not get them, for the reasons we know, but at that stage we could make a number of important demands.

I suggest that we should not go through all the nonsense of saying how we are going to improve our discussions of European affairs, but instead draw up a realistic agenda.

[Mr. Taylor]

We know what agenda would be generally acceptable to the House of Commons. We all surely know that the CAP is not working well and is not being reformed. It cannot be reformed so long as it is controlled by the Council of Ministers. It will not happen and we are kidding ourselves if we think that it can. Is there not a case, without affecting the integrity of the Common Market, for repatriating agriculture to member states and having each of them carry out its own agricultural policy, subject to Commission approval if need be? In that way we could make some progress.

Is there some way in which we could have a better way of saying which article of the treaty is relevant to which Euro-document? The Foreign Office, if its officials are the very clever people we think they are, should be starting to look carefully at how the Commission is seeking to use article 100A for majority voting when it should not be so used. Surely this is another case in which we could ask for a change.

I believe that we have to accept that decisions have been made. I regret them, but we shall never know what would have happened if they had not been made. Now we have to do some realistic work on the Common Market. There are a lot of interesting things in the White Paper. We are told that moves towards 1992 are making great strides. If we look at all these major supermarket issues that have been agreed we see that one has been to extend the non-noise directive and cover what are called sit-in lawnmowers. I do not know what they are, but I do not think they are terribly important.

There is an important job to be done and when we next come to the point of bankruptcy—when the Common Market has no more cash at all, when it has to appeal to us for more cash—we shall be in exactly the same position as earlier Parliaments here were with King Charles. He used to come to the Parliament when he ran out of money and ask for more. And we told him that he could not have it unless he agreed to a, b and c. If we really want to reform the Common Market, stop the nonsense and move in a better direction, we should start preparing our agenda for change.

So, first, accept things as they are and tell the whole truth; secondly, do not fiddle around trying to pretend that things have not happened that have happened; and, thirdly, let us use the one opportunity we have for achieving real changes in the Common Market to make it better, more workable and more sensible.

7.8 pm

Mr. Win Griffiths (Bridgend): I intend to do something that has so far been rare in this debate—to dip at some length into the report that we are debating. It may seem a little unorthodox, but there are some useful things to be said, not just about what is written in the report but also about what has been left unwritten.

I notice, for example, that at one point the Government referred to the fact that they had achieved a major victory when the Commission agreed to provide an impact assessment of any move in the open market saga on specific industries. But when, on the first page of the report, they referred to the fact that the structural fund would double by 1993, they forgot to mention that the Prime Minister was on record as having said in the House that that would not happen. Nevertheless, in the end she agreed to it, and I am glad that she did, because although those structural funds suffer from a lack of additionality they eventually find their way to regions with high unemployment.

There is another omission from the White Paper. The Government are happy to refer in paragraph 1.16 to the fact that the Commission endorsed:

"policies on deregulation, including support for the 'fiche d'impact' system (whereby each Commission proposal for legislation is accompanied by an assessment of its likely impact on business".

When I have requested in this House and in the European Parliament that all the moves towards a single market should be assessed in terms of their impact on the regions, my requests have been turned down. I still believe that it would be useful if the Government attempted to assess the impact of the moves towards a single internal market on jobs in the regions. I believe that most economists agree that it will place further strains on regional economies, particularly if the Government are not prepared to develop the necessary communications to ensure that the regions have close links with population centres in the Community.

To that end, projects such as the building of a second bridge across the River Severn, the electrification of lines from London to south Wales and the need throughout the United Kingdom for direct rail links with EC capitals must be brought to fruition if the regions are not to be left behind in the move towards the single market which, according to the Government, has progressed better under the German presidency than under the British presidency.

There is a titillating sentence about economic and monetary union:

"The Council also decided to establish a committee of central bank governors and others to study and propose practical steps towards the progressive realisation of economic and monetary union."

Did the Prime Minister agree with that? From the tone of her Bruges speech, one could swear that she was on another planet when that agreement was made. For good or ill, however, that agreement has been made and the Prime Minister has made a commitment on behalf of the British Government to move towards the realisation of economic and monetary union. Perhaps the Government can tell us what progress might be made on that, or will it be like the fight against inflation—something that the Prime Minister says is proceeding albeit, as we are all aware, proceeding very unsuccessfully?

The hon. Member for Esher (Mr. Taylor) asked about true inflation rates and much play was made about the fact that mortgage rates are included in our inflation rate but not in the inflation rates of other Community countries. It is also true, however, that fewer householders have mortgages in other Community countries and the rental element does enter their inflation indices.

I will cite some figures, although I accept that they are not the latest figures. Indeed, they may flatter the Government because they are the OECD main economic indicators for November 1988. Of the G7 countries, the figures show that British inflation was 6·4 per cent., in France it was 3 per cent., in Germany it was 1·4 per cent., in Italy 5 per cent., the United States 4·2 per cent., Canada 4·1 per cent., and Japan 0·5 per cent. According to the OECD figures, there is no doubt that the British economy is performing very badly with regard to inflation—and the position has become worse since last November.

The Government should also tell us what they think will happen about economic and monetary union. Time and again we have been told that in principle the Government want to join the European monetary system, but that the time is not yet right. Perhaps the Government can tell us today what will happen to the pound in relation to the deutschmark, the dollar or any other European currency. Will they want to take into account comparative unemployment rates before they do that? Under what conditions would the Government be prepared to join the EMS? I am sure that the whole House would like to know that.

My right hon. Friend the Member for Chesterfield (Mr. Benn) referred to the appearance of Mr. Gorbachev on the scene. A very short paragraph in the White Paper gives us some hope that the Commission and several European Governments might be prepared to respond more positively than the British Government to Mr. Gorbachev. We might see the spectacle, as has happened in relation to several issues relating to foreign affairs, in which the British Government are dragged along to a more positive and progressive position than they really wanted. Paragraph 10·12, headed "EC/Hungary" states:

"Following several further rounds of negotiations, the EC and Hungary initialled in Brussels on 30 June an agreement on trade and commercial and economic co-operation."

If we link that with the fact that the Russians under Mr. Gorbachev have also allowed Comecon to recognise the European Community to make trade and commercial agreements, there is every hope that other such agreements might be made in future. If we take that in tandem with Mr. Gorbachev's obvious desire to see reductions in nuclear and conventional forces, Britain, which at the moment is being dragged unwillingly by countries such as Germany, might achieve developments which go way beyond the competence of the Community.

Mr. Jonathan Sayeed (Bristol, East): The hon. Gentleman continues to say that this country is being dragged unwillingly towards trade or discussions with the Soviet Union. He will recall that the Prime Minister very early on said that we can work with Mr. Gorbachev. Does he also agree that it would be necessary for the Soviet Union to devalue the rouble very considerably if we are to trade effectively with them?

Mr. Griffiths: I do not dispute the fact that the Prime Minister said that Mr. Gorbachev is a man she can deal with. However, in the context of the move to remove nuclear weapons and the agreements which have already been made between the United States and Russia, the Prime Minister still seems to be determined to modernise NATO nuclear weapons while countries like Germany are counselling otherwise. I hope that their counsel will hold sway. With regard to the exchange rate between the rouble and the pound, I leave it to the trading experts to find the most effective way of developing our trade relations.

Two matters affecting the environment are specifically mentioned in the White Paper. The first relates to an agreement

"covering the phased reduction up to 2003 of sulphur dioxide and nitrogen oxide emissions from large combustion plants."

An organisation called EURISOL, the United Kingdom mineral wool producers, published a report yesterday. It shows that if the proposals currently under discussion for building regulations as they affect insulation standards were to be introduced by the Government, they would stop 39·4 million tonnes of carbon dioxide from polluting the atmosphere over a 50-year period. That is a significant reduction. In regard to the energy objectives of the European Community, on the basis of current use we would need two fewer average-sized power stations to produce the electricity that we need.

I wish to refer to a matter which is not mentioned in the report but has been aired recently—the water quality directives. The hon. Member for Gainsborough and Horncastle (Mr. Leigh) opposed any concept of European standards because we would always use the lowest common denominator. If we have the lowest common denominator for bathing water and drinking water quality standards, why have the Government taken some 13 years so far to fail to bring more than one third of our beaches up to the standard of the so-called lowest common denominator? Why are the Government still seeking derogation on the drinking water quality directive which they affirmed in 1980 and why, unless there is a vast reappraisal of the programme, will we not achieve the standards of that directive until after the year 2000? Have the Government received any response from Brussels on their proposals on the bathing water and drinking water quality directives?

Earlier this month the Chancellor of the Duchy of Lancaster and the Minister of Trade and Industry had discussions in Brussels on the regional fund as to which areas of the United Kingdom, such as areas of declining traditional industry, would be eligible under the second objective. Has a definitive list now been introduced? Although most of south Wales is likely to be included, there are still some doubts about south Glamorgan which should be cleared up.

Finally, one issue relating to the development of a single market has aroused no official response—the ability of all citizens holding British passports to travel unimpeded throughout the European Community whether they are on holiday or looking for work, as that is supposed to be one of the great advantages of the single market. At present, there are several types of British passport, not all of which give their holders all the rights of normal British citizenship. Will the Government clarify whether anyone holding any British passport would be able to move freely throughout the European Community looking for work when the single market has been completed?

On a constitutional issue, the Minister of State suggested that the Government might take advice as to the best time for the House to discuss proposals from the Commission. I suggest that the best time would be fairly soon after any proposals are announced. Whether or not the Commission makes major amendments to those proposals later on, if the Government have any intention of listening to advice from the House, the sooner we are able to give that advice the better it will be for everyone.

My right hon. Friend the Member for Chesterfield mentioned the Danish Parliament which has a system of scrutiny which, before the Single European Act was passed, led to the Danish Minister laying a veto on the table while he went back to Copenhagen to discuss the issues with the Danish Parliament's European Community committee and attempt to reach some agreement before returning to Brussels and explaining the position. That system works in Denmark probably because the Government always have a knife-edge majority, and the public at large perceive that the European Community can have an enormous impact on people's lives. It has

[Mr. Griffiths]

therefore become an important part of the constitutional process in Denmark. By extending majority voting, the Single European Act will reduce the effectiveness of that committee, but the Danish Parliament will still be able to play an important role on matters in which Governments have a veto.

If the Government are to listen to the advice of the House, there is no reason why an informed debate should not be held one month after a proposal has been published, giving hon. Members the opportunity to examine it and seek advice from other interested bodies. It would be nice to think of the Government going to Council meetings and putting forward the view of the British Parliament.

Mrs. Chalker: We do.

Mr. Griffiths: The Minister whispers "We do", but more often than not we discuss European matters after a common position has been reached and after the Council has made a decision, so our debates in the House are almost post-mortem discussions.

Mrs. Chalker: The hon. Gentleman should know that we frequently use a scrutiny reserve—the term used in the Council of Ministers when a Minister listens to a debate but keeps a scrutiny reserve until the issue is discussed in his national Parliament. That procedure is frequently used by United Kingdom Ministers, and we shall continue to use it. Nevertheless, I understand what the hon. Gentleman said about early deliberations on Commission proposals, although that might not be the best time in every single instance.

Mr. Griffiths: I am grateful to the Minister for that advice. I should be interested to know how often the use of the scrutiny reserve has led to the Government listening to advice from the House and changing their position in the Council of Ministers.

Mr. Benn: Before my hon. Friend is seduced by the Minister's language, I should explain that the scrutiny reserve is used as an instrument by the Executive to give themselves more time to think. It is not at the discretion of the House of Commons, so it is in no sense a legislative safeguard. It is a technique for a Minister who does not want to say, "yes", probably because he has not consulted his colleagues at home, but it is no guarantee for the House of Commons.

Mr. Griffiths: That is why I asked whether the House had ever had any impact on a decision after a scrutiny reserve had been made by a Minister in the Council.

Mr. Spearing: While I concur entirely with the point raised by my right hon. Friend the Member for Chesterfield (Mr. Benn), a resolution of the House on 30 October 1980 requires a Minister to debate an issue in the House prior to assent in Brussels unless that is impossible. While the right hon. Lady's words were seductive, does he agree that any debate, whether or not it is held under a scrutiny reserve, unless it involves a constitutional change which is required by the treaty, is merely advisory, so all the debates to which my hon. Friend refers are advisory and consultative debates only, unless we adopt a similar system to that which applies in Denmark?

Mr. Griffiths: I appreciate what my hon. Friend says, which serves to emphasise the need for this House to play a more positive role in these affairs.

I conclude by saying that the White Paper, while telling us what happened under the German presidency, does not tell us what will happen in the future, particularly with regard to economic and monetary union. I hope that we shall receive a detailed response on those matters because they are vital to the future of the British economy, especially in the regions.

7.29 pm

Sir Richard Body (Holland with Boston): As a Welshman I am sure that the hon. Member for Bridgend (Mr. Griffiths) appreciates the perils of the single market. He will realise that if there is to be an integrated market which embraces more than 300 million people over such a vast area, there must be a limited number of growth points. Broadly speaking, they will be in what we have come to call the golden triangle. Wales is unlikely to be in that triangle and so is Lincolnshire—if I may say so in the presence of my hon. Friend the Member for Stamford and Spalding (Mr. Davies).

I hope that the right hon. Member for Chesterfield (Mr. Benn) will not mind me saying that he made a powerful and entertaining speech. I wonder whether he realises how close he came to the views expressed by no less a man than M. Monnet just before he died. I saw a paper written by one of Monnet's colleagues in which he described a conversation in which M. Monnet, reviewing his life, said that he had a regret about the European Community—he wished that it had been founded not on economics but rather on the sort of cultural links to which the right hon. Member for Chesterfield alluded.

Comparing this White Paper with its predecessors, I am struck by the way in which the European Commission is now nibbling away at a range of issues far wider than that with which it used to deal only a few years ago. To some extent, that can be explained by the magic year, 1992. I hope that the House appreciates why that date was selected. It was designed to coincide with the end of Lord Cockfield's second term of office, the vice-president who was responsible for the internal market. As we know, he launched a programme of 300 changes that were to be made before his term of office came to an end. I hope that now that he has departed we may look upon 1992 as no more than one—albeit very important—year in this century.

This does not altogether explain quite a large number of items in the White Paper, which refers to environmental matters, health, education and youth training. Very soon, we must make up our minds whether we want a deeper Europe that deals with such issues, or a wider Europe. We cannot have both.

As I have said so often, I am totally in favour of more international co-operation. I do not understand how one can speak of many of the environmental issues unless one talks in European terms. We cannot deal with many of them by ourselves, and the question is with whom, and how, we should try to overcome our problems.

I should particularly like to discuss the paragraph in the White Paper that deals with copyright, and a number of allied matters that are of enormous importance if we are to achieve the expansion of trade to which my right hon. Friend the Minister of State referred. I wonder whether

she reads that excellent journal called the "New European". A recent issue of that quarterly contained an article by Mr. Anthony Walton, a leading member of the English patent bar. He spoke of the enormous success of the European Patent Office, which goes back a number of years and includes all the EC countries. It goes far beyond that—it means that an inventor in Stockholm, Geneva or any other European capital can go to the local office, register a patent and immediately it takes effect throughout all the countries that are adherents to the European Patent Office.

The system works extremely well—it is efficient and cheap. However, outside the profession of patent lawyers and patent agents, very few people know about the European Patent Office because there are no rows or disputes. It works. Yet in the White Paper, the EC Commission is nibbling away and trying to undermine the Patent Office by arrogating its role to itself.

I wonder if my right hon. Friend the Minister of State will consider this matter carefully, because there is at hand an institution that can extend the work of the European Patent Office very effectively. That institution is the Economic Commission for Europe, based in Geneva. That city is as European as any other, although I fear that some of my hon. Friends rather quixotically deny that it is in Europe. Every European country in the United Nations is entitled to take part in the proceedings of the commission, and many of them actively do so. Many of them, particularly EFTA countries, wish to take a more vigorous role in co-ordinating the economic activities of the European continent.

I am told, and perhaps my right hon. Friend will put me right if I am wrong, that sadly our Foreign Office is not at all enthusiastic about the Economic Commission of Europe, which it fears may be a competitor with the EC. However, if we are to have a wider, rather than a deeper, Community, surely it is an institution not to be overlooked —especially when we seek to expand trade throughout the whole of Europe in the way that my right hon. Friend suggested.

Whether or not one approves of the Economic Commission for Europe turns largely, I suppose, on whether one believes in the deeper Europe or the wider Europe. If the deeper Europe is our objective, I hope that we realise the consequences when we seek to have over 300 million people governed by the same laws and the same system of taxation. It will mean that we will evolve into a unitary state, which will have grave implications for the future of the House, making it primarily a consultative rather than a legislative body in due course.

That was not the vision that the Prime Minister saw at Bruges. The first half of her speech was passionately pro-European, but did she not make the point that Europe would work more harmoniously if there were opportunities for countries to act in a sovereign way, making their own laws fit in with Europe's interests? If Europe is indeed a number of circles of interest, European law should be limited to where those interests converge rather than beyond the circles. Once the law goes beyond the circles, there is bound to be conflict and disharmony.

Does my right hon. Friend the Minister of State wish the European Patent Office to be strengthened and enlarged, with its role extended still further into eastern Europe, so that it embraces all the 38 countries of Europe, or would she rather that its role were taken over by the Commission of the EEC? If the latter course is taken, it will not advance the argument that my right hon. Friend made earlier about wanting more trade. Indeed, it would be a step towards a fortress Europe. Surely it must be obvious that if we want trade opened throughout Europe the position on the patent and copyright system must be settled amicably and the 12 items listed under that heading in the White Paper must be dealt with properly. If they are to be arrogated to just 12 countries, with those countries imposing their ideas on the remainder, that will do nothing to liberalise trade throughout the whole of Europe.

Copyright and patent law, prosaic though it may be, may present a little test of whether the Foreign Office will be moved by the principles of Bruges or whether it would rather dabble with a fortress Europe. I hope that my right hon. Friend will consider the matter carefully because those of us who wish to see a wider Europe and the barriers to trade broken down throughout the continent think that there is only one route for us to take, and that route is not mapped out in the White Paper.

7.44 pm

Mrs. Margaret Ewing (Moray): Earlier in the debate the hon. Member for Southend, East (Mr. Taylor) referred to the widespread concerns of the British public about developments within the European Community. Without wishing to sound facetious, may I tell him that I encountered widespread concern in my part of the world about the activities of the Government? That concern is referred to more often than what is happening within the European Community.

I accept that there are concerns. Perhaps part of the problem has been that the coverage given to the European Community, including its Parliament and the Commission, is not so wide as the coverage given to this place. It is only recently that the media and the press have started to move towards adequate coverage of activities within the European Community. The European institutions must be given greater coverage so that people can understand and switch into what is happening within the Community.

Much of the debate has centred on the apparent inability of the House to scrutinise proposed legislation from the European Community. Reference has already been made to page 35 of the White Paper and to the fact that the House has had the opportunity to have 13 debates, on 49 documents, in the six months covered by the White Paper. Such debates tend to be held late in the evening, usually after the main vote at 10 o'clock, they last for one and a half hours and they may not be the best way of dealing with that aspect of our responsibilities.

We need to consider how we deal with European legislation. Particularly as 1992 approaches, it would be remiss of the House if we did not have an opportunity to extend our powers and facilities to scrutinise European legislation. Perhaps one of the first things that we need is someone to translate the gobbledegook of European documents and to spell out their implications in a comprehensible way to hon. Members and to the public. The point was drawn to my attention by an industrialist in my constituency last weekend. He said that he found it difficult to understand the implications of some of the directives. Perhaps that facility in itself would do a great deal to assist public comprehension of the workings of the Community.

Mr. Spearing: May I draw the attention of the hon. Lady and her industrialist constituent—indeed, of all industrialists and all citizens of the United Kingdom—to the weekly reports of the Select Committee on European Legislation which has that very duty to perform? In the last Session those reports were HC43—i-xxxvii; in this Parliament the reference is HC15 and so far we have published nine reports. I am not saying that our English is pellucid, but it is the clearest interpretation that we can achieve of some of the convoluted documents to which the hon. Lady has referred.

Mrs. Ewing: I thank the hon. Gentleman, and I will draw my constituent's attention to his comments. I know that the hon. Gentleman appreciates the point that I was making.

I share many of the concerns of the hon. Member for Bridgend (Mr. Griffiths) about the implications of the White Paper for transport policy. One issue affecting transport is the development of the Channel tunnel. While that may not be covered by the 1992 legislation, it is touched by it. It is interesting to note that the Select Committee on Welsh Affairs is considering in detail the implications of the Channel tunnel for industry and development in Wales. We do not have such a facility for Scotland because the House has been unable to establish a Scottish Affairs Select Committee, so we are in difficulty in terms of the communication system.

It is important for industry, particularly in an area such as I represent, to have easy access to the market. We already suffer severe disadvantages. I therefore very much welcome the establishment of an organisation called CREATE, which is the Campaign for Rail Electrification from Aberdeen to Edinburgh. That would be a step in the right direction which would assist Grampian region and the Highlands and Islands to compete more effectively. Many of the goods produced there are high quality products for which there is a great demand in the European Community. I shall not detail all the wonderful assets of my part of the world, but they include food and fish processing, textiles and whisky—a major export from my own constituency. It is important that as we move towards 1992 the Government should consider transport issues as they affect peripheral regions of the United Kingdom.

The hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) spoke about the regional fund. We feel strongly that the Government, by their failure to give additionality to what has been made available by the Community, fail to recognise its importance. The Chancellor of the Exchequer insists that the growth of regional policy would be positively damaging, but we regard that as insulting to those areas which have benefited extensively from the work of the European Community and from the funds that it has directed to us. The Government must consider more carefully their handling of regional policy and its operation within the context of the European fund.

Last year, the Highlands and Islands faced a major problem when they were suddenly informed by the Commission that they were regarded as being better off than areas of Kent. It was only because of a major campaign by the local MEP, the Highlands and Islands Development Board, Highlands regional council and certain hon. Members that the situation was improved. We did not achieve a return to the original position, but we moved further up the scale so that the Highlands and Islands were not left high and dry without the major assistance that is so important to them.

I refer also to the antagonism of Conservative MEPs to any suggestion that there should be an agricultural development plan for the Highlands and for Grampian. They have consistently voted against an ADP in the European Parliament. As agriculture is a fundamental part of the Scottish economy, can the Minister explain the reason for that antagonism?

With regard to proportional representation in the European Community, it is ludicrous that the United Kingdom is the only country to be left without proportional representation and has ended up as the odd man out. I share the view of the hon. Member for Inverness, Nairn and Lochaber that people are discouraged from casting their votes because they feel disfranchised. If proportional representation operated, people would be encouraged to take more interest in the Community and the European Parliament. If Scotland were a self-governing nation, it would be entitled to 16 MEPs instead of eight. With proportional representation, there would also be a better spread of Scotland's political viewpoints, and as MEPs link together in political groupings Scotland would have greater influence in the European Parliament.

The hon. Member for Hamilton (Mr. Robertson) deliberately set out to attack my party's policy. It is important to set the record straight, for the benefit of right hon. and hon. Members and for the wider audience outside the House. My party has believed in the independence of Scotland within the European Community since 1983, and that policy was re-endorsed last year at our party conference in Inverness—by a majority of eight to one, which any politician would accept as being an overwhelming majority. Given the absence of any Scottish right hon. and hon. Members on the Conservative Benches, the hon. Member for Hamilton may have felt compelled to do his best to fill the gap—and I congratulate him on making the best Tory speech that I have yet heard from this side of the House. The hon. Gentleman is attempting to be a hatchet man and to bolster up the Tory establishment, with which he seems happy to be in cahoots. Perhaps that is because, since Govan, the Labour party has been scared witless and is losing its grip, so the hon. Gentleman is happy to become involved in the conspiracy of establishment politics.

The basic principle underpinning Scotland's right to be an independent country within the European Community is the legal principle clearly spelt out by the Secretary of State for Scotland—or the governor general, as we prefer to call him—in his capacity as Minister of State, Foreign and Commonwealth Office, on 31 October 1984. Referring to the situation which obtained as a result of negotiations between Denmark and Greenland, he said:

> "As the treaties contain no provision for the withdrawal of a member state, or a part of one, the precise terms of Greenland's change in status had to be negotiated within the Community to provide appropriate amendments to the treaties."—[*Official Report*, 30 October 1984; Vol. 65, c. 1319.]

If Scotland votes to become an independent nation, it will clearly remain within the Community and negotiations will follow about the terms of that continuing membership. My party has never sought to deny that, and it is disingenuous—to put it mildly—for hon. Members to

suggest otherwise. The hon. Member for Hamilton failed to point out that other parts of the United Kingdom would be in the same position as Scotland.

Mr. Robertson: The United Kingdom is a permanent member of the United Nations Security Council. Is the hon. Lady saying that, in the event of Scotland becoming independent, she expects it to have a sixth seat?

Mrs. Ewing: I do not take the same imperialistic view as the hon. Member for Hamilton. My understanding of international law is that Scotland has been included in treaties as a result of international agreements reached by the British Government, and that those treaties stand until such time as Scotland negotiates out of them. The hon. Gentleman has again produced a red herring in respect of a specific situation.

The political principle underpinning the concept that I described is a nation's right to self-determination, which the House, or anyone else, would be foolish to deny. The final adjustment of Scotland's status will require the unanimous agreement of member states, but so would expulsion from the EEC. The arguments made by the hon. Member for Hamilton are wrong, and I hope that he will desist from making them again until such time as he has researched the subject more thoroughly and is informed of the legal principles which obtain in international law.

The White Paper also raises the question of representation on the Council of Ministers. Annex A on pages 36 to 39 of the White Paper presents a list of the 56 meetings held in the six months between January and June 1988. On only one occasion, on 29 February 1988, did a representative of the Scottish Office attend when Lord Sanderson of Bowden played second fiddle to the Minister of Agriculture, Fisheries and Food. Right hon. and hon. Members may ask why Scotland seeks separate representation and requests that Scottish Ministers attend the Council of Ministers. I remind the House that Scotland has a separate legal system, which means that the implications of some directives must be treated differently.

Scotland also has a different education system. Mention has been made of the interchangeability of professional qualifications, so that lawyers and vets can already work anywhere in the European Community without obtaining additional qualifications. Soon teachers will be able to do the same. Because Scotland has a different education system, and a different way of registering teachers—through the General Teaching Council for Scotland—it needs separate representation when such matters are discussed.

Scotland's fishing industry represents 60 per cent. of the Community's fisheries. That industry is vital to Scotland. Many jobs all around our coast depend on fishing. Despite that, in a six-month period on only one occasion did anyone try to represent Scotland's interests at the Council of Ministers. I understand that the position has not improved and that Scotland now faces massive cuts in its haddock and whiting quotas.

With regard to agriculture, Scotland's crofting communities are very different from those of other agricultural areas—with different traditions, different attitudes, different crops and a different way of life. A great deal of the marginal farmland in the United Kingdom lies within Scotland, and there should be representation for that.

Transport has also been mentioned. The whisky industry merits special representation because, while we may not be unique in the European Community in producing whisky, we are certainly the major producer and it is vitally important that those interests be looked after.

It is not appropriate that Scotland should continue to be deprived of full representation in the Council of Ministers. Such representation can be achieved only through full self-government for the people of Scotland. That is something that they have the right to choose or to reject by democratic process. It is my firm belief that words such as those that we have heard from the Opposition Front Bench today are intended to demean the aspirations of the Scottish people. Perhaps we should remind ourselves that after the 1983 election the hon. Member for Clackmannan (Mr. O'Neill) said that we needed to play down the aspirations of the people of Scotland. It is certainly not my intention to play down the aspirations of the people of Scotland. I see an interesting future for them within the European Community.

I do not think that the Community is perfect—many of us are only too well aware of the problems that exist and of the difficulties that have to be overcome—but the members of any organisation have to go forward in trust, with self-respect and mutual respect. That is how I should like to see Scotland participating in the Community, and I hope that the day will come sooner rather than later.

8.2 pm

Mr. Bowen Wells (Hertford and Stortford): May I start with a quotation:

> "Our future must lie in willing and active co-operation between independent sovereign Governments, each answering to their national parliaments."

I emphasise the words

"each answering to their national parliaments".

That statement was part of a speech made by my right hon. Friend the Prime Minister at Bruges.

It is the implications of answering to their national Parliaments that I should like to go through with the House tonight. In case, Madam Deputy Speaker, you should think that I am not speaking to the White Paper that is under discussion, may I say that the principal reason is set out in paragraph 1.4 of that document:

> "The European Council met again in Hanover on 27-28 June, when it reached agreement on priorities for the next phase of work on the single market—the opening up of public purchasing, the further liberalisation of banking and other financial services, the achievement of common standards for manufactured products, and the registration of intellectual property, (patents/trade marks) throughout the Community. The Council also decided to establish a committee of central bank governors and others to study and propose practical steps towards the progressive realisation of economic and monetary union."

Included in those things that the central banks are considering are a common currency and a central bank. I have not heard in this Chamber any discussion about any of those essential matters since that statement was made a year ago.

Are not you, Madam Deputy Speaker, like me, humiliated by the fact that those matters have not been discussed in this Chamber? Is it not time we began to discuss them seriously and properly, particularly when we have been advised by those who know—the lawyers—that under article 100A, by majority vote, European competence can be extended, without further treaty

[Mr. Bowen Wells]

obligations, without any further treaty signatures, into all areas of our life? We have been told that it can be extended to all areas of decision-making in this country, including education, health, welfare and other such matters.

I think we have to find out how we should be trying to influence those decisions. If my hon. Friend the Member for Southend, East (Mr. Taylor) and the right hon. Member for Chesterfield (Mr. Benn) are right, this Chamber has no further part to play in them. I do not believe that to be true, nor that it should be the case. I believe that we can influence decisions if we bother to understand this decision-making process within Europe. We need, therefore, to locate where the decisions are made. We need to find out how policy is arrived at and attempt to influence it.

Under the procedures in this House, in the European Legislation Committee and in the Standing Committees whose purpose is to consider various parts of European legislation we are failing in our duty to do that. I realise that many hon. Members know the European decision-making process—particularly those taking part in this debate—but I should like to examine it very quickly. Our former Commissioner, Mr. Stanley Clinton Davis, appeared at the European Legislation Committee the other day. He said that the ignorance of the procedures and of the way in which Europe works that was displayed by a Select Committee of this House, at which he had given evidence, was mind-boggling.

Mr. Foulkes: The hon. Member is talking about this House influencing decisions made by the Community—the Commission and the Council of Ministers. Will he address his mind also to the question of this House influencing decisions that are the prerogative of this Parliament? Does he really believe that decisions are made by this House? Does he not accept that, increasingly, they are made by the Executive, particularly by one person in that Executive? Is it not a fact that this House is becoming a mere rubber-stamp for domestic decisions that are not influenced in any way by the European Community?

Mr. Wells: If the hon. Member truly believed that, he would not have bothered to stand for election as the representative of his constituency. I do not think that any of us believe that what he has said is true. By very hard work and by locating the places of influence in the Executive, Members can make an impact. This House is sovereign and Ministers have to answer to it.

That provides the link to what I wanted to say about the way in which Ministers have to be influenced when they are taking decisions on our behalf or trying to influence the Council of Ministers in Europe—and it is the Council of Ministers that takes the final decisions. At present, Ministers are not made to be accountable to this House before or after making their decisions. Indeed, outside the Council of Ministers we have the European Council, made up of the Heads of Government. We do not even get the dates of meetings in advance. So far as I know, the agenda is not made known to this House. Enormously important decisions are taken.

The decision on the Single European Act was never discussed before the Prime Minister agreed to introduce it in this House. It was then gone through in a poorly attended debate, and we agreed, amongst other things, to the famous article 100A, which extends, or could extend, European competence into many areas of our domestic legislation.

Mr. Foulkes: Will the hon. Gentleman be fair and admit that he does not see the agenda of the Cabinet, or Cabinet Committees, on domestic matters? He probably does not even know what Cabinet Committees exist: we are not allowed to know. Even when Ministers come to the Dispatch Box and purport to be accountable to the House, there is still a lot to be desired in terms of real accountability. I am not saying that the hon. Gentleman has not got a very good argument, but does not some of it apply as much to domestic decisions and legislation as to European decisions and legislation?

Mr. Wells: Like the hon. Gentleman, I am a parliamentarian, and Parliament vies constantly with the Executive for power. If the hon. Gentleman is asking me to agree that the Executive has too much power and is not sufficiently accountable to Parliament, I entirely agree, and we may join together as parliamentary companions. But we as a Parliament are sovereign, and it is our fault if we do not make our Executive more accountable to us. That is our job. The Chamber has that power domestically, but we do not have it in Europe, which is what many hon. Members have been complaining about. It is not possible to have such power in an international organisation, but we must seek to influence it none the less.

First, let us consider how we can ensure that proper account is taken of British interests before decisions are made and brought to the Council of Ministers. We must also make certain that our Ministers know what our Parliament thinks and what it wants them to do when they make decisions at the European Council. At present this Parliament receives no documents or intimations about what is to take place until a document is issued by the European Commission, and that happens after a common position has been established—a political agreement between member states.

That document then goes to the Council of Ministers and gives rise to an explanatory memorandum to the Select Committee on European Legislation, chaired so fairly and well by the hon. Member for Newham, South (Mr. Spearing). That is the first time that we see the document, and it is not the time at which we can exert our influence. Although, as the hon. Member for Newham, South pointed out to the hon. Member for Moray (Mrs. Ewing), the documents are issued with excellent explanatory memoranda, they often reach us after the adoption of the instrument concerned, and certainly after policy has been agreed in Europe. Thus anything that we say in debate, at however late an hour, will not influence the actual decision.

Mr. Spearing: The hon. Gentleman has illustrated something of the overall problem. Does he not agree, however, that although on occasion—alas—we see documents after the decision has been made, fortunately the majority of documents and explanatory memoranda come before our eyes before the establishment of a common position and the Council's decision, when it need not go to the Parliament? I admit that the position is not perfect.

Mr. Wells: I am grateful for that correction. The hon. Gentleman is absolutely right, and I was about to add that

the vast majority of documents come before our Committee before decisions have been adopted and are debated in the House before the Minister has made his decision.

The hon. Gentleman should recognise, however, that there has been an acceleration in the number of documents, and also in the number that have been adopted without being considered by the House. Let me give him the figures. In the 1987-88 Session, 24 documents of political and legal importance which the Committee recommended for debate in the House were adopted before the House ever saw them, while 100 documents not of political and legal importance were adopted in the same circumstances.

Mr. Cash: Does my hon. Friend agree that that is where one of the greatest problems lies? The documents that it is claimed should be adopted before we have an opportunity to see them are the very documents that are agreed because they are considered important. The position is the reverse of what it should be: in a sense, the more urgent the document, the greater the reason for this Parliament to know something about it.

Mr. Wells: I could not agree more. We must consider a different method, particularly as we approach 1992. According to the most recent assessment, we must agree 279 measures of major importance—not in 1992; they must implemented before that. If we do not alter our procedures, the House will consider those measures in the defective way in which, as I have illustrated, we consider such measures now.

Several suggestions have been made about what we should do. My hon. Friend the Member for Stafford (Mr. Cash) has written an excellent article in *The Times*, and no doubt hon. Members have seen another excellent article —also in *The Times*—by the former Leader of the House, my right hon. Friend the Member for Shropshire, North (Mr. Biffen). I am sure that my right hon. Friend would give credit to the European Legislation Committee's second report of the 1986-87 Session, in which we suggested that the Committee's powers should be extended, but I feel that we should go even further.

We must ask where are the decisions made? How are we to influence the Commission? The Commission is at present discussing questions such as a unitary monetary union, a universal unit of account and a central bank, and Ministers are well aware that they are being discussed, but we have no document on which to consider such matters. Surely it is not beyond the capabilities of a Minister and his civil servants to present such a document to the European Legislation Committee, telling us that, say, a central bank is being considered and listing the arguments and the options being canvassed. It could be presented to another Committee, of course: there are other ways of doing this.

The Committee would immediately recognise the document as a matter of considerable policy importance, and would, perhaps, take evidence on it before issuing its report to the House. The European Legislation Committee is the only Select Committee in our lexicon, apart from the Public Accounts Committee, with the power to recommend debate, and its recommendations are then fulfilled. These important policy matters could therefore be considered on the Floor of the House, and the Minister would then know what Parliament was thinking.

That would be at an early stage. We could influence policy at another stage. When the documents have been formulated by the Commission they go to the European Parliament, whose Members could then amend them in the light of debates proceeding both inside and outside Parliament—for it is through this House that, traditionally, those outside have been alerted to this type of discussion.

Hon. Members know perfectly well that if they want to influence a Civil Service decision—a law—they do not influence its formation and what is in it simply in debate in the House; they make certain that they ask the Minister what is happening, they ask to see the civil servants and they put in letters and representations. Such representations often result in a change in the law. In exactly the same way, that is how we should be operating in Europe. My first suggestion is that we try to influence and have debates on policy issues. I suggest that if we had debates on such specific issues the House would be full. Many hon. Members would want to discuss whether we should have, for example, a central bank because that raises many policy implications and problems which people would want to discuss and which would result in lively debate.

There are other matters that the House must consider and I refer briefly to them. Policy issues are considered by the European Council. I believe, again, that the Cabinet Office must bring those matters to the attention of the House before my right hon. Friend the Prime Minister and her senior Ministers go to European Councils and that debates should be held. Holding a debate before every European Council meeting would mean holding debates twice a year. Those debates would be much better attended than debates on documents that are a year old, as is the case with our debate now. The present procedure, therefore, of having two debates a year on year-old documents would be superseded by debates on immediate issues on which we would have the power to influence and act. That is my second suggested reform.

Thirdly, we must reform the European Legislation Committee and also think about how we deal properly with lesser documents. At present, we recommend that they are debated in Standing Committee. We know what that means. It means that a group of hon. Members, who may have a lot to do but who, by chance, are not on a Committee at the particular time when the Selection Committee sits, are drawn together and told that they must consider a legislative question at 11 o'clock one morning. They are given about five days' notice of the meeting. They may have no competence, no interest and no knowledge of the document and we know that those debates take the form of a ministerial statement and some replies by the Opposition spokesmen, and then a desultory debate, which the Whip wants to get finished as quickly as possible because he has other things to do. He shuts up Government Members and there are few contributions from Opposition Members. That is the completion of debate in the House of Commons.

Sir Richard Body: I agree with what my hon. Friend says, but would he not agree that our existing departmental Select Committees have the power to do much of that, if not all? They are in a position to go to Brussels to find out what the Commission may have in mind, they have a unique relationship with the Minister

[Sir Richard Body]

and, as we know, the power to call for persons and papers, so they could, therefore, exercise the role that my hon. Friend has described.

Mr. Wells: Yes, that is one of the ways in which we might attempt to deal with the flood of European legislation more effectively. There should be no arguments on turf on this matter. There is so much legislation coming through that all the departmental Select Committees could play that role. They could play it now, but they have not chosen to do so. However, it is conceivable that they may agree to take on some of the European legislative load and that they could act sufficiently quickly to take evidence. One would, therefore, have an all-party group that would have some competence and knowledge of the subject matter under discussion and that would be able to advise the House more closely and better than we can at present.

However, at present the Select Committees—and this is one of the defects—do not have the power of the European Legislation Committee to recommend debate. I am a member of the Select Committee on Foreign Affairs and we have often recommended a debate after our reports, over which we have laboured long and hard, but rarely has the House debated them. So we would have to change either our modus operandi or, alternatively, we might have to alter the Standing Orders of the House. However, that is certainly an alternative.

Another alternative is to have Standing Committees in the true sense, in that we would have Committees of people who had some competence and interest in trade and industry or agriculture and who would agree to sit to debate the documents, possibly joining some members of the European Legislation Committee. The European Legislation Committee can form an infinite number of Sub-Committees under its present constitution. It can call for Members of Parliament to join these Sub-Committees which can travel and take evidence and have all the powers of a Select Committee. They can then recommend, through the main Committee, that the matter be debated and give the arguments for and against.

If we took that course, the European Legislation Committee would have to be greatly expanded. At present, it has only 16 members and, although larger than most of the departmental Committees, that number is insufficient to deal with the vast flood of European legislation in the way that we would expect. If it did, the 16 members would be in permanent session and could do nothing else in the House, which would be wrong to ask of hon. Members. It would, therefore, have to expand considerably.

We must consider urgently the way in which we conduct ourselves on European legislation. We need to take a decision now. To summarise, we need to debate matters at an earlier stage, before the Commission has made its proposals to the European Parliament. We need to see the European Parliament regularly. I am glad that the House has agreed that Members of the European Parliament may have passes and come here, but we must now extend that and see them on a regular, formal basis to concert our action on European legislation. We must ensure that all debates take place in good time on the basis of reports issued as a result of interviewing Ministers and other people when the legislation is being formed—and certainly before it comes to the Council of Ministers—so that no Minister can go to the Council of Ministers without knowing what Parliament thinks. We must reform our own European Legislation Committee and, possibly, our other Select Committee, to ensure that they can deal with legislation in the traditional sense and also with the European Council and other more general matters under consideration. I hope that the House will make this decision soon and quickly so that we can, once more, hold up our heads with pride, knowing that we are dealing properly with Europe, that we are influencing it properly and that we are getting the right decisions for Europe as well as for Britain.

Several Hon. Members *rose*——

Madam Deputy Speaker (Miss Betty Boothroyd): There is still a number of hon. Members who want to get into the debate. I would like to be able to call them all, so may I ask for brevity of speech in the last few minutes.

8.28 pm

Mr. Nigel Spearing (Newham, South): I shall endeavour to comply with your request, Madam Deputy Speaker, but these matters are not as simple as some of the matters that we address in our own legislation.

I must say how pleased I am to follow the hon. Member for Hertford and Stortford (Mr. Wells). I agree with much of what he said, but I commend to him the fact that Standing Committees, provided they are properly chosen and that hon. Members have sufficient notice, can sometimes be very effective in debates because they have two and a half hours of debate rather than the one and a half hours after 10 pm that we often have here.

I think that his idea of a debate two days before Council meetings is a good one, but I do not agree about the effectiveness of all the hon. Member's remedies, welcome though they are. I disagree with one particular and important reason which he and other hon. Members, I believe, have not yet grasped. The reason is that, however effective the scrutiny and however long and effective the debates, they are constitutionally only advisory. Ministers can hear the debate, but can then go to the Council of Ministers and do what they please at their own peril—to use the ancient phrase. That is not good enough. It creates a democratic deficit, which I shall discuss in a few moments.

I want to refer briefly to paragraph 3.5 of the White Paper, Cm 467, which is the topic of our debate. It deals with the elimination levy for sugar, introduced in the last six-month period. Since then, events have moved on and we heard last week that there is a proposal for a 5 per cent. cut in sugar prices this year.

This matter is important, for two reasons. First, such a cut may not be very helpful to our own producers. Secondly, and more important, it runs counter to the resolution passed by this House on 11 November 1974, when we refused an EEC regulation on sugar because it did not take into account sufficiently—if it took them into account at all—the needs of our Caribbean and Commonwealth partners, now called the ACP, or the interests of cane refining in Britain, then based in London, Liverpool and Greenock. I do not believe that the present proposals take those matters into account either. Instead, they reduce the sums available to our ACP partners by up to £23 million a year. That may not seem much to some hon. Members, but in Third world terms it is a very substantial amount.

The Mauritius representative, Mr. Paul Eynaud, said yesterday:

"The purpose of the sugar protocol is to provide a permanent and reliable trade instrument between 12 industrialised countries and 15 developing countries. The introduction by the Commission of a policy of price reductions would defeat the purpose. Moreover the Commission have themselves recognised by their acknowledgement that compensation would be necessary, that the price reductions under consideration would cause undue hardship to the ACP."

It is not merely a question of compensation. How can mere handouts of money compensate people for loss of occupation or the loss of the industrial independence that the export of their raw materials affords them?

The evidence that the Minister of Agriculture, Fisheries and Food gave the Select Committee this afternoon suggests that he has taken that on board, but it is to the discredit of the Commission that it has produced a proposal without sufficient field work in the Third world. It is reneging on the moral responsibility of the Common Market, which it has espoused through the convention of Lomé and its sugar protocol. It was a bad day when the present proposal was made, and I hope that it will be stopped.

I turn hastily to the whole question of scrutiny and the democratic deficit. The House seems to forget that scrutiny is not enough. Scrutiny is important, and the shortening time scale that we have makes it much more difficult than it was, as the hon. Member for Hertford and Stortford explained. But there is a great deal more to it than that.

I have one suggestion that might improve the scrutiny process. The excellent—and sometimes not so excellent—explanatory memorandum produced and signed by Ministers and available in the Vote Office in typescript form could be published weekly and printed. Why should they not? They are proposals for legislation. They are, in effect, super-White Papers that express the intention of the Commission and the Government's reaction to what will, in many cases, become legislation. If they were issued weekly and printed, not only Parliament but the nation would be the gainers.

We have changed gear since the passing of the Single European Act, which amends the treaty of Rome. In particular, as the hon. Member for Hertford and Stortford pointed out, that Act creates a much wider area of competence. The consequence of the combination of new article 8A and new article 100A, which provides for majority voting, is as yet undefined. Not long ago I tabled a question asking which areas of legislation were not open to the competence of the Community under article 100A. As I recall, the answer given by the Attorney-General was "family and criminal law". There may be others, but I shall not consider this theme further because the Select Committee is at the moment examining the very question of the treaty base.

When hon. Members—including some Conservative Members, who are now calling for greater scrutiny—voted for the Single European Act in 1986, they did not know what the implications were. I am sorry that the Minister of State is not with us; she has been here for much of the time and no doubt she will return. It was her signature that appeared on the Single European Act. It was unfair of the Government to ask her to sign the document when she was not even a Privy Councillor, so that if something went wrong they could blame her. Either the Foreign Office did not know what it was signing or it did not say. It must be one way or the other. I have said that before, and have not been contradicted on it.

Mr. Wells: The hon. Gentleman also contributed to the third report on the Single European Act of the Select Committee on Foreign Affairs. That report made available to the House the sort of information to which he refers, but I do not think that articles 8A and 100A were dealt with.

Mr. Spearing: The hon. Gentleman will recall that that report emerged only after the Second Reading of the Bill, and a week or even less before the commencement of the Committee stage. The Select Committee's conclusions hinted that there was a purpose behind the Act which it could not fathom—a thought that some people dared not express. I leave that thought with the hon. Gentleman.

Bearing in mind what you said, Madame Deputy Speaker, I shall hasten on. The Act has created what might be called the "Bruges phenomenon". There has been much talk of the Bruges group and what the Prime Minister said in a famous speech in that ancient and lovely city.

I am rather surprised that the Prime Minister, as a lawyer, should have got her constitutional wires twisted. Understandably, she is against federalism; so are a lot of hon. Members on both sides of the House. She is also against the bureaucracy of the Commission. There is one important point that she has failed to apprehend, and which the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) did not recognise in his speech—that the European Economic Comunity is a new political and constitutional animal. It is unique. It takes power in a federal manner, as we vote power away, but it exercises power in a unitary manner.

I know of nothing in the treaty of Rome that gives power to the House. It refers only in code to the respective constitutional processes. That is all there is, so we are not talking about a federation. The Prime Minister is wrong to think that there is a threat of a united states of Europe. There is no provision in the treaty of Rome for progress towards that, but there is plenty of provision for the creation of what is, in effect, a unitary state of Europe. Economic and monetary union is referred to in the preface to the treaty. The idea of a two-way constitution is so novel that some people have not grasped the reality, although it is there for all to see.

There has been much talk today about the Commission. Only yesterday, the Select Committee received evidence from former Commissioner Clinton Davis, who said, "We go around listening to what people have to say. We listen to the Governments of member states, to pan-European consumer and industrial interests and to people in the 12 member states. Then we write the proposal." Every proposal for legislation must come by, with or from the Commission; I cannot remember whether it is couched in the dative or the ablative. Legislation must come through that gateway and through that gateway alone. We in this House and the Prime Minister herself are but petitioners in respect of the powers of the Commission.

In historic constitutional terms, we are in the same position as those who send us here with petitions to place in the bag behind the Chair. That is what the constitution and the law are. We start with a request. We in Britain, even the Government, make requests to the Commission and the Commission disposes of them by producing the documents of the kind to which the hon. Member for

[Mr. Spearing]

Hertford and Stortford referred. It has wide discretion collectively if all Ministers get together in a collegiate college. It is that and only that that the Council of Ministers can consider.

Strictly speaking, the Council of Ministers cannot amend what it produces. It can send a document back and then produce another one, perhaps instantaneously or perhaps after three months. Any Minister in the Council of Ministers can do less than any hon. Member can in respect of our legislation. Ask George Cunningham—one man, one amendment: "delete 30, insert 40". No one can do that in respect of anything placed before the Council of Ministers.

Mr. Foulkes: A majority can.

Mr. Spearing: My hon. Friend says that a majority can, but there is no opportunity for that in this House.

I shall now describe what I understand the Minister must do. First, the Council of Ministers is a revolving body. The Minister has other responsibilities. I recall the great television commercial which some hon. Members will have seen. The Minister is coming over on the morning flight from London. He has had an Adjournment debate the night before. He has been in front of the Prime Minister that afternoon. The chairman of his constituency party has been on the phone. He has had a deputation of doctors and nurses. His sister-in-law tells me that his wife says that he is not spending enough time with his children and family. Then he gets there. He is briefed by COREPER on a whole series of negotiations which have probably been going on for weeks or months beforehand. Great detail is entered into. He has to go into a great big room, with a group of people behind him suggesting what he might do. Perhaps he will stay there over cups of coffee through the night. He comes away the next day to pick up his red case in Whitehall.

I have never been a Minister, but I have been in the Charlemagne building and spoken to people who have been. I ask my right hon. Friend the Member for Chesterfield (Mr. Benn) to tell the House whether what I have said is an exaggeration or something near the truth.

Mr. Benn: My hon. Friend has it about right. The brief for Ministers going to Europe is a brief imposed by Departments here, but when one gets to Europe one finds that it has all been stitched up by package deals which have nothing to do with the subject one is discussing. The COREPER will have negotiated a deal with the Commission. I was President of the Council of Ministers for six months and it was the only committee upon which I sat where I was constitutionally unable even to submit a document, because the role of Ministers is like that of a collective sovereign body which, like the Crown, can say, "La Reyne le veult" or, "La Reyne s'avisera". One can say yes or no to what the Commission proposes, but one cannot change its proposals, or submit a paper. Negotiations are conducted on a multiple packaging basis which have practically nothing to do with the House of Commons, and the House has no role to play.

Mr. Spearing: I am grateful to my right hon. Friend for confirming my suspicions. It is not just the House of Commons, but, from what my right hon. Friend has said, the Minister does not appear to be able to do very much, especially when, as we all know, it is package bargaining across the political scene or, perhaps, across part of it.

Mr. Foulkes: There is in the Cabinet.

Mr. Spearing: Yes, there is in the Cabinet, but the Cabinet can come to this House and what it proposes can be voted out—for example, Sunday trading. Nothing need be produced by the Government which they think does not stand a chance of getting through. Very rarely does it not get through, because no sensible Cabinet would bring to the House something that it did not think would get through.

Sir Russell Johnston: Sunday trading is a terribly bad example of normally non-governmental business. If the hon. Gentleman is complaining that the Commission has these powers, yet, as he agreed, it consults everyone in sight, why does he find it offensive that within the domestic situation we have a highly centralised Government who by and large do not consult?

Mr. Spearing: I am confining my remarks to the powers of the House because the powers of the House cannot even control the Minister, when he goes—my right hon. Friend was, untypically, wrong when he mentioned Europe—to the European Economic Community. If it wishes, the House has some control over the Executive in Whitehall. At the moment it has no control even over the Minister who goes there as a representative. There is not a connection on the Floor of this House and, therefore, the Minister is footloose in Brussels. The House cannot control him unless it chooses, as it could do, to take power over certain decisions. I am not saying all decisions nor am I advocating a Danish system, but it has certain power over what the Minister does in Brussels on any specific proposal for legislation. So far, the House has not chosen to take those powers. I believe that it could take them within the treaty of Rome as at present constituted.

There is a lot of talk about the democratic deficit. I believe that nowhere is that democratic deficit more apparent than across the Chamber of this House. Indeed, that deficit can be said to be 301 years old this month. The House must address itself to the means by which, even within the terms of the present treaty of Rome—or as it can be changed—that deficit can be reduced or perhaps eliminated altogether. It is on the degree to which the Government now press towards that mark that the public will judge them and this House.

8.47 pm

Sir Anthony Meyer (Clwyd, North-West): Much of the debate has revolved around the Prime Minister's Bruges speech although, strictly speaking, it did not fall within the period that we are considering. That speech is sometimes presented as the great anti-European cry, but of course it was nothing of the kind, as this passage shows:

> "Britain does not dream of some cosy isolated existence on the fringe of the European Community. Our destiny is in Europe, as part of the Community."

None the less, there is no mistaking the tone of assertive nationalism in the speech—the determination to arrest and, indeed, to reverse the process of increasing the power and authority of the central institutions of the Community.

There is some confusion of thought, at any rate in the commentaries surrounding that speech. It is not

necessarily true that a centralised Europe would be a Socialist Europe. The original Community of six, which had very strong centralised institutions—that was in the days before the Luxembourg compromise—was firmly free market in its philosophy. That was one of the reasons why the Labour party was so hesitant about it. It is possible to be a supporter of strong central institutions and of a leading role for the Commission but at the same time to argue strongly against the encroachment of Socialist ideas.

There is no doubt that in asserting the right of the British to stay British the Prime Minister touched a deep chord in every heart. The point which should concern us is whether the true Britishness of the British people can best be preserved by a doctrinaire refusal to yield one inch to the central institutions of the Community. Sovereignty is a priceless possession but

"national sovereignty is not inviolable, and . . . it may be resolutely diminished for the sake of all the men in all the lands finding their way home together."—[*Official Report*, 27 June 1950; Vol. 476, c. 2159.]

As the House will have guessed, those are not my words, but the words of Winston Churchill speaking in this House —very aptly for our present debates—on the subject of Britain's failure, under a Labour Government, to join the European Coal and Steel Community. For the European Coal and Steel Community, hon. Members should read in 1989 the European monetary system—or rather the exchange rate mechanism.

The issue then was exactly the same issue as today. Because we refused to accept any limitations on our sovereignty, we were unable to join the Coal and Steel Community. That Community came into existence without us and despite us. That led inexorably onwards to the creation of the European Economic Community, which we likewise refused to join—this time under a Conservative Government, but not Churchill's. The end result in the 1970s was that we eventually joined all the Communities, but on terms which infringed our national sovereignty more extensively than if we had joined back in 1950 and had been able to shape the rules. What is more, the reason why we decided to join in the end was that the power and influence being exerted by the European Community was increasingly affecting our freedom of action and limiting our real if not our theoretical sovereignty.

We run exactly the same risk today—of finding ourselves excluded from the increasingly close and effective co-operation upon which most of the other EEC members are now embarked. We can stand on our veto and block many European Community projects that are unwelcome to us—such as worker participation on boards of directors—but any other country can block measures or changes that we badly need, at any rate in areas where the veto still applies.

The situation is not exactly as I have described. In signing the Single European Act we have drastically limited our sovereignty. For all practical purposes we are already in a quasi-federal—I apologise for that word—situation. That being so, is it wise to talk so stridently about resisting encroachments on our national sovereignty? Would it not be more effective and more in accordance with our national talent to seek to use the instruments at hand as effectively as possible to achieve our ends? And what, indeed, are those ends?

That brings me to the passage in the Bruges speech which I most warmly welcome. My right hon. Friend the Prime Minister said:

"I want to see us work more closely on the things we can do better together than alone."

I cannot think of a better definition of the proper aims of the European Community. By that definition, some of the Community's present activity is misdirected and, by definition, much of the strategy and most of the tactics of the British Government in their European policies are likewise misdirected.

To refer to the Community's shortcomings, the most obvious one is the ludicrous overemphasis on the common agricultural policy. Endless regulations and directives pour out of Brussels and offer an easy target for jibes about bureaucracy run riot, but none of those jibes is well directed—unless it be about the failure of the House to devise effective methods of scrutinising such directives. Almost all of them are designed to produce the level playing field that the Government are always going on about.

The main area in which the Community's efforts are misdirected is that in which its activities are almost universally applauded—the regional development fund, which has been seen by the Prime Minister as the most effective way of getting our money back. It is true that we get money back under it, and I should make it plain that I am a strong supporter of regional policy. If it is right for the British Government to use taxpayers' money to promote development in outlying or less prosperous parts of the country, it is equally right for the Community to use Community resources to assist development in such areas.

I rejoice in the fact that, under the leadership of my right hon. Friend the Secretary of State, Wales has been notably successful in attracting EC support for development. I also rejoice in the fact that Miss Brookes, the energetic north Wales Member of the European Parliament, has had striking success in attracting European funds to ther own Euro-constituency. She can and does fairly argue that no other Member of the European Parliament, and certainly no other Member from any other party, could possibly hope for equal success in attracting European Community support. But what is good for north Wales, as undoubtedly it is, may not be the best thing for the country or the Community as a whole. Is it right that it should be left to the EC in Brussels to decide which of two local bypasses, factories or rural development schemes should have EEC backing? Is there not scope for the use of Community funds for the promotion of one party rather than another, or one candidate rather than another? How does such a use of Community funds square with the Prime Minster's admirable dictum that Europe should work more closely on things that we can do better together than alone?

In what ways do we do things better together than alone? There are two. The first is when the countries of the EEC act together as one in their relations with the outside world. No case is more conspicuous than their response to the ayatollah's threats. It may have looked easy to get agreement, but the different reaction of the New Zealand Government shows how easily commercial considerations can work against unity of purpose. The other important matter is scientific or research projects or industrial enterprises that are too large to be commercially viable on a purely national scale. This is a huge subject and it justifies an entire debate.

[Sir Anthony Meyer]

The Government have put all their efforts into advancing towards the single open market, but even on that, their chosen ground, their record is mixed. They seem to think that they can get everything that they want in free movement of capital, removal of restrictions, and so on, without making any concessions on matters such as open frontiers or some approximation of indirect taxes. They cannot expect to be believed when they say that widely different rates of VAT constitute no distortion of trade, that there is no advantage to free movement of goods in the removal of frontier controls or Customs examinations at frontiers, or that there is never a right moment to join the exchange rate mechanism.

In scientific research, in which co-operation on a larger than national scale is indispensable, to say the least, the Government's record is mixed to say the least. With bad grace, we have decided to stay in the CERN project, but our record in the European Space Agency is so abysmal that we are losing more and more key posts that we originally had in the agency. I know that it is not an EEC operation, but it is a European operation and the EEC plays a dominating role. We are getting a reputation throughout Europe of being uninterested in European scientific co-operation.

What worries me even more is the consequence of the Government's refusal to admit that they have such a thing as an industrial strategy. The entirely predictable consequence, particularly when combined with a rigidly non-interventionist approach, goes hand in hand with a financial climate which positively encourages massive takeovers motivated by accountancy considerations rather than industrial logic. More and more of British and European industry passes out of Europe's control. In the end, we land up with multinational corporations which go some way to fulfilling the Prime Minister's condition—that we should do together the things that we can do best together. We Europeans are no longer doing the things that we can do best together—others are doing it. God forbid that we Europeans should build high walls around our industry, services or technology. There is a case for a European car industry, aircraft industry and electronics industry, but there appears to be no one—except possibly my right hon. Friend the Member for Henley (Mr. Heseltine)—to make that case.

8.56 pm

Mr. William Cash (Stafford): It is not possible to deal with this subject in a few minutes, when so many other hon. Members wish to speak, so I shall come straight to the point. We are already moving hard and fast towards a federal system. We have moved so far down that line by our debate about scrutiny and the activities of the European Scrutiny Committee that it is only by using the procedures that are available to us that we will be able to contain the thrust towards a federal system. The other day, an article in *The Times*, quoting an MEP, stated that there is no such thing as British sovereignty any more, only a myth that Mrs. Thatcher puts out when she wants to make a dramatic speech. That is the type of thing that we have to put up with. I shall soon be glad to have the opportunity to reply in the columns of *The Times*.

At the heart of the federal matter, there are questions relating not only to our economy and self-regulation but to matters that are intimately connected with those questions—foreign policy and defence. For example, I must raise the question of the reunification of Germany because that sort of question is at the heart of any study of the relations of the European Community with the USSR. In other words, at the same time as centrifugal activities are appearing within the USSR, with greater independence in Lithuania, Estonia and Latvia, in the United States there are increasing doubts about the extent to which they are tied in by legal order, with a ring fence around them, which prevents them from exercising certain options as they wish. We are now moving into a similar position. I argue that we must resist the federalism for the simple reason that it will close our options and contain us within more legal order when the other great power blocs in the world are moving in exactly the opposite way.

We must also remember that there are some disturbing signs in West Germany. I hope and believe that we shall continue on the best possible terms with them. But there is, for example, the sudden re-emergence of a tendency that is expressed in the significant number of seats recently won by the republicans in Berlin. Admiral Schaling was recently dismissed from his important position in charge of a military think tank because he called for the withdrawal of western troops from German soil. I do not have time now to go into all these questions in detail, but we must pay attention to them.

At the same time we must realise that the Japanese power bloc is moving towards another centre of gravity with the United States. The other day Prime Minister Takeshita said that Japan must assume a major share of responsibility for managing the world economy. We know the extent to which they are invading the American economy. There are now fears of a fortress Europe. Centrism is creating, as well as reacting to, concern throughout the world. The fact that we tend to concentrate this power rather than retain it on a mutual basis within sovereign States creates and even exacerbates these problems.

It is certainly possible to argue that all we are doing is reacting to what is going on in the rest of the world, especially when we are dealing with a contracting global village. But if we over-react to it by setting up a fortress Europe, diminishing free trade and opting for protectionism in military or economic spheres, it is a snare and an illusion to imagine that we shall do other than make the position worse.

Therefore, although I should like to have discussed many other matters relating to the economy, I simply make the point that we must beware of a federal Europe. It takes power from the House of Commons. That effect has been examined by other hon. Members this evening. It also implies danger for our foreign policy and the defence of the nation.

9.2 pm

Mr. Quentin Davies (Stamford and Spalding): One of the most intriguing and potentially momentous developments in the European Community at the present time is the consideration currently being given to making progress towards European monetary integration. Last year the Government together with our Community partners set up the Delors committee. When that committee's report has been published and digested, one of three possible situations will arise. First, it may be concluded that a

common currency is not technically feasible or is undesirable and the notion will be laid aside for the time being, or indefinitely. Secondly, it may be decided collectively that we should proceed towards the creation and introduction of a common currency in the Community. Thirdly, a majority of our partners may decide to move in that direction and we shall have the choice of joining them or remaining on the sidelines. However, in that event, so long as the Community remains our major trading partner, in practice we would need to align sterling increasingly with that new common European currency.

In the light of the important decisions that must be made, it might be useful to take this opportunity to air some of the arguments on either side. I thought I might do that most conveniently by examining the position in turn from the viewpoint of each of the fundamental categories of economic agent: the Government; the personal or household sector; and the corporate sector.

From the point of view of the Government, the creation of a common currency would remove at the same time both the opportunity and the necessity for the Government to combine monetary with fiscal and other forms of economic management. Whether that would be good or bad would presumably depend on one's judgment of whether the opportunity was more valuable or the necessity more burdensome in our present situation.

Let me set out briefly some of the benefits and costs associated with that opportunity and that necessity. The freedom that we have to manage our monetary affairs has been regarded differently depending on which side of the House one sits. Conservative Members have always regarded the prime task of monetary policy as being to ensure that we maintain the value of the currency and all the confidence for our economic system and industrial activity that go with it.

The Labour party, on the other hand, has traditionally set a great deal of store by its ability to manage the currency because that has enabled it to devalue it and thereby to pursue a policy throughout the 1960s and 1970s when it was in power which has the effect of nurturing the relative decline of our competitiveness and productivity. Under the slogan of monetary adjustment we were insulating ourselves from the competitive pressures of the wider world. Moreover, inflation flowing from lax monetary management was the only means by which the then Labour Government could see some ultimate way of amortising over time the enormous national debt that was being accumulated by their irresponsible fiscal management.

But I take it for granted that Conservative Members would not accept any new successor form of monetary policy, or a common currency on a community basis, unless we could be assured of at least the same degree of monetary rigour being adopted as we have at the present time, and at least the same confidence that we would preserve the value of that new common currency in the future.

What about the costs on Governments of the present system of separate currencies? We know those costs all too well from our experience of the currency difficulties and the crises over the past 40 years. Although we have not had crises in the past few years, we continually have uncertainties and difficulties on the foreign exchange markets.

Those costs are of two kinds. They are of the longer term and of the shorter term kind. The longer term costs arise when it is considered that, for example, sterling is appreciating too much and so it is necessary to adopt a laxer monetary policy and to run the economy at a higher level of demand, although that carries with it the terrible danger of inflation increasing in the medium term. Alternatively, when we consider that our currency is depreciating unduly, the Government may feel obliged to run the economy at a lower level of demand than we would otherwise choose, and a cruel cost is paid in jobs and output forgone.

The short-term costs are palpable and well known to every Treasury Minister, and they will be well known to my hon. Friend the Economic Secretary. When it is considered that sterling is appreciating unduly, the authorities may decide that they need to intervene to sell sterling on the foreign exchanges. That sterling has to be borrowed, either from the banking system, which would be appallingly inflationary, or, as is the general practice here, thank heaven, by borrowing from the non-banking private sector by the issue of gilts and other instruments. That pushes up interest rates. It also adds to the national debt, and it has the perverse consequence that it attracts capital into this country, thereby exacerbating the appreciating tendency that we are trying to combat.

The reverse situation arises if sterling is depreciating. The authorities, in intervening, will need to purchase sterling on the foreign exchanges, and so to borrow foreign currencies, adding to our foreign currency debt, or reducing our net foreign assets, and exposing us further to any subsequent fall in sterling. So if we could remove this incubus of invidious and highly expensive constraints which operate on us, while not losing any of the monetary stability to which we aspire, that would obviously be a very attractive and desirable package for the Government to achieve.

Let me take the second category, the household or personal sector—in other words, ordinary people. I think the case here was best illustrated by the journalist on a national newspaper who recently went on a tour of the 12 member states of the Community. He took with him £100 and did not spend any of it, but changed it at each airport on his way into the local currency. When he came back to Heathrow he had £51 in his pocket.

The fragmentation of currencies within the European Community constitutes a tax on travel and mobility. It also represents a gratuitous transfer of resources from individuals to the commercial banks which sell foreign currency to individuals and for which, it must be admitted, this must be a very attractive business.

I come now to the corporate sector and will illustrate that by taking an example from my own constituency. I have a constituent, a small business man, in the north of my constituency, in Lincolnshire, who trades with Germany. His typical order is for about £2,000, which, for reasons with which I will not bore the House, is generally delivered in two tranches. The only problem is that his margin is only about 10 per cent. and, in order to avoid the costs of documentary credits, he trades in the cheapest way possible. He trusts his German customer, who sends him a cheque in the mail. Can you guess, Madam Deputy Speaker, what that costs him? Every time he clears a deutshmark cheque it costs him £35 and on top of that his bank takes a margin of 1·5 per cent. or 2 per cent. on the currency transaction. So out of his £200 anticipated profit

[Mr. Quentin Davies]

he loses £100. Once again, the fragmentation of currencies is a tax on trade and again in this instance involves a gratuitous transfer of resources from the general corporate to the commercial banking sector.

In this case, however, the costs must be considered in an even wider context; they would need to be calculated in terms of the trade that would take place if we had a common currency but which is now inhibited, and therefore in terms of the output forgone, and the competition in the Community as a whole that is thereby diminished.

I anticipate that someone will say, although no one has yet, that the larger corporate sector, the ICIs and BPs—unlike my poor constituent—do not pay 1·5 per cent. or 2 per cent. margin every time they do a foreign exchange deal. Anybody who knows those companies knows that they have a whole apparatus of departments and even subsidiaries involved in nothing other than the management of their foreign exchange exposure. Those highly paid specialists spend all day doing spot and forward currency transactions, hedging their purchases and receivables, buying and writing options and organising swaps.

If we could remove the necessity for all this activity, which has as its counterpart in a transfer of resources the payment of a tax which is paid directly, again, to the banking sector—if we could remove in respect of the 50 per cent. or more of our trade that we do with the Community, this particular cost—that could only give a further boost to trade and output.

In conclusion, I wish to make two points. It is often said that we cannot have a common currency unless and until we have a unitary state to administer it. I am not among those hon. Members who would like to see the European Community transform itself into a highly centralised unitary state. But there are many precedents for monetary control being exercised by a monetary authority which is not associated at all with any political authority. I would go further and say that, with the sole exception of this country, in the last few years since my right hon. and learned Friend the Foreign Secretary, my right hon. Friend the Chancellor of the Exchequer and, above all, my right hon. Friend the Prime Minister came to power, quite the most outstanding examples of successful monetary management in the western world were in countries in which the monetary authority was quite separate from the political power. I refer of course to the Swiss national bank, to the Federal Reserve system in the United States and to the Bundesbank in the Federal Republic of Germany. If we believe that a balance of advantage lies in pursuing the idea of a common currency, we should not be inhibited by the stage that any discussions elsewhere in relation to the future of political integration may have reached, or by the difficulties which those discussions may have encountered.

I have a final plea and I believe that I will carry all hon. Members with me in this. If it is decided that there should be a common European currency with a European central bank or monetary authority—and I repeat that I do not wish to prejudice that decision tonight—we should decide now, in advance, that it is vital that that institution should be located in London. If it is, we shall secure all the advantages in terms of the prospects of real monetary stability, the avoidance of currency crises and their costs, an increase in trade and the removal of artificial costs which currently weigh down our trade. At the same time, we shall reinforce this country's position as the financial centre of Europe.

9.16 pm

Mr. John Redwood (Wokingham): My hon. Friend the Member for Stamford and Spalding (Mr. Davies) seems to have made the case that the pound in one's pocket will no longer be devalued, but might be swapped for an ecu instead.

I do not have time now to praise all the measures in the White Paper which represent signal progress towards the creation of a genuinely unified Common Market. In the time that remains to me, I will raise a few quick questions with the Minister.

Does the Minister believe that the British Government will have adequate contingency plans if the controls on budget outgoings prove to be inadequate? In the past there have been miscarriages in European Community budgeting where new resources were used up rapidly. The Government should have good contingency plans prepared in advance to deal with that eventuality.

I hope that the Government are serious about using the powers which remain to retain control of domestic taxation levels. I hope that the Government will also consider using the Luxembourg compromise, if necessary, if the Commission proceeds with plans to impose VAT on children's shoes, food and other items. The Government made an important pledge to the British people at elections, and they should use every means in their power to ensure that their pledge is duly honoured.

It appears that, in the first half of 1988, the period that is reviewed in the White Paper, the Government tried to keep the pound stable against the deutschmark for several months. The graph shows that around the DM3 level there was a concerted effort to keep the pound within a narrow band of the deutschmark. For a time we were surrogate and surreptitious members of the EMS.

Interest rates had to be cut dramatically to keep the pound down. Many new pounds had to be created and sold across the exchanges to keep the pound down. A credit explosion caused a massive increase in credit and inflationary pressures in the economy with the results that are evident today.

I hope that we will not be in any hurry to repeat that experiment. It appears that all the European countries which are members of the EMS are experiencing problems at the moment. A recent analysis by a neutral firm of City stockbrokers has shown that 10 of the 11 member states—apart from Germany—are running, and have been running for some time, substantial deficits with Germany. The stockbrokers sum up the position by saying that EMS is a device to keep the deutschmark at a relatively low level in comparison with satellite currencies in Europe to ensure that German industry prospers at the expense of everyone else.

There are periodic revaluations of the deutschmark but they are always too little and too late, so the surpluses for Germany continue to mount at alarming rates. Britain currently has a large deficit with Germany because it was a surrogate member of the EMS and is now having to

undergo the penance of a very high interest rate to correct the monetary excesses caused by that currency intervention.

I hope that the Minister will respond to those three points. I am only sad that time did not permit me to praise the dozens of measures in the White Paper and elsewhere which represent genuine progress towards a free, unified, liberalised European market, which is what I thought was what we entered originally.

9.20 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): The increasingly irregular debate on the six-monthly progress report of the European Community tends to induce a sense of deja vu. I may have said that about the last debate. The debates tend to be ritual, sterile and repetitive. To be fair, today's debate has been rather more positive. However, as the hon. Member for Hertford and Stortford (Mr. Wells) rightly said, it would be better if the valuable time debating these issues on the Floor of the House were spent debating the real issues at the right time to influence, as far as possible, what Ministers are doing within the Community.

The Minister of State, Foreign and Commonwealth Office said that no one would be happier than she if scrutiny were better organised. With respect, the right hon. Lady said that last year and the year before and her right hon. and learned Friend the Member for Edinburgh, Pentlands (Mr. Rifkind), now the Secretary of State for Scotland, said it previously. As the hon. Member for Esher (Mr. Taylor) said, we do not want more words, we want action. We want suggestions such as those made by the hon. Member for Hertford and Stortford—I do not agree with them all and I would add some more—and my hon. Friend the Member for Hamilton (Mr. Robertson), who suggested a European Grand Committee. Those suggestions were positive and constructive and it is about time that the Government found some mechanism by which to consider them, as my hon. Friend the Member for Hamilton said today and on previous occasions, but that is only one major problem with the organisation and logistics of the Community.

I had some sympathy for the Minister of Agriculture, Fisheries and Food when he was taken ill. The Minister of State, Foreign and Commonwealth Office also spends a great deal of time flying backwards and forwards between long, tedious meetings. We sympathise with them, but that should not prevent them from producing reports, making statements and increasing their accountability to the House. That was a clear message from both sides of the House today.

I was disappointed that the right hon. Lady did not mention a number of important issues involving the Community. It is astonishing that, in a debate on the European Community at this time, the Minister made no mention of enlargement. There have been signs of requests from several countries and I had hoped that the Minister would mention the subject, at least in passing.

Although the right hon. Lady mentioned political co-operation, as usual her approach and the examples she cited were somewhat selective. We agree with what she said about Iran. I wish that the same positive action and collective involvement were applied to central America, where the European Community would have a significant and positive counter-influence to that of the United States. We certainly support European co-operation in that sphere.

I should also like to welcome the Economic Secretary, who is a ministerial newcomer to these regular and somewhat repetitive debates. It is nice to have him here instead of the Paymaster General, who I understand is vainly assisting the Conservative party to retain Richmond. I am afraid that the vibes that we are receiving from that part of the world seem to indicate that he faces an increasingly difficult task.

Mrs. Chalker: Would the hon. Gentleman like to take a bet?

Mr. Foulkes: I shall take bets with the right hon. Lady later.

Madam Deputy Speaker: And I shall hold the bets.

Mr. Foulkes: I can think of no one better to look after our money, Madam Deputy Speaker.

The Economic Secretary has an opportunity tonight to make a name for himself by making some dramatic announcement—he does not look too keen to do that. I hope that, as a Treasury Minister, he will be aware of the concern felt in this House that the British Government should use their veto to maintain zero-rate VAT on food, children's clothes, domestic gas and electricity, and books, periodicals and newspapers.

I hope that the Economic Secretary will assure us that the Government will continue to use the veto to ensure that zero rating stays. I hope that the hon. Gentleman will ignore the encouragement from his hon. Friend the Member for Clwyd, North-West (Sir A. Meyer) for tax rates to be harmonised. In the United States, which is a federation with a common currency, there are different tax rates. There is no reason why that should not obtain in the much looser federation of the European Community.

My main theme this evening is to continue what my hon. Friend the Member for Hamilton did in his excellent introduction—to point out the double-talk and contradictions of the Government. The hon. Member for Clwyd, North-West illustrated that, and I shall underline the contradictions between the utterances of one Minister and another. The hon. Member for Clwyd, North-West quoted from the Prime Minister's Bruges speech as though it were a pro-Community speech, thereby showing that there are major internal contradictions even within that one speech. It has been pointed out that, if one reads alternate sentences of the speech, one obtains a totally different view of what it meant—no doubt that might have been the right hon. Lady's intention.

There has been double-talk on the environment. For example, the Minister of State said:

> "We favour, too, concerted, sensible action to deal with the problems of the environment."—[*Official Report*, 26 May 1988; Vol. 134, c. 539.]

Yet we receive reports that tap water in some areas of the United Kingdom fails to meet European standards.

The former Commissioner, Mr. Stanley Clinton Davis, who was an excellent contributor to the work of the European Community, pointed out that, again and again, the British Government attempted to avoid the implementation of positive EC directives on water and other aspects of the environment such as beaches.

The *Financial Times* of 8 February reported:

[Mr. Foulkes]

"Britain is seeking permission to delay implementing tough EC standards on the grounds that early compliance will require a 'multi-billion pound' investment programme."

We have heard words from the right hon. Lady but have seen no real action. In fact, the Government's action has been to stop any real progress on the environment.

I think that the right hon. Lady will recall that, even more recently, the British Government vetoed the decision to take real action on sulphur dioxide control. *[Interruption.]* The right hon. Lady seems to be losing her temper and is throwing books around.

Mrs. Chalker: I dropped it.

Mr. Foulkes: Fortunately, there is no VAT on it yet.

How can the right hon. Lady reconcile her words of 28 May with the Government's actions?

Then there is the double-talk. A number of hon. Members, particularly the hon. Member for Southend, East (Mr. Taylor), who is a frequent contributor to the debate, although he has not yet joined us——

Mr. Boswell: It is his wife's birthday.

Mr. Foulkes: It is his wife's birthday. I am very pleased. The whole House will offer her our deepest congratulations. I offered her our deepest sympathy on another occasion, soon after the wedding.

The hon. Member for Southend, East rightly raised the question of fraud. On 19 February *The Independent* said:

"The British Agriculture Minister, John MacGregor, called yesterday for urgent action in the European Community to combat fraud".

The same report says:

"Mr. MacGregor also implied that reports from the Court of Auditors, especially those devoted to particular problems such as intervention, had hitherto not been given proper attention by ministers."

Those were strong words. Let us look at the action.

In the other place last Tuesday, a former Commissioner, a great servant of the country, and previously of the Government, Lord Cockfield, challenged the Secretary of State for Trade and Industry. I must not quote him, but he said that it was the British Government which had vetoed more effective fraud investigation in 1986.

Mrs. Chalker *indicated dissent.*

Mr. Foulkes: The right hon. Lady shakes her head, but that is what the noble Lord said. When the Secretary of State for Trade and Industry was challenged by Lord Elwyn-Jones, he was severely embarrassed. He could not answer the questions that were put to him. Parliament is rightly concerned about fraud, but we want action, not words. Again, the contradiction—I must not say hypocrisy—the double standards, the double dealing and the double-talk of the Government have been shown up.

Perhaps I should let the Government relax for a few moments. *[Interruption.]* I know that the Whip has been relaxing; that is obvious from his demeanour. I want to deal for a moment with a point raised by my hon. Friend the Member for Hamilton in his introductory speech and by the hon. Member for Moray (Mrs. Ewing)—the false prospectus described by the Scottish National party as independence in Europe. Although the hon. Member for Glasgow, Govan (Mr. Sillars) is supposed to be the international, European, world, universal, inter-planetary spokesman of the SNP, I note that he has not managed, yet again, to get here this evening. After his victory at Govan he said that, unlike me and the hon. Member for Hamilton —inadequate as we are—he would make

"Mrs. Thatcher sit on the thistle."

I think she is still comfortable.

Recently, in *The Scotsman*, the hon. Member for Govan stated that an independent Scotland would remain a member of the European Community. That is manifest nonsense. The United Kingdom is presently the Community Member. If Scotland were somehow to gain independence, which I would greatly regret, it would be the remainder of the United Kingdom—England, Wales and Northern Ireland—that would inherit membership. There is no doubt about that. An independent Scotland could apply for membership, if it wished, but that would be fraught with problems and uncertainty.

Mr. Redwood: And a veto.

Mr. Foulkes: I will come to that.

Such an application would create tremendous difficulties for other member countries. Some, like Italy, are states that are far more recent than the United Kingdom, and others have independence movements that are as strong or even stronger than the movement in Scotland. It is by no means certain that even nationalists within a newly independent Scotland would wish to submerge its newly acquired sovereignty in the Community.

Indeed, the SNP chairman, Mr. Gordon Wilson, said on the BBC Radio Scotland programme "Corridors of Power" a few weeks ago that the SNP would only want to seek membership "all things being equal" and "if the terms were right". That is a very different matter. The concept of independence in Europe was dreamed up to try to allay the concerns about the undoubted economic and political problems which would arise if Scotland were to break away from the United Kingdom.

The Scottish people are beginning to see through that camouflage. The rupture would have to take place first. Only yesterday, the Greenland case mentioned by the hon. Member for Moray was dismissed as a precedent by a legal expert from the Europa institute at Edinburgh university, because Greenland remains part of Denmark. It moved to get out of the EEC, whereas my understanding of the SNP position is that they want entirely the opposite—Scotland separated from the rest of the United Kingdom while remaining within the EEC. For them to cite Greenland as a precedent is manifest nonsense.

Mrs. Ewing: First, I may tell the hon. Gentleman that my hon. Friend the Member for Glasgow, Govan (Mr. Sillars) offered his apologies for his absence because he is in Dundee this evening, undertaking an engagement to which he committed himself a considerable time ago.

On what does the hon. Gentleman base his arguments? I have yet to hear from the Labour Front Bench any clear statement indicating the legal principles on which they make their assertions. It seems clear to us that, under international law, Scotland would be an integral part of the European Community, unless it chose to negotiate its way out. As to other movements within other Community states, can the hon. Gentleman say which Governments have clearly defined any policy indicating that they will reject the democratic processes of the Scottish people taking a particular political option?

Madam Deputy Speaker: Order. The hon. Lady makes an enormously lengthy intervention. I remind the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) that he was referring to developments between January and June 1988.

Mr. Foulkes: No one is saying that the wishes of the Scottish people in respect of independence would not be recognised. The argument is about whether or not, if Gordon Wilson's conditions were satisfied, Scotland would be accepted as a member of the European Community. I am grateful to the hon. Lady for reminding me that the hon. Member for Govan is making a television appearance tonight. We all know that he puts appearances on the media ahead of appearances in the House. The SNP's policy is increasingly being seen for what it is—a venture into the unknown, with guides who disagree on where they want to go, and who are uncertain how to get there.

I return to the Government, and to one aspect of social Europe on which I should have liked to speak at much greater length, but which my hon. Friend the Member for Hamilton dealt with extremely well. I refer to health and safety. On 23 November 1988, at that famous Management Centre Europe conference, the right hon. Lady said:

"We need progress on the agreed programme of action on health and safety at work."

My hon. Friend pointed out that her statement clashed with the comments of the Chancellor of the Exchequer. The right hon. Lady's wish for progress with health and safety at work is also entirely inconsistent with the actions of the junior Minister at the Department of Employment in the European Community. On 17 December 1988, *The Guardian* reported:

"Britain was dragging its feet yesterday over moves by the European Community to improve standards of health and safety at the workplace ... The junior Minister for Employment, Mr. John Cope, was isolated at a meeting of social affairs ministers".

That happens again and again. The right hon. Lady is the nice front for the Government. She presents a cosy image and says the right things at conferences of nice Europeans. However, the reality of what is being done by Ministers in the European Community is something else.

I want to touch on other areas of social Europe, but I must give the Minister as much time as possible to reply. However, I shall conclude by saying a few words about Labour party policy.

Sir Anthony Meyer: Which one?

Mr. Foulkes: We are concerned about the negative attitude of the Government towards a social Europe. We accept—I think that even the hon. Member for Southend, East, who is an ardent anti-marketeer, accepts—that withdrawal is no longer an option. We look towards the future in the European Community.

But Europe must be a real community as well as a market. It must be a community of co-operation and diversity. The two concepts of economic efficiency and social justice are complementary. The Government try to achieve economic efficiency, but they are not trying to introduce the complementary social justice that is necessary to balance that economic efficiency. We want a community in which the market works to the advantage of the people, not one in which the people serve the convenience of the market.

The Labour party and our Socialist colleagues in Europe have a common manifesto for the European election—unlike the miscellaneous people with whom the Tory party joins. We look forward to substantial victories in this country in the European elections in June. We look forward to a Labour Government in this country. We look forward to Labour giving the United Kingdom a fresh start in Europe.

9.42 pm

The Economic Secretary to the Treasury (Mr. Peter Lilley): I thank the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) for his kind welcome to this debate, not the least enjoyable aspect of which was his own contribution. Having read through previous debates of this kind, I have to say that today's debate has shown both a wider and higher standard of contribution than we have seen for many a long year and shows the growing importance of the issues that we are discussing.

One of the central points raised by the hon. Member for Newham, South (Mr. Spearing), by my hon. Friend the Member for Hertford and Stortford (Mr. Wells) and by many other hon. Members is the issue of scrutiny—how this House considers European legislation. As my right hon. Friend the Minister of State said, my right hon. Friend the Lord President of the Council has established a review of this and I understand that a Committee of the House is also considering it. My right hon. Friend the Lord President has already urged Departments to ensure timely and speedy progress on scrutiny of measures from the Commission for which those Departments are responsible here. I personally attach great importance to this, not just because of the importance that I attach to the role of this House but because I have found our debates on European measures to be of great value, both for the opinions expressed by hon. Members and for the support that is so often forthcoming from both sides of the House for the British Government's position when negotiating in Europe.

My hon. Friend the Member for Hertford and Stortford made a detailed set of proposals on improving scrutiny in this House. Unfortunately, I heard only part of what he said, but I shall read with interest all of his remarks, and I know that my right hon. Friend the Lord President will find it a valuable contribution for the purposes of his review of these matters. The hon. Member for Newham, South also pursued this aspect. He said that we were often mistaken in believing that we might be in danger of being sucked into a federal institution when the real danger was that Europe was, if anything, an embryonic unitary state. In this respect the hon. Gentleman is, of course, constitutionally correct, but he is wrong to suggest that my right hon. Friend the Prime Minister did not recognise this. In her speech—I have had it checked—she referred not to a federal Europe but to the dangers of a supranational Europe and the importance of retaining a Europe of co-operating sovereign states.

The hon. Gentleman was also right to recognise that Ministers within the Council of Ministers cannot themselves propose anything with any prospect of its being accepted unless it has first been proposed and adopted by the Commission. Of course, that does not prevent Ministers from putting up ideas. For instance, my right hon. Friend the Chancellor has made proposals for achieving a single market without approximating VAT

[Mr. Peter Lilley]

rates. That has received considerable study and attention on the continent, and I think that it has influenced the course of the debate.

Mr. Spearing: It is of course true that the Chancellor issued a discussion document, which I believe was debated at Rhodes, but that makes him a petitioner, does it not? Has not the Prime Minister, or any Minister of the Crown, less ability to introduce legislation formally through the Council of Ministers than any Member of Parliament has to introduce legislation in the United Kingdom?

Mr. Lilley: That is true, although a Minister has in many respects far greater powers to prevent the adoption of legislation proposed by the Commission than has any ordinary Member of Parliament in respect of legislation proposed to the House. The very fact that, according to the right hon. Member for Chesterfield (Mr. Benn), deals are often struck between officials of the different Governments suggests that Governments have power based on their voting power. That the right hon. Gentleman in his previous role was unable to influence the deals into which his officials entered on his behalf reflects more on the Government concerned than on the practices of the European Community.

My hon. Friend the Member for Clwyd, North-West (Sir A. Meyer) made an extremely balanced speech about the role of the European Community. I entirely agreed with him when he prayed in aid my right hon. Friend the Prime Minister's statement that Europe should work together on the things that we are best at doing together. My hon. Friend cast doubt on the need for the Community to disburse money. I agree that it is better disbursed at local level by Governments and institutions closer to the point at which the money is needed—if it is needed at all.

The debate has been largely dominated by the development of the single market, as that issue is central to the document that we are ostensibly discussing—although at times I had doubts about the role that that document played in the debate. The British Government's position is clear. We believe wholeheartedly in the philosophy underlyng the single market, and particularly in the White Paper that initiated it. It involves applying, at European level, principles and policies that we have applied successfully at national level and that have regenerated the British economy—the principles of deregulation, increased competition and, of course, strict control of public expenditure.

The record of progress on the single market during the six months that we are considering is extremely favourable. Some 56 measures—a record number—were adopted, and they were significant as much for their quality as for their quantity. My hon. Friend the Member for Southend, East (Mr. Taylor) challenged me on whether any of the items in the document were of significant value in liberalising and overcoming protectionism, and I mentioned the road haulage directive under which road hauliers travelling across Europe will not be prevented from picking up loads en route. There was also the mutual recognition of professional qualifications. By any standard, that is a measure of liberalisation of great importance to individuals living and working in the Community.

I suspect, however, that the most significant measure —although it involves no change for us—is the capital liberalisation directive. Just as we benefited enormously from scrapping exchange controls, I believe that Europe will also benefit from their abolition. It is, of course, fundamental to the establishment of a free market in financial services and therefore of great importance to the United Kingdom.

Mr. Teddy Taylor: By protectionism I meant protectionism in Europe against the Third world. I asked whether there was any sign of measures having been taken during those six months to reduce such protectionism. I cited, for instance, the use of anti-dumping powers, which has created more protectionism.

Mr. Lilley: Capital liberalisation is one such measure —incorporating, as it does, the principle of erga omnes which, as I need hardly explain to the classically literate, means "towards all". Such a measure removes not just the barriers on capital between ourselves, but those between the Community and the rest of the world. I do not doubt that the document contains many others.

My hon. Friend the Member for Bournemouth, West (Mr. Butterfill) adopted a novel approach by actually considering the document before the House, item by item, and giving a cogent and concise response to it. He raised one especially important matter which arises from the directive on capital liberalisation. He mentioned the withholding tax which was proposed by the Commission in fulfilment of its obligation to consider whether such a tax was necessary. There is, of course, no obligation on member states to accept that proposal. The British Government disagree with the principle that taxing power should be taken away from the House. Incidentally, I do not think that there is any foundation for my hon. Friend's belief that the very proposal is ultra vires because it falls within article 100 of the treaty.

We also believe that there are sound practical reasons for objecting to a withholding tax. It is unnecessary. We can understand that the French Government may feel apprehensive that the abolition of exchange controls will be followed by a flood of tax evasion money out of their country, but the British experience when we abolished exchange controls in 1979 provides no evidence that those fears have any basis. The experience of the German Government, who have imposed a withholding tax after having long had complete freedom from exchange controls, was that it was the imposition of the withholding tax that caused the outflow of money.

Mr. Butterfill: My hon. Friend will appreciate that the difference between us and the French is that when we abolished exchange controls we had a sound Conservative Government, whereas they still have a Socialist Government.

Mr. Lilley: That is true, but the French Government have that fear. Some believe that there is something intrinsic in the French approach to tax which makes the problem greater, but I believe that those who are willing to evade tax are also willing to get round exchange controls so there will be little change.

The second reason for not supporting a withholding tax is that it will not work. Instead of the money going from one European country to another, it will leave the Community entirely. New York has no withholding tax, Swiss fiduciary accounts have no withholding tax and the

Bahamas have no withholding tax. A chain of tax havens would doubtless spring up—I know that some hon. Members are experts on this—all around the Community to provide a home for such funds.

Thirdly, the proposal is potentially damaging not just because it would drive Community money abroad but because foreign money, although itself exempt from the tax, would resent coming here because much Japanese, American and middle eastern money would object to having to identify and go through the bureaucratic procedures of proving residence to reclaim or escape the tax. Most damaging of all is the effect that a withholding tax would have on the commercial markets and the wholesale markets. In such markets, one cannot identify money that is constantly changing hands or decide who owns it and who is, therefore, liable for tax. Many legitimate commercial transactions would be driven offshore. The German experience shows that the effect of that would be to raise interest rates in the Community relative to outside.

The Swedish Government already find that they can borrow in deutschmarks at a lower interest rate than the German Government can since the introduction of the German withholding tax. We do not want to see a similar burden inflicted on European Governments and industry as a whole. I am happy to say that we are not alone in opposing the measure—which requires unanimity, as does any change in value added tax. My hon. Friend the Member for Wokingham (Mr. Redwood) can therefore rest assured, as can the hon. Member whose tripartite constituency I can only get right once in the course of debate, the hon. Member for Carrick, Cumnock and Doon Valley——

Mr. Foulkes: Say it again.

Mr. Lilley: Not twice. The hon. Gentleman can rest assured that we are able to uphold the pledges that we gave the electorate in respect of zero rates of VAT. We have given a further assurance that we will not abandon our right to retain zero rates.

Mr. Robertson: That was a very interesting reply, proving that the Minister can count up to three twice. It must have been a written answer. The election commitment was that there would be no end to zero-rating on the commodities to which he referred. Why is there no similar guarantee that the Government will not abandon zero-rating on books, periodicals and newspapers?

Mr. Lilley: Except in the exceptional context of a general election campaign, it has never been the practice of this Government or previous Governments to give pledges restricting their rights in respect of taxation—certainly not at this season of the year.

Mr. Spearing: There is a very important point at stake. The Minister asserts that the Government have a right, under the respective treaties, to retain zero-rating. I wish that I was as confident as the Minister about that right. If it could be tested in the European court, has he any reason to suppose that that court would find in the direction that he suggests?

Mr. Lilley: I have every reason to suppose that. Had there been even the slightest grounds for testing the right of the British Government to retain zero rates, the Commission would have included them when it brought its case on our rights before the court. It did not because it knows that there is no conceivable reason for testing that right.

My hon. Friend the Member for Stamford and Spalding (Mr. Davies) raised a matter related to capital movements—the issue of a common currency in Europe —and gave an extremely lucid account of the monetary arrangements now, and those required for it. Much of his analysis—and the problems that he identified—would apply just as strongly if we linked our currency closely in the ERM as is done at present. As for my hon. Friend's business man, I advise him on my own experience to suggest that his constituent tries another bank where he will get a much better and lower-cost exchange rate. I agree with him that business men in general would like greater currency stability in addition to lower cost of currency exchange. To some extent, currency movements reflect underlying economic changes and we cannot get stability in currency unless we have stability in the underlying economic relationships—above all, the elimination of inflation in all countries concerned. That is why we want convergence in economic performance—not towards the lowest common denominator or towards the average, but towards the best in Europe.

In the few seconds that remain, I wish to refer to the extraordinary intellectual confusion that reigns on the Opposition Front Bench. We know where the Opposition used to stand on the European Community. They were opposed to it in constitutional principle because they believed that membership of the EEC overrode the power of this democratic Parliament. The right hon. Member for Chesterfield (Mr. Benn) and others still believe that, but the hon. Members for Hamilton (Mr. Robertson) and for Carrick, Cumnock and Doon Valley are tentatively and partially in favour of certain aspects of the Common Market. It is interesting that they are in favour only in respect of social policies, by which they mean the very policies that this Parliament and the British electorate will not endorse. They look to the continent for allies in trying to secure the implementation of policies that the British people have three times rejected through this Parliament. By contrast, the Government seek to pursue in Europe the same policies that we have applied with such great success —electoral as well as economic—in this country.

The British Government's position on Europe is very clear. We believe that a Europe with less government is good, a Europe with more freedom for its citizens to trade, travel, meet and compete with each other is better and a Europe that is open to the world is best. By and large, that is the philosophy behind the measures incorporated in the document, which are being pursued with the development of the single market. There are, of course, always difficulties and tendencies in the other direction. That is why my right hon. Friend the Prime Minister sounded the alarm at Bruges and warned against moving away from that path. We believe that a Europe with more government would be bad, a Europe with more government and more centralised government would be worse, and a Europe with more centralised and protectionist government would be worst of all. We can win in warding off those dangers, and most of the battles against regulation and supranational edifices, and against a fortress Europe.

Question put and agreed to.

[Mr. Lilley]

Resolved,

That this House takes note of the White Paper 'Developments in the European Community January-June 1988' (Cm 467).

Air Pollution

10 pm

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley): I beg to move:

That this House takes note of European Community Documents No. 5142/88 and the Supplementary Explanatory Memorandum submitted by the Department of the Environment on 20th February 1989 on air pollution from municipal waste incineration plants; and calls upon the Government to support the introduction of appropriately stringent controls on air pollution from such plants.

The motion concerns two pieces of draft European Community environmental protection legislation—the two draft directives on the control of atmospheric pollution from new and existing incinerators burning municipal waste. Negotiations have so far centred on the first directive, on new plant, on which the presidency hopes to be able to reach agreement at the next Environment Council, on 2 March. There is a possibility that the second draft directive, on existing plant, could in its turn be agreed at the June or November Council. Tonight's debate allows hon. Members to consider the legal and political implications of these two draft directives. Parliamentary scrutiny procedures have now been concluded in the other place and a report is expected next month. Tonight's motion leads the way to formal agreement to these directives when negotiations with other member states are concluded.

Hon. Members will want to know at the outset that the deposited document cited in the motion has been significantly modified in relation to the new plant directive during the course of negotiations. The draft directive for existing plant is expected to be amended in line with these changes when it, in its turn, comes up for detailed discussion.

I would like now to set out the main features of the new plant directive and then to explain how the text has changed from the initial draft set out in the deposited document and then go on to outline remaining issues to be decided before agreement can be reached.

The new plant directive, as a daughter directive of the air pollution framework directive, would require all new incinerators to use the best available technology not entailing excessive cost to minimise air pollution. It would require them to meet prescribed emission limits and combustion conditions, and to comply with proposed requirements as to their equipment and operation. Emission limits are proposed for dust, heavy metals and acid gases. Less stringent emission standards would apply to incinerators with a nominal capacity of less than 3 tonnes of waste per hour. Continuous measurement of dust, hydrochloric acid, carbon monoxide and oxygen is proposed for plants of over 1 tonne an hour, and periodic measurement in the case of all other controlled substances.

Until cost-effective dioxin measurement techniques have been developed, the directive requires surrogate or indicative measures to ensure the prevention of dioxin formation, prescribed combustion conditions requiring a temperature of at least 850 deg C and a minimum residence time of two seconds. Member states would be able to authorise exemptions to permit innovative combustion or gas treatment technologies, provided that higher levels of polychlorinated dibenzopara-dioxins and polychlorinated dibenzofurans would not result. Plants would be required

to have auxiliary burners to prevent the temperature of the combustion gases falling below 850 deg C and for use during start-up and shut-down operations.

Emergency measures to ensure compliance would have to be taken in the event of limit values being exceeded. Plants which continued to fail to comply after remedial action had been taken would be closed down. In the event of breakdowns or stoppages of purification devices, plants could be authorised to continue operation in breach of the limit values—although still subject to a temporarily relaxed limit in the case of dust emissions—for no more than eight hours' continuous operation and no more than 96 hours' cumulatively over a year. During such periods, all other operating requirements would have to be observed. The directive permits a further derogation by the competent authorities for the smallest plants, of less than 1 tonne per hour, where further special conditions apply, provided that the Commission is firstly consulted about such proposals and then informed of them. The dust limits with which such plants must comply are then relaxed.

The draft directive on existing plants lays down a timetable under which existing plants would have to meet interim standards for dust emissions within five years and full new plant standards within 10 years.

Hon. Members may find it helpful if I set out the main changes that have been made from the original text of the directive relating to new plants. First, the scope of the directive has been reduced to clarify the intention that industrial waste should be caught only if it is similar in composition to domestic refuse. The directive specifically excludes a number of other waste streams such as chemical, clinical and sewage sludge, which are expected to form the basis of further directives in due course. My hon. Friend the Member for Isle of Wight (Mr. Field) will be pleased to know that plants burning specified "refined waste derived fuel" may now be excluded by the competent authorities from the provisions of the directive if compliance would entail excessive costs or be inappropriate technically, provided they comply with the requirements of the air pollution framework directive and do not burn other waste materials.

Secondly, the size categories have been changed from two sizes above or below five tonnes to three sizes—that is up to one tonne per hour, between one and three tonnes per hour, and over three tonnes. The derogation for small plants in tourist areas has been replaced by slacker emission limits, for dust and hydrochloric acid only, for all plants under 1 tonne an hour, with a further exemption possible subject only to an even slacker dust limit where the competent authority thinks it necessary. The last exemption is still under discussion.

Thirdly, in line with United Kingdom practice, all discharges must be through a stack of adequate height, and there must be control over the whole process.

Fourthly, monitoring conditions have been changed. Following our pressure, the generous averaging periods have been significantly tightened. Instead of a daily limit, the largest plants must meet an hourly carbon monoxide limit. That of course, indicates the effectiveness of the combustion.

Mr. Peter Rost (Erewash): In the modification to which my hon. Friend is referring, has any further consideration been given to higher temperature combustion as a solution to dioxins? Many experts believe that that is not a solution and is not necessarily the right way for the Community directive to proceed.

Mrs. Bottomley: Consideration has been given to dioxins. The proposal is that combusion should take place at 850 deg C for at least two seconds, but it is still subject to further discussion and refinement. The monitoring conditions have been changed. Following our pressure, the generous averaging periods have been significantly tightened. Instead of a daily limit, the largest plants must meet their hourly limit.

The other substances to be continuously monitored have to comply on a rolling weekly rather than monthy basis and keep within a 30 per cent. tolerance each day. It has now been agreed that it is only cost-effective to require the smallest plant to monitor most emissions periodically. The United Kingdom, however, believes that all plants should continuously monitor carbon dioxide.

Fifthly, and again in response to United Kingdom pressure, the maximum permitted breakdown periods for the purification devices have been significantly reduced, although, in our view, not yet sufficiently.

Sixthly, there is no longer a requirement for a mandatory environmental impact assessment. The Commission has accepted that it is too early to extend that directive, which lists municipal incinerators as a category of industry for which an assessment may rather than must be required. But, of course, local authorities will be able to require an environmental impact assessment for a major new municipal waste incinerator should it believe that it would be helpful when determining the planning application.

There remain, however, a few points at issue. Recently, there has been increased pressure to reduce the dust limit for the largest plants—that is those over 3 tonnes an hour —from 50 to 30 mg per cubic metre. We consider that excessively costly, since it would restrict the choice of abatement technology by forcing all incinerators to use bag filters; the 50 mg per cubic metre limit would also allow electrostatic precipitators, which is the more normal technology in the United Kingdom. We see no reason to go below the 50 mg limit, which was agreed for large combustion plant.

This is not, of course, to imply complacency. We are indeed actively encouraging the development of new technology which would allow more restrictive emission standards to be achieved at an acceptable cost. Only last week I announced the award of the first grant under the environmental protection technology scheme. It was for research into a new type of polymer-based filter suitable for the control of dust from municipal incinerators. If the research is successful we would aim to promote the adoption of this technology widely through the Community.

The United Kingdom sees some illogicality in the stance of those member states which favour very strict emission limits, but then prefer to monitor over long averaging periods. Although we have been successful in persuading our partners to agree to a certain amount of strengthening here, we do not believe that the directive is yet tight enough. Good carbon monoxide control is essential for effective combustion control, so we consider that all plant, regardless of size, should be subject to hourly rather than daily averaging. We are still pressing our European colleagues on this point.

[Mrs. Bottomley]

The Department of the Environment, in the light of those directives generally, and the implications for those involved has set up an informal working group, including representatives from local authority associations and other interested professional organisations to consider the draft directives. It is particularly concerned to try to evaluate the implications of the existing plant directive, and so has conducted a simple survey of the views of those local authorities which are currently operating municipal waste incinerators.

Most of the incinerators currently operating in the United Kingdom were built in the late 1960s or early 1970s. Some have been the subject of significant complaint that the emissions cause nuisance, and recently there has been concern about possible emissions of dioxins to which my hon. Friend the Member for Erewash (Mr. Rost) referred. The number of United Kingdom plants in operation has fallen steadily over the past 10 years so that now there are only 35. One of them is under 10 years old, 21 are between 10-15 years old and 13 are 15-20 years old.

Most United Kingdom plants fall within the upper size range proposed in the draft directive for existing plants, having a nominal capacity of six tonnes per hour or more. Only three have a capacity of between 1 and 6 tonnes per hour, and we are not aware of any below this limit.

Most United Kingdom incinerators are therefore over 10 years old and, without modifications, would be expected to reach the end of their useful working lives over the next few years. From the information that we have gathered in the survey, it appears that almost 50 per cent. of existing United Kingdom municipal waste incinerators are likely to close by the mid 1990s. In only a small number of cases was the prospect of the draft directives stated to be a prime reason for their impending closure.

Of those incinerators likely to remain in operation, all would require some modification or the retrofitting of equipment to meet the draft directive's interim standards and, ultimately, the full standards for new plant. The most commonly quoted needs would be for the fitting of auxiliary burners, the provision of additional monitoring and recording equipment and the addition of new or improved abatement equipment such as electrostatic precipitators or gas scrubbers. Unless the directive as finally agreed provides flexibility in the requirements for temperature and residence time for existing plant there may be a need for even more extensive adaptations.

Many operators have pointed out that a significant increase in costs will be inevitable in implementing the draft directives. However, with the possible exception of the tighter dust limit that some member states are seeking, it is clear that the provisions of the directives are broadly in line with those that will result anyway from the higher standards that Her Majesty's inspectorate of pollution will be requiring for domestic environmental reasons.

We estimate that the cost of building a new plant to meet the directive standards would be between £35 million and £40 million, including heat recovery, which we expect most of them will wish to include. As for existing plant, the informal working group further estimated that it would cost around £300,000 to convert each unit to the expected interim standards of the existing directive, and on average a further £1,200,000 to upgrade each unit to the full standards of the new directive. Most of our incinerators consist of between two and four units.

Although, as I have explained, we do not believe that they go far enough yet in certain particulars, the Government broadly welcome the efforts by the Community to tighten up standards for waste incineration, and I commend the motion to the House.

10.15 pm

Ms. Joan Walley (Stoke-on-Trent, North): I have listened with great interest to the Minister because waste management and the control of pollution are high on the Opposition's agenda. We welcome any proposals, and these in particular, which will prevent or reduce air pollution.

We welcome what the Minister has had to say about research under the environmental protection technology scheme and about the informal working group which has been set up with local authority representatives, as well as her comments on dioxins and the urgent need for research on the many problems that we know exist. They are all matters that we would like to see strengthened and incorporated in the final proposals.

Having said that, it is important to say that the United Kingdom's waste disposal policy is inadequate. Despite their stated commitment to the environment, the Government have failed in the past 10 years to clean up the waste disposal industry. The waste and recycling industry is not properly geared up and we need real policy and real action. Welcome as the proposals are for existing and new municipal incineration plants, they cannot be isolated and treated separately from an integrated approach.

I urge the Minister to take that into account both in the Government's policy making and in discussions in the EEC. How does the hon. Lady intend to link action on municipal incineration plants with action on landfill sites, stricter enforcement and monitoring of all waste disposal and the provision of capital and revenue money to finance the investment that is urgently needed throughout the industry, particularly that provided by the public sector?

Let us be clear that Britain has no overall waste management strategy. At present, waste disposal is managed on the basis of the cheapest possible option. There needs to be a stringent regime of licensing and monitoring of waste disposal and recycling to ensure high standards of operation. Proper investment in incineration would make it preferable to landfill as a means of waste disposal both in terms of environmental protection and energy recovery—a point that I was pleased to hear the Minister make.

It is clear that incineration should be allowed only where the most advanced technology is used to ensure that the incinerator is environmentally safe and does not emit any harmful gases or substances into the atmosphere. Without assurances from the Minister about money, we could end up with existing plants closing down, no new investment for new plants and a complete dependence on landfill sites where costs at present are kept artificially low because of the lack of investment in their infrastructure.

The Government have presided over a deterioration in waste management, largely due to financial constraints imposed on local authorities. I read with great interest the report of yesterday's debate in the House on rate capping. We should be aware that if the Government reduce local

authority expenditure, local authorities will find it difficult to find the necessary resources to carry out some of the proposals in the EEC directive.

How are local authorities to finance the improvements which both Opposition and Governments Members agree are important? Investments financed by loans already have to be sanctioned by the DOE, so there will be difficulties there. Certainly, changes in the whole aspect of local authority finance after 1990 will result in pressure to finance capital expenditure out of revenue, but councils will also be squeezed by the poll tax on the revenue side. New plants, which would have a capital cost of £15 million to £20 million, could not be built under present Government controls over local authority spending. What proposals are there to ensure that public money is available to finance these new plants, which will be more essential as the costs of landfill sites and transportation of rubbish to these sites rise?

Estimates vary as to the likely impact of the EC directive, but even by the most generous, as the Minister explained earlier, only 10 to 14 of the 38 incinerators still operating in the United Kingdom would remain in service once the directive on existing plants was adopted as it stands.

I agree that there would need to be an average of £2 million or thereabouts spent per incinerator to upgrade them to the new standards set by the Minister, with knock-on investments on extending plant life being necessary to justify installing the new control equipment. Operating costs would also rise and throughputs in some plants would have to be reduced to comply with the minimum residence times proposed.

We believe that this is all vital expenditure. Will the Minister give an assurance that this money will be given the same kind of priority by the Government as that which they are now giving to financing the public relations aspect of the sell-off of the water and electricity industries?

This alarming picture of the amount of investment that is needed in waste incineration plants is a direct result of Government failure to recognise the importance of waste management. Designed in the late 1960s, the majority of incinerators are 10 to 15 years old and of a very basic design, which, as the Minister explained, does not provide for a modernising capability. If a plant is to be economic it needs to recover energy and we certainly believe that the waste recycling aspects of this kind of activity are most important. To fit an old plant with pollution abatement devices, auxiliary burners and waste heat recovery systems would mean completely rebuilding, at present-day costs of £20 million to £40 million plus. In fact, a minimum throughput of a quarter of a million tonnes per annum at £12-14 per tonne would need a plant of £30 million.

The Greater London council, in its wisdom, was prepared to budget for the long-term needs of Londoners in respect of municipal waste incinerators, but will this Government, when it comes to it, prevent equally caring councils from doing likewise? Will there be a commitment by the Government that local authorities will be able to have the means to invest in this kind of expenditure?

Sheffield is an example of an authority which runs its own incinerator in the middle of the city and runs district heating from this. Sheffield would wish to comply with the EC regulation and is constantly pressing for capital allocation from the DOE. If there is no specific allocation for the changes, I believe that the city would be in extreme difficulties in meeting the proposed incineration changes. The mechanism is there to retrofit the incinerators, so will the Minister undertake that there will be sufficient allocation of grants to local authorities and waste disposal authorities, and will local authorities be allowed to carry the debt charges if that is indeed the only way of financing the most important changes needed?

If local authorities will not meet these costs, is it the intention of the Government to make the private sector meet the costs through higher charges to the consumer? In Newcastle, in Tyne and Wear, the private sector was approached because the local authority could not meet the costs. The plant at Newcastle was not considered economical, but it has a throughput of 350,000 tonnes per annum while most other plants are smaller at around 100,000 tonnes.

The issue of public health lies at the heart of this discussion. It is not necessarily the case that "Where there's muck there's brass." We are talking about a cost which is as much about the cost to our health as it is about pure economics. It is vital that the Government should explain their policies about municipal waste incinerators in the context of recent consultation documents. We have received many of these from the Department of the Environment and it is important that we link this discussion with the need for an entirely integrated approach to waste management.

The Government's Green Paper on the role and functions of waste disposal authorities intends to put at arm's length the local authority-owned companies which will deal with waste disposal. The direct implication of the paper is that the arm's length companies will have to raise money from the private sector. The private sector may be willing to ensure the continued full productive life of plants, but based on the assumption of waste continuing to go to a plant for the foreseeable future. With incineration costs at £12 a tonne and landfill disposal costs at only £2·25 a tonne, that is open to question.

In my area in Staffordshire, the Stoke-on-Trent incinerator is the principal long-term waste disposal facility for the north of the county. The waste disposal authorities will understandably be reluctant to allocate capital now when they could face losing facilities in competitive tendering. The preliminary estimate to adapt the Stoke plant for the five-year interim period is £2 million out of a total department budget of £4 million revenue and just £1 million capital. A plant with a 15-year life ahead of it might be closed down, with grave implications for landfill and unregulated tipping in the area. Tomorrow we shall be debating the problems resulting from unregulated tipping in the inner cities.

What account has the Minister taken of the implications of the directive for landfill waste disposal? There is great concern about the neglect of landfill sites and severe question marks over that method of disposal. Costs are rising. The greater the demand for landfill, the greater is the need for regulation. Methane gas must be reckoned with. The 80 million tonnes of rubbish dumped in British landfill sites each year produces build-ups of methane gas. In my constituency today two houses had to be evacuated because of a build-up of methane gas. Fortunately the borough council in Newcastle-under-Lyme was able to deal with the problem effectively. However, such incidents highlight the need to consider the long-term effects of the build-up of methane gas.

[Ms. Joan Walley]

More than half the landfill sites are located within 270 yards of housing or industrial developments. Although landfill will continue, it is not necessarily a cheaper or a less environmentally costly alternative to incineration. As landfill standards are raised and are properly enforced, the differential with incineration is lessened by comparable rigorous enforcement.

In their official memorandum the Government state:

"The implications for landfill disposal of stricter standards for waste incineration will have to be considered."

Such vague references to landfill waste disposal reveal the Government's lack of understanding about the need for a co-ordinated waste management strategy. Tighter controls and regulation inspection should be implemented right away. I do not see why we have had to wait 10 years or more for the integrated "Green" Bill about which we have heard so much.

The Oppostion believe that waste management strategy should be based on waste avoidance, waste minimisation, reclamation and recycling. A recent report from Leeds recorded that 70 per cent. of domestic waste consists of packaging and newsprint. It also stated that 15 million drink cans, 35 million food cans, 14 million glass containers, and 5,500 tonnes of newsprint are discarded every day.

The technology is available to recover cans from waste at municipal incinerator plants. Greater Manchester waste disposal authority saves £1,000 a week on disposal costs by removing tin plate cans by magnetic extraction from part of the incineration process. The magnets, which remove ferrous materials from the ashes, cost £8,000 in 1987.

I have been surprised to discover from replies to parliamentary questions that the Government do not have centrally full details of recycling activities of that type. Due to poor planning and problems, often of investment, magnets such as those used in Manchester are in disrepair. Under the Government's policies, municipal incinerators are unable to make a significant contribution to recycling.

A further benefit that can be derived from incineration as an option for waste disposal is that of refuse-derived fuels, and I listened with interest to the Minister's comments on that subject. The Government said in their memorandum:

"the proposals might also catch the use of refuse-derived fuels, for which the Government does not consider the same standards as appropriate, and might indeed rule out further development of these fuels."

Britain's refuse-derived fuel industry was set back in September when Birmingham city council was unable to make a refuse-derived fuel plant at Castle Bromwich pay its way. A major factor there was that, while the Department of Energy was encouraging such programmes, the Department of the Environment declined to issue an exemption certificate under the Clean Air Act for the fuel pellets. Birmingham is covered by a smoke control order which prohibits the burning of smoke-generating fuel. Clearly, this lack of co-ordination between the Department of Energy and the Department of the Environment demonstrates that there is no overall Government policy on waste disposal and recycling. I hope that when the informal working groups are set up there will be discussion with the local authorities on achieving an integrated and comprehensive programme for recycling and incineration.

If waste is to be incinerated or put to landfill under stringent controls and conditions, as it should be, we must consider the monitoring proposals in the EC directive. In this connection, the Government must give assurances that an adequately staffed professional inspectorate will be available to undertake those duties.

In accordance with the Green Paper, authorities must hand the incinerator to an arm's length company and finance must be found for the resulting regulatory enforcement of air quality emission standards, to be under the inspection and control of Her Majesty's inspectorate of pollution. We have heard much about the low morale within HMIP. Present restructuring activities do not seem to be successful and I gather that there are still recruitment problems.

The Government's aim appears to be to replace the system of regulating air pollution by the best practical means with a system based on emission limits and self-regulation. This may cut administrative costs, but it will have the effect of destroying the effectiveness of air pollution control in the United Kingdom. So much for the Government's declared commitment to the environment.

Mr. Conal Gregory (York): Is the hon. Lady putting the onus totally on the state, or does she consider that the local authority should have responsibility? If elected local authorities are to be responsible, they should take initiatives in this area and, from the examples she has given, they have the capacity to do so. Or does she think the whole responsibility should return to the state? She is not giving a clear message from the Opposition.

Ms. Walley: The Opposition are clearly saying that we believe that there should be locally determined policies to deal with municipal waste, refuse collection and disposal. If, because of the poll tax and rate capping, local authorities lack the necessary finance to do that, they will be unable to find the investment needed to meet the fine objectives set out in the proposals we are discussing. This is the same as the argument we have been conducting on the privatisation of water. Of course we want the necessary pollution controls on bathing and drinking water and refuse and waste disposal, but the money must be found. If local authorities want to find the money to implement these provisions—as the GLC certainly did—they should not be prevented from doing so by financial restrictions placed on locally, democratically elected councillors by Government.

We need publicly owned, democratically controlled local and regional waste disposal authorities, with efficient and adequately resourced licensing, controlling and monitoring of these activities. Incineration is a viable means of reduction; and proper regulation of, and investment in, the entire process is long overdue. So is the need for Government initiatives to deal with pollution from clinical and commercial waste. There has been no substantial investment on the scale needed during the past 10 years. We shall pay dearly in money and health for that lack of commitment to the basic infrastructure of public services.

As the last phase of municipal incinerator building took place in the mid-1970s, the units are all coming up for re-boilering and updating. The Government must tell us how they intend to finance that programme.

Environmentally sensitive incineration is to be welcomed, but regulations should be extended to

incinerators that are not municipal plants, and to other forms of waste disposal. Pollution control needs to be part of a comprehensive waste policy linked to recycling, energy efficiency and conservation. The initiative in waste disposal has been lost by the Government. If the United Kingdom is to incinerate more on its present terms, we shall have to increase imports of technology, because of our poor record—although I welcome what the Minister said about research into this area.

The directive should provide the basis of a comprehensive, properly financed waste management strategy. As long as the Government continue to respond to the threat to the environment through the laws of market forces alone, the problems will not go away. Environmental protection has a price. We need to introduce environmental values now in the interests of long-term pollution control.

[Ms. Walley]

10.38 pm

Mr. Peter Rost (Erewash): It would be discourteous not to acknowledge the formidable contribution from the hon. Member for Stoke-on-Trent, North (Ms. Walley), who has obviously done her homework. Although I agreed with much of her speech, I emphatically reject her unjustified criticisms of the Government.

I declare an interest as a consultant to Associated Heat Services plc, an energy management company which operates plants that convert waste into electricity and hot water for district heating. During my long years of special interest in energy efficiency, I have had the chance to inspect incineration plants with the best technology in this country and in Europe. The best plants are those which convert waste into electricity and hot water instead of just burning it. Unfortunately, there are only a handful of them in this country.

Incineration has a bad name in this country, mainly because we use outdated technology. As my hon. Friend the Minister said, most of our incineration plants—only 35 of them are in operation—are old, and their design specifications make it difficult, if not impossible, to meet today's pollution standards, let alone the new ones proposed.

In recent years, we have built only two or three modern plants which have the latest technology and which run commercially because they sell electricity and/or hot water.

I am pleased that my hon. Friend was able to inform us earlier that modifications have been proposed to the original directive. It certainly needed amendment. I whole-heartedly support the efforts of my hon. Friend and her officials to achieve sensible amendments.

I am still concerned that we may miss a great opportunity to catch up with the rest of Europe by converting more of our waste into useful energy. The United Kingdom incinerates only 10 per cent. of its industrial and municipal waste. In Europe, the figure is 25 per cent. Some countries in the Community, such as Denmark, Germany and France, convert up to 40 per cent. of their municipal waste into electricity and hot water.

The potential in this country is enormous. The waste that we use for landfill is equivalent to about 30 million tonnes of coal a year. Some of the landfill is used for methane production. Hopefully more will be, but it is unacceptable that we should be virtually bottom of the European league in converting municipal refuse into energy, particularly when the economics of modern technology makes it cost-effective.

We have three major incineration plants which convert waste into energy. Edmonton burns about 10 per cent. of London's refuse and produces electricity from it. There are proposals to modernise and to expand that plant through private enterprise consortia which will make money out of it. It will also save ratepayers' money because it will be less expensive than transporting the refuse to be dumped in holes in other parts of the country.

In Nottingham, municipal waste is converted into hot water for district heating and also produces electricity. There is a similar scheme in Sheffield which it is proposed to expand. The hon. Member for Sheffield, Central (Mr. Caborn), who apologises for not being available for the debate, and I had a briefing from Sheffield officials earlier this week. Sheffield has problems because it is expanding its district heating schemes. My hon. Friend is aware of the problems, and I hope that they will be considered.

Meanwhile, new projects are going ahead and are proposed. There is to be a major expansion in south London, involving a private consortium. Using the latest technology, the plant will burn refuse and convert it into electricity and, hopefully, hot water for district heating. The fuel that we are talking about—municipal and industrial waste—is a renewable energy resource. It is a non-fossil fuel. It adds to the diversity of energy resources in the same way as nuclear power, and it should not be neglected.

Landfill is becoming scarcer and more costly because, rightly, we have to tighten up on the environmental pollution and damage which much landfill is creating. Therefore, the arguments in favour of using waste more efficiently to produce energy by incineration are powerful and should be noted more vigorously not just by the Department of the Environment but by the Department of Energy. There are more than 500 incineration plants in the Community as a whole, and a high proportion of them convert waste into either electricity or hot water for district heating—but that is done on only a limited scale in Britain.

In recent years, technology has moved ahead. Some of that technology comes from the United States and from Europe, which is well ahead of the game—but our country also has much of the best that is available. Unfortunately, we are not using it as we should. We ought seriously to consider greater use of pollution-free waste to add to our energy supplies and improve energy efficiency.

There are available now pre-screening processes that can extract from waste non-combustible, environmentally damaging materials such as metal. There is also refuse-derived fuel in pelleted or floc form that is easier to burn, has a higher calorific value, and produces less pollution. The EEC directive, which I welcome, will stimulate investment—in this country as well—in up-to-date technology.

It would be no bad thing if many of our out-of-date incineration plants closed. It is about time they did and that investment was made in new technology, so that the old plants, which merely waste energy, can be replaced by modern technology that makes use of the energy generated by waste material.

I suggest one or two ways ahead, as constructively as I can. We must make the public more aware of the case that I am trying to argue, not only on environmental grounds but because waste incineration as a means of producing energy is cost-effective. We must also make local authorities more aware of the technology that exists, to get away from the bad name that waste incineration has because of the old techniques, whose use remains too widespread. We must make waste disposal authorities aware that there are cheaper options than landfill and basic incineration. Use of the latest technology can make more money, by converting waste into electricity and hot water.

During the crucial five-to-10 year transitional period that my hon. Friend mentioned, the Government should give greater encouragement by allowing local authorities to invest as partners in private enterprise consortia. That will require some relaxation of loan sanctions. As the hon. Member for Stoke-on-Trent, North said, some local authorities are happy to enter into partnerships with private consortia but cannot contribute financially because

of the existing restrictive loan sanctions regime. Where schemes can be cost-effective and are capable of producing cheaper electricity and heating than other methods, it is a nonsense to hold up investment for bureaucratic reasons.

The Department of Energy could do more to promote waste incineration as a form of renewable energy, particularly in view of the need to diversify sources of energy supply and to provide competition for cheaper electricity and heating. Waste energy production can make a major contribution in that respect; I hope that my hon. Friend will pass that message to the Department.

Unless a more positive strategy is developed, we shall miss the opportunity that the directive thrusts upon us. We will miss the opportunity of exploiting the new technology —other coutries are exploiting it much faster—to produce energy and to reduce wasteful and environmentally undesirable landfill. But, even worse, there is a danger, if we do not develop a positive strategy, that, instead of increasing the percentage of waste that we incinerate and convert into energy—that is the way to catch up with the rest of Europe—we might actually see a reduction. The reason is that many of the existing incineration plants will have to close if they are not suitable for refurbishment, and the new investment that ought to be going into their replacement will not go ahead. As a result, we will drop even further down the league table of European countries that use their waste effectively, efficiently and without causing pollution.

I welcome this EEC directive. My hon. Friend has reassured us that it is being sensibly modified and applied, but there is still a great deal to be done. I hope that she will take note that there is great potential that we should not lose sight of.

10.51 pm

Mr. Malcolm Bruce (Gordon): First of all, Mr. Deputy Speaker, I must apologise to you and to the Minister for not having been in the House at the beginning of this debate. I did set out to be here in good time, but unfortunately somebody turned off the electricity in the tube. Perhaps the hon. Lady will put a word in with her husband about it. If I raise issues that she has dealt with already, I apologise.

The debate is welcome, and the issues that the EEC directive raises are important. When I read the briefing material, it concerned me, although it did not surprise me, that the Commission had specifically identified the United Kingdom as excluded from the five countries with detailed plans for the disposal of waste—particularly by incineration. The Minister has said that the Government have every intention of responding to the directive. I hope that, in doing so, they will not be restrained by the Commission; I hope they will feel that this is an issue they can take up themselves with a view to moving forward and starting to formulate a more detailed and coherent objective.

I want to pick up some points that were made by the hon. Member for Stoke on Trent, North (Ms. Walley) and to add my own comments. Municipal authorities will always have an important role to play in the safe and efficient disposal of rubbish. I certainly do not object in principle to the private sector's being involved. I am quite sure that in a whole variety of ways it needs to be involved. Apart from anything else, it has to dispose of its own rubbish. However, I think that there is a slight concern that companies that get involved in waste disposal as an enterprise in itself for profit may occasionally be motivated to attract more profitable business.

For example, when the Karin B was cruising round the North Sea the Minister said that if we had had the best facilities we should have been very glad to take its cargo and dispose of it. In a pure free-market economic sense, and possibly even in an environmental sense, there might be some plausible merit in that argument, but I do not think that it is politically or publicly acceptable. The Government should simply acknowledge that fact.

The public feel that, certainly until such time as we have the whole issue of waste management fully under control, we should not be taking waste from other sources. I think the Minister will find that, if things do not change rapidly over the next five years, more incidents of that kind will simply create greater and greater public resentment, and she will find her job becoming somewhat unacceptable. That is obviously a matter for her to judge, but I feel that she should accept what I am saying.

The hon. Member for Erewash (Mr. Rost) has said that we in the United Kingdom are fairly low in the pecking order of countries that burn their waste. The amount burnt in the United Kingdom is 10 per cent., compared with 31 per cent. in Germany, 32 per cent. in the Netherlands, and 37 per cent. in France. So we have very considerable room for improvement. On the whole, provided that it can be done efficiently and safely and with minimal pollution, and that the appropriate action is taken to ensure the right standards, incineration is preferable to landfill, for many of the reasons that the hon. Member for Erewash gave. I do not think that he will be surprised to know that I endorse his commitment to perhaps replacing existing plants, not only to ensure that they are more efficient but to link them with electricity generation and possible district heating schemes.

I know that the hon. Gentleman suffered from what might, from his point of view, have been embarrassing publicity because of his declared interest. I would say that he is at least one Member who—even if he is making money out of it—has a consistent and long-held interest, and is respected on both sides of the House for the depth of his commitment and for his particular expertise. In some ways he has been rather more unfairly attacked on that score than other hon. Members on other occasions. This is, in my view, a legitimate area of concern. I know of local authorities that would like to expand district heating associated with the disposal of rubbish in their area, and I hope that the Government will give a positive lead to encouraging such a move.

That raises a point already touched on by the hon. Member for Stoke-on-Trent, North: the ability of local authorities to provide the finance to upgrade or improve their provision. The hon. Member for York (Mr. Gregory), who has now left, intervened to suggest that there was no clear message. I thought that there was a fairly clear message: if local authorities are to become involved—both sides of the House seemed to acknowledge that they should, and should continue to be involved—they need some indication that they will be able to fund any investment that they propose to make, particularly if they are being constrained by either European Commission directives or directives imposed by the United Kingdom Government.

Authorities have, I think, become considerably resentful of finding themselves required by laws, whether

[Mr. Malcolm Bruce]

European Community or United Kingdom Government laws, to take actions that cost money on either the capital or the current account, and then being accused by the Government of overspending and profligacy and faced with what is in many cases unfair criticism. The Government must be prepared to play the game, and—particularly if they want to follow through their own claimed commitment to give environmental issues a high priority—to recognise that such issues should be properly accounted for when local authorities are framing their capital and current spending budgets.

One or two cases have been highlighted of significant pollution and possibly even illness related to existing plants. The briefing material for the debate suggests that the country is in a fairly poor state in this regard. I am glad to say that a plant that caused considerable concern in Scotland, the Rechem plant at Bonnybridge, has closed, although it was closed not because of environmental or public concern but for economic reasons.

That plant had become a cause celebre illustrating the problems of living near a not fully controlled plant that was disposing of toxic waste. There was an upsurge of twinning in the area among both cattle and humans, as well as illnesses and irritations and the suggestion of a significant incidence of abortion among cattle. That seemed statistically to be directly attributable to the plant, and appears to have stopped since it closed. Such problems cause genuine public anxiety, and demonstrate the need for increasingly raised standards.

I notice also that there is considerable concern about the quality of disposal and incineration by hospitals. I have a list of the "dirty dozen" hospitals that fall well below standard: Canterbury, Greenwich, Camden, Norwich, Cardiff, Welwyn, Sheffield, Dundee, Hemel Hempstead, Kettering, Bradford and Gateshead. I do not know whether the Government acknowledge those examples as problems; if they do, do they feel that something should be done about them? What will the Minister's Department do—or does she consider it a matter for the Department of Health?

Another interesting aspect of—in my view—the lack of a co-ordinated environmental approach, and the reason why I think a different ministerial structure may be necessary, is that a series of questions that I tabled recently asking each Government Department what it was doing to advance its concerns and involvement in environmental matters were all referred to the Department of the Environment, which rather defeated the purpose of my questions. It is, of course, fairly standard ministerial practice to pass the buck, but the Government must do a little better than that when such questions are tabled.

The hon. Member for Stoke-on-Trent, North also mentioned—correctly, within this debate—recycling. Recycling and air pollution are connected issues. In my view, where there are no other sources, rubbish should be burned, rather than used for infill, and should be burned in an efficient and non-polluting way, preferably with useful by-products, but we must raise our performance on recycling.

I want to quote a specific example, which is of great concern to my own area and to people employed in my own constituency. Together with the hon. Members for Aberdeen, North (Mr. Hughes) and for Aberdeen, South (Mr. Doran), I was recently lobbied by Davidson's paper company in Aberdeen. The company is very concerned about the shortage of waste paper, which is its prime raw material and which can crucially affect its business. The Government, through the Scottish Development Agency, may be sponsoring a new development—which is not confirmed yet—that will use recycled waste paper as its raw material. Given that the Davidson's plant is funamentally dependent on waste paper, the consequence will be to mop up all Britain's surplus of current recycled waste paper. That will create a shortage that will force up the price of waste paper, unless action is taken, and could threaten the existence of the Davidson's plant in Aberdeen.

Davidson's employs 650 people directly and is now trading at full capacity and extremely profitably, manufacturing lining papers for plasterboard as its prime product. I am sure that the Minister can appreciate that there is a serious cause for concern and that it would be a blow if such a plant closed. According to the management of Davidson's, Britain's record of recycling waste paper is almost the worst in the European Community—only Ireland's record is worse—so we should be doing more. Our performance in this respect is 29 per cent., whereas in Sweden, which is a major competitor in paper, the figure is 70 per cent. The Minister will recognise that there is considerable room for closing the gap. That would be economically beneficial, as well as environmentally and ecologically sound.

Having just returned from the European Commission and having heard comments from Members of all parties, I believe that these take note debates on European Commission directives are an unsatisfactory way for the development of policy to proceed. I believe that the House should have more input in the production of such directives. We have late-night, poorly attended debates simply to take note of a directive, in which the House has had no input, on a take-it-or-leave-it basis—in fact it is a take-it basis, because we are not allowed to leave it in practical terms under the treaty, rather than under the powers of the House.

These issues need to be brought up properly and I hope that the Minister will fight for more time in the House to give hon. Members an opportunity to debate directives before they are finalised. There are hon. Members who have useful contributions to make and, although the Minister may be proud that she has amended the directive, it would be helpful if hon. Members of all parties had some input in the process. That might even strengthen the Minister's hand as well.

Having said that, I am glad that we have a debate, although it is unfortunate that it is in circumstances in which important issues are swept under the carpet. We shall have to return to them. However, I hope that our comments have been of some help.

11.4 pm

Mr. Tony Speller (Devon, North): This debate takes note. The truth is that we should all take note of the fact that when we speak of energy efficiency, savings or waste, the House is empty, whatever the hour. It is important, when we discuss directives such as this, that we make some attempt at input, albeit after the paper is written. Each

hon. Member who has spoken so far has found me nodding in agreement, but—alas—we are, as always, too few to make this the stimulating debate it should be.

The word "waste" is, in itself, the wrong word to use. The opposite of waste can be "saving", just as it can be all sorts of things. But the one thing about waste in the world of energy is that it is truly wasteful. It is truly wasteful to take stuff and churn it up a chimney and destroy it, even if it is cleaned en route. There is so much that could be saved. Ask anyone who has worked on the bins when an undergraduate. It is amazing how much there is to be picked up among what the rest of us throw away. We live in a rich society. We are more wasteful than would have been imaginable a century or so back. We are rich beyond the dreams of those in the Third world, yet we waste and waste.

My hon. Friend the Member for Erewash (Mr. Rost) promotes the sensible cause of combined heat and power. If we must incinerate, for goodness' sake let us use the heat for something useful. Many years ago in the county of Devon, we built a refuse incinerator to burn waste. We could and should have used it to heat the adjacent factory sites which cost too much to heat but the heat went up the chimney and all the factories used fossil fuel, oil or gas. They used none of the waste, which still rises to the sky.

I am sorry to use the word "waste" so often, but it is worth mentioning it because the great problem with the directive is that it will achieve precisely what it sets out to avoid. I entirely agree with the hon. Member for Stoke-on-Trent, North (Ms. Walley) about the market, although we disagree on how the market should work. Most of the refuse incineration plants that I know, if not elderly, have had some jolly hard wear and over a five-year period the money will be used but it will not be used logically. It would be far better to be generous and use the new, clean forms of incineration rather than saying, "Here is a loan sanction. Here are a few hundred thousand pounds to bring up to date the technology of the last decade and even further back." The money could be used, but what would happen?

I suspect that the outcome will be simple and straightforward. It will not be worth while—market forces again—to incinerate waste, so it will literally be driven underground. There will be more landfill sites. Again, I mention the humble totter, or the student who picks up the odd thing from a dustbin. Anyone who has seen the countryside around our great towns knows how wasteful we are—how we dump bedspreads, mattresses and anything else that we can get rid of because it might cost us too much to dispose of it in any other way. I fear that this directive, which is excellent in principle—it tells us to be more careful and to be cleaner—will simply drive people to find cheaper and more awful forms of disposal. The vessel that plied the seas trying to find somewhere to dump the rubbish of the world, was only one example. It was the one that was noticed. I wonder how many are not noticed. I give a word of strange and almost sorrowful warning.

The directive refers to domestic rubbish. In the large village of Yelland, quite near Barnstaple, our excellent South West water authority has obtained permission to burn the bits and pieces left over from the sewage works. The residents are up in arms because the chimney is 30ft. tall, but it is a good sensible authority and it has obtained planning permission. Such schemes will not be covered by the directive, which clearly excludes municipal waste. Article 1 tells us that we are talking exclusively of waste which

"by its composition, can be considered to be equivalent to domestic waste to the exclusion of chemical, toxic and special waste and sewage sludge."

I must be honest: these are far more horrible things than any domestic waste, even though our plastic bins, bottles and cartons may be a mess and a nuisance. The directive will make it impossible ever to build an economic incineration plant in the future. We shall need such plants, but we shall not get them because, as someone once said, "You can't buck the market." Within the advisory papers, it is mentioned that the directive may catch those refuse-derived fuels. There are, for example, the fuel pellets—an incredibly sensible way of using waste—which are compacted and burnt. If by accident those fuels are caught in the directive, there is something very wrong with the drafting, which we, of course, cannot amend.

Three years ago, I suppose, the world was full of energy-efficient breakfasts. The intention was that we would save a fortune by energy efficiency, but the sad problem for breakfast time—and, I am sure, for the energy-efficient bacon and eggs—was that we came towards the witching hour and we began to talk about how to dispose by burning.

We are a truly wasteful economy. Incineration is not a logical answer unless everything else has been redeemed, reused and recycled. Waste is wasteful unless we do something sensible and useful with the waste products.

11.10 pm

Mr. Frank Haynes (Ashfield): I shall be as brief as possible so as to give other hon. Members the opportunity to speak because those present are interested in this problem. I congratulate my hon. Friend the Member for Stoke-on-Trent, North (Ms. Walley) and the Minister on their contributions. I welcome my hon. Friend the Member for Stoke-on-Trent, North, to this debate because she is a member of the National Society for Clean Air, as I have been for many years, so we have a particular interest in pollution.

I welcome the directive from the EEC on what we should be doing about pollution, but I disagree with some of the points that have been made and especially with the hon. Member for Erewash (Mr. Rost) when he said that we should have more landfill and less incineration.

Mr. Rost: Will the hon. Gentleman give way?

Mr. Haynes: No, I will not give way. To save time, I will clarify the position. The hon. Gentleman was obviously saying that if we have incineration we must do it properly and efficiently and not waste the heat produced. I believe, however, that we should do away with landfill altogether.

Mr. Rost: Will the hon. Gentleman give way?

Mr. Haynes: No, I will not give way. The hon. Gentleman has made his contribution.

Mr. Rost *rose*——

Mr. Haynes: No, I am sorry—it would not be fair to other hon. Members.

I disagree entirely with landfill because I have had years of experience on local authorities with responsibility for collecting refuse and dumping it. We have had experience of landfill in Nottinghamshire and Derbyshire. Crooked

[Mr. Haynes]

contractors have been using the same areas as the local authority and dumping toxic waste. That practice is not confined to Nottinghamshire and Derbyshire—it is nation-wide. Apart from possible toxicity, what is dumped is also filth. Often the dumps are near domestic properties, which is not pleasant for residents and there are usually complaints. I visited my local authority to look at the list of residents who had complained about nuisances such as rats all over the place. That is not good for health, it is not good for pollution control and the sooner we do away with landfill disposal of waste the better off we shall be.

I agree with the views expressed by the hon. Member for Erewash about incineration. We need to improve our system of incineration. It needs to be used efficiently. We need all the new equipment available to enable us to deal with it efficiently and at the same time to contribute towards the heating of domestic properties and to help industry as well. In so doing, we would also be helping the economy.

One of the problems that I fear is that the Government will slowly but surely destroy local authorities. If the Conservatives continue in office after the next General Election, which God forbid, they will destroy the local authorities. They are taking away the services one by one. The local authorities will have nothing to do and their responsibilities will be shoved into the hands of the private sector. Then we shall have problems with incineration.

One matter which concerns me but which has not been mentioned so far is the massive reduction in the number of Her Majesty's inspectors in all Departments, especially in relation to energy. There has also been a massive reduction in the number of inspectors of mines and quarries. If we are not careful, it will happen again—we need Her Majesty's inspectors to keep everybody on their toes, in the interests of people who need the service.

In north Derbyshire, property was blown to smithereens because of the combustion of methane. Luckily, nobody was killed. That type of thing can happen with landfill. That is why I am against it.

The Minister does a lot of travelling in the course of her job, and she is interested in it. The Minister for Roads and Traffic, the hon. Member for Eltham (Mr. Bottomley), probably travels in a different direction in his job relating to roads, road safety, and so on. Obviously, they do not get together very often, but they must do sometimes, if only when they get to bed. When they have a little discussion at bedtime, I hope that they will discuss motor vehicle pollution. I am concerned about lorries, buses and deregulation. There are some real spivs on the roads. We must do something about the problem. I hope that the Minister will have a word with the hon. Gentleman about it one of these nights when they go to bed.

11.15 pm

Mr. Barry Field (Isle of Wight): My hon. Friend the Minister and I have taken a little bit of stick from the parliamentary sketch writers in the past few days. Although her loss was certainly my gain, I am certain that I speak for everybody who was on the delegation from the Isle of Wight who went to see my hon. Friend. Such was the charming way in which she received us and listened to our problems about waste-derived fuel, that, on that occasion, her gain was the Isle of Wight's loss.

I am delighted to see the hon. Member for Stoke-on-Trent, North (Ms. Walley) participating in the debate. It is the first occasion on which she has led a debate for the Opposition. I took part with her in the first World Service debate about the Tory green initiative.

I want to throw not a pebble but a pellet into the pool. I have been something of a financial agnostic in terms of waste-derived fuel. I have no argument with anything that has been said tonight about incineration, but I have serious doubts about the economy of first pelletising rubbish before it is burned.

Although I can appreciate the desire to find some use for the contents of our rubbish bins, as my hon. Friend the Member for Erewash (Mr. Rost) mentioned, there is considerable concern about the problem of dioxins. I direct the attention of my hon. Friend the Minister to the Department of Energy's energy technology support unit, which views refuse-derived fuel primarily as an energy source rather than a method of waste disposal. It has written to the Department of the Environment and said that there should be a temporary exemption from the conditions of this EEC directive on emissions from combustion of waste to allow appropriate control measures to be assessed.

It has stated that refuse-derived fuel will be burned in industrial scale combusters, designed or modified for its properties, and set up to minimise emissions to levels equivalent to those generated by combustion of oil, gas or coal when conforming with existing pollution control requirements of member states for those fuels.

We have had to take considerable advice from the Warren Springs laboratory, and we have had to install some tall chimneys to allow waste-derived fuel pellets to be consumed in boilers, because of the problem of dioxins. It is extraordinary that we have an environmental initiative for the conversion of the contents of our rubbish bins to pellets for combustion purposes, but, at the same time, we are saying that we need some relaxation of emission controls to allow those pellets to be burned.

Surely that is an extraordinary state of affairs. Because of sulphur dioxide and nitrous oxide emissions from power stations, we are spending £170 million cleaning up the emissions from 12 of our major coal-fired power stations, but, to start on this method of converting rubbish, we are considering relaxing emission controls. That is contrary to our policy of cleaning up the environment. We ought to address that matter seriously before adopting the EC directive.

11.20 pm

Mrs. Virginia Bottomley: This has been a constructive, useful and wide-ranging debate. I hope that hon. Members will bear with me if I return to the subject of the draft directive before spreading more widely.

In her remarks, the hon. Member for Stoke-on-Trent, North (Ms. Walley), whom I too welcome to her position, suggested that the Government had not taken many steps on pollution, especially air pollution. But we are bringing forward a coherent and integrated series of measures to deal with waste. With regard to air pollution, many plans were in hand well before the draft directive was produced.

For some time we have been aware of the need to strengthen controls on incineration. We had already proposed domestic changes before the directives appeared. In December 1986, in the first major review of air pollution

control policy for 30 years, we produced a consultation paper that proposed that municipal waste incinerators should be included with new processes to be brought under the control of Her Majesty's inspectorate of pollution. This would involve their becoming subject to a system of prior authorisation and being required to use the best practical means to prevent or render harmless any noxious or offensive emissions.

The responses to this 1986 consultation paper generally welcome the proposal and are very much in line with these measures. We aim to lay regulations before the House shortly to implement the change. The requirements of the new plant directive are generally in line with those standards that Her Majesty's inspectorate of pollution would have imposed on new plants in any case, through its well-established system of national consultation with industry on the best practical means of minimising air pollution from each category of scheduled plant.

Ms. Walley: I am grateful to the Minister for giving way on this point about air pollution.

In the light of her remarks about air pollution measures, is the Minister concerned about the letter that I have here from the National Society for Clean Air, which suggests that the reorganisation inside Her Majesty's inspectorate of pollution might well lead to a further reduction in morale, and resignations? Can the Minister assure me that those concerned in Her Majesty's inspectorate of pollution with air pollution will continue at the same strength?

Mrs. Bottomley: Indeed I can, most robustly. The pollution inspectorate has been mentioned often during the debate. I want to make two things clear. First, when we are dealing with pollution that goes into the air, into the land or the water, it is essential to have an integrated approach. The purpose of the proposals planned for our green Bill is that we should have legislative backing for an integrated system of pollution control.

Secondly, there have recently been a further 13 appointments to the pollution inspectorate, many of which are to deal with wastes. I am convinced that I can reassure the hon. Lady robustly on those fronts.

There has been some discussion about the relative merits of landfill and incineration as means of waste disposal. My hon. Friend the Member for Erewash and many others have referred to that. Properly controlled and conducted, landfill is a safe and dependable means of disposal for most of our domestic waste, about 88 per cent. of which is disposed of in that manner. Some 10 per cent. of domestic waste is incinerated, but, as I have explained, all the municipal plants were built in the late 1960s and early 1970s and now need updating or replacing.

We expect to see landfill continue as the main disposal method, but we want improved operating standards, which means a concentration on larger sites and the disappearance of the small bad-neighbour sites. Unit costs for landfill are bound to rise, but that is a price that local authorities must be prepared to pay in the interests of the environment.

In some regions where there appears to be a prospective shortfall of landfill sites towards the end of the century, there are already suggestions that a new wave of municipal incinerators may come on stream, as well as those which will be required to replace plants in some areas as the new standards have to be met.

There is no doubt—I appreciate the remarks of my hon. Friend the Member for Erewash who is particularly knowledgeable and experienced in this area—that the new plants will need to be planned on a large scale and developed to highly sophisticated standards to be economically and technically viable, which will require co-operation and planning between local authorities. There are many interesting and important prospects there for co-operation with the private sector.

One feature of the new plant is bound to be the inclusion of suitable methods of recovery of heat or the generation of power. At present that is a feature of only five of our municipal incinerators. In the rest of Europe 80 per cent. of domestic refuse incinerators have some form of heat recovery. We need to catch up on such possibilities for turning our refuse to good use when the opportunity arises, and I know that that will be greatly welcomed.

Many hon. Members have had a rather sterile debate about whether waste disposal should be undertaken by the private or the public sector. It is essential that, wherever waste is disposed of, and whichever sector is responsible, it must be regulated properly and the regulations must be properly enforced. Often, after a particular incident, proper steps are not taken and enforced.

The Government's proposed new legislation for waste generally proposes the establishment of waste regulation authorities to take over from the waste disposal authorities. We are not removing that duty from local authorities. Those who suggest that the Government want to see the end of local government should take heart from the fact that, as a result our consultation on which was the most appropriate authority to deal with waste regulation, we have decided that the local authority is the right and proper one.

It is essential that the site dealing with the waste, whether it is an incinerator, a landfill site or anything else, should be properly regulated. There is no question of turning a blind eye on the private sector any more than on the public sector. That is what the public expect, and that is what the Government will make sure they receive.

The hon. Member for Gordon (Mr. Bruce) spoke about hospital incinerators, on which some hon. Members have questioned our intentions. They are, along with other specified waste schemes, specifically excluded from the remit of the directive, but we expect further proposals on that from Brussels. As part of the changes that we are making for domestic reasons, we intend to bring large clinical waste incinerators, those capable of burning more than 1 tonne of waste an hour, under HMIP control immediately. We further propose to strengthen control on all smaller clinical waste incinerators. I hope that that will reassure the hon. Gentleman.

The hon. Gentleman also referred to paper recycling. His remarks will be noted by many. We are particularly interested in paper recycling and my hon. Friend the Under-Secretary of State for Trade and Industry, the Member for Mid-Worcestershire (Mr. Forth), is currently organising a series of initiatives to draw attention to the increased prospects of that business and to develop it further.

The hon. Member for Ashfield (Mr. Haynes) made a series of remarks with not all of which I agree, although I hope that he will take confidence from the increased staffing at HMIP. With regard to his questions about emissions of motor vehicles, this is one of the few subjects about which I speak from time to time to the

[Mrs. Bottomley]

Under-Secretary of State for Transport. Indeed, I hope he will feel some hope that the campaign for unleaded petrol is now taking off and meeting with a great measure of success.

These two draft directives extend the useful work achieved by the Community through the air pollution framework directive in encouraging harmonisation of environmental controls on key sectors of industry. They offer significant benefits to the environment of Britain and to the Community and I have pleasure in commending them to the House.

Question put and agreed to.

Resolved,

That this House takes note of European Community Documents No. 5142/88 and the Supplementary Explanatory Memorandum submitted by the Department of the Environment on 20th February 1989 on air pollution from municipal waste incineration plants; and calls upon the Government to support the introduction of appropriately stringent controls on air pollution from such plants.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.)

INDUSTRIAL TRAINING

That the draft Industrial Training Levy (Construction Board) Order 1989, which was laid before this House on 30th January, be approved.

ECCLESIASTICAL LAW

That the draft Grants to the Redundant Churches Fund Order 1988, which was laid before this House on 7th November 1988, in the last Session of Parliament, be approved.

NORTHERN IRELAND

That the draft Matrimonial and Family Proceedings (Northern Ireland Consequential Amendment) Order 1988, which was laid before this House on 1st December, be approved.

That the draft Matrimonial and Family Proceedings (Northern Ireland) Order 1988, which was laid before this House on 1st December, be approved.—*[Mr. Dorrell.]*

Question agreed to.

HOUSE OF COMMONS (SERVICES)

Ordered,

That Mr. Barry Porter be discharged from the Select Committee on House of Commons (Services) and Mr. Tristan Garel-Jones be added to the Committee.—*[Mr. David Hunt.]*

Electrical Appliances (Plugs)

Motion made and Question proposed, That this House do now adjourn.—*[Mr. Dorrell.]*

11.31 pm

Mr. David Sumberg (Bury, South): Most Adjournment debates are very specific—specific to a constituency, specific perhaps to an individual situation. Many of them involve complex issues where the hon. Member speaking requires a great deal of time, probably more than he gets, to marshal his case and advance his arguments. But my debate tonight raises a matter that vitally affects every household, every person, in the country and yet is a matter of the utmost simplicity. It concerns safety in the home.

The common myth is that, when we have shut our doors to the outside world, we have immediately entered a safe and secure environment. Nothing, I am afraid, could be further from the truth. Putting aside for one moment the dangers that come from criminality—the burglar, the housebreaker or perhaps even worse—the true position is that in terms of personal safety the home is one of the most dangerous places to be.

One of the most common forms of accident is that which occurs in the home itself. These home-based accidents arise from many causes, but a small though significant proportion involve electrically powered products. Some arise from the goods themselves, because of faulty manufacture. Others, though, are the result of faulty wiring of the appliance to the plug that connects the machine to the electricity circuit.

Every year in this country there are approximately 2,000 non-fatal accidents involving electric plugs, which necessitate medical treatment. The June 1988 edition of "Care in the Home", published by the Royal Society for the Prevention of Accidents, illustrates some of the more tragic cases. A 55-year-old woman died when she touched a live washing machine because there was a loose wire in the plug. A boy of 14 died using an electric iron because the earth wire in the plug touched the live pin, making the iron live. These are tragedies that could possibly have been avoided, particularly where the cause was the faulty wiring of the plug to the electrical appliance.

Frankly, I am surprised that there are not more such accidents, because an estimated 75 million domestic household appliances are sold in the United Kingdom every year. I say this because some of the evidence of ignorance in these matters is a little startling.

A random survey of 45 homes carried out by the Consumers Association found that 43 had at least one that was incorrectly wired and 25 per cent. of those plugs also had wrongly fitted fuses. A larger and more independent survey involving 1,000 people found that 198 of those questioned—nearly 20 per cent.—did not know how to fit a plug to an electrical machine. It also showed that 761 of those people did not have a clue about the correct fuse rating required for the electrical appliance concerned.

To their credit, the Government have not stood idly by. They have recognised that they have a role to play and have acted to deal with part of the problem. The Plugs and Sockets Etc. (Safety) Regulations 1987—not exactly bedtime reading, but very important none the less—now require all 13 amp plugs supplied in Britain to be approved by an authorised body. That is a major advance. They deal

with potentially lethal plugs which were previously allowed into this country from abroad. I welcome those regulations.

However, while those regulations are designed to ensure that plugs that are sold are safe, they do absolutely nothing to overcome the problems inherent in the faulty wiring of a plug by a consumer. No matter how good or safe the plug, it is of little use if the person who wires the plug to an electrical appliance does it badly or incorrectly.

I can do no better than quote the consumer safety unit at the Department of Trade and Industry, which noted in a report in 1984:

"The connection of a flexible cord to a mains plug by an unskilled user is fraught with danger."

Mr. Deputy Speaker, you may welcome the arrival of a new domestic appliance at home with the confidence that you can respond to your wife's request that the plug should be fitted with ease and safety. If that is so, you have my admiration. I am not in that happy position. The question of who is to fit the plug in my home is a matter of spirited debate, which I inevitably lose. I certainly fall into the category and the description of the "unskilled user" in the report from the Department of Trade and Industry.

The answer to the problem in my house and in thousands of houses around the country is very simple and there to be taken. We do not simply need safe plugs; we must have safe plugs and safe wiring of plugs to the appliances. That can be achieved very easily, quickly and simply by compelling the provision of moulded-on plugs by manufacturers of household electrical equipment. That would ensure that plugs are fitted correctly and safely, and are equipped with the correct fuse rating and that the purchaser is saved the time, effort and most importantly the potential danger, of having to fit the plug to the equipment himself.

Moulded on plugs are undoubtedly safer because all the internal wire connections are crimped. There are no internal terminal screws which can be worked lose and no cord grip screws to pull away. The only working part accessible to the consumer is the fuse, which is mounted externally and which can be changed in seconds in the event of a fault.

Faced with what I believe are those compelling facts, what are the arguments that have persuaded my hon. Friend the Minister, and in fairness his predecessor, to take no action to force manufacturers to fit moulded plugs to electrical equipment along the lines that I have suggested? The first argument which I know will have great appeal to my hon. Friend the Minister is that all this smacks of the nanny state and that we would be imposing a burden on the manufacturers to compensate for the sins of the purchasers who should be able to fit plugs properly to electrical appliances. Is it not such a simple job, runs that view, that it is no part of Government's function to ensure what people should, or more properly should not, leave off their products?

Such an argument, which has its place in certain circumstances and with which in some cases I would have sympathy, ignores the fact that the Government determined the standards that should apply to plugs. It ignores, too, the simple fact that those who purchase electrical products may not have the understanding, skill or competence to fit plugs to the appliances. They may be elderly, blind or physically or mentally disabled. They may have arthritis or similar diseases in their hands. What are they to do? They can rely on a friend, go to the expense of engaging an electrician or, worse, try to do the job themselves, perhaps inadequately or unsafely.

All that is unnecessary. The potential dangers are unnecessary when the requirement for the plug to be fitted before purchase could easily be done on the production line in the factory at no additional expense, for the plug would be paid for when the machine or appliance was purchased, rather than at a later stage.

The second argument against my proposal is similar to the first. It is that it imposes compulsion rather than encouragement on manufacturers to fit moulded plugs. The problem with merely encouraging them, rather than effectively telling them, to do so—leaving it to their discretion—is that manufacturers are unlikely to feel that they should do it if other manufacturers will offer a marginally cheaper product by not fitting the moulded plug.

By requiring all manufacturers to fit moulded plugs to their products, we would ensure a common cost base line, giving no advantage to any manufacturer and, above all, providing a service to all purchasers.

The argument which the Minister has already used against my proposal—he used it when replying to questions in the House in December—is that between 5 and 10 per cent. of households still use the old 15 amp round pin plug and socket. For those households, he said, there could be a problem of expense and inconvenience.

I understand that official statistics were last collected by the Electricity Council about 10 years ago, when figures similar to those mentioned by the Minister were found; 92 per cent. of homes, the council said, had 13 amp square pin plugs and 8 per cent. had round plugs. But those are old figures on which to base a view. Figures released in 1984, only five years ago, by the Electrical Installation Equipment Manufacturers' Association showed that only 3·6 per cent. of its sales were for the old 15 amp system, and that figure is likely to be considerably less five years on, in 1989.

I am sorry if my proposal would cause some inconvenience to a tiny proportion of households, but the Government have rightly acted in other areas of policy when it has been right to do so for the majority. And even for the small minority who would be adversely affected, the safety argument is overriding.

A number of manufacturers in this country on a voluntary basis now fit moulded plugs to their products, but they are a small proportion and, generally, we are at variance with the practice overseas. Moulded-on or pre-wired plugs are standard in most other parts of the world—in the United States, in Australasia and in the Common Market—but here in Britain we stick to the same old obstacle course for any consumer who buys an electrical product.

It is ironic that the Minister's Department is rightly proclaiming the need to get with it for 1992, to have common European standards and to follow EC directives, sometimes at considerable inconvenience to our people, yet here is a proposal which would be of tremendous advantage and where we should be following our European friends.

If I had suggested to the Minister before he bought his last motor car that it would come without tyres and that before he could use it he would have to buy the tyres in another shop, take them home and fit them himself, he would have regarded such a proposal as absolutely barmy.

[Mr. David Sumberg]

That is how I and the majority of people, particularly housewives—this affects them greatly—regard the present situation with electrical appliances and the need to fit plugs to them.

Tonight, my hon. Friend has a chance to act. He may recall a programme from years ago, when we were all much younger, called "Housewives' Choice". My hon. Friend has had a distinguished parliamentary and European parliamentary career. He has been given many names by the Press Gallery, some favourable, others less so. If he is determined to act positively tonight in the way that I have asked him to, he will for ever more be known in this place as the "Housewives' Choice".

11.47 pm

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): I congratulate my hon. Friend the Member for Bury, South (Mr. Sumberg) on obtaining this Adjournment debate, and pay tribute to his commitment, and persistence in pursuing this matter. In view of his sincere interest and involvement in it, I hazard that he will continue to do so in future.

My hon. Friend has conceded that any proposal of the sort he has made would result in the introduction of new legislative burdens on industry and would fly in the face of one of the Government's prime vehicles for the creation of wealth—that is, deregulation. My hon. Friend recognised that difficulty. The objective is to stimulate enterprise and individual initiative to meet the demands of the market place by removing, when necessary, controls on the trading environment and in doing so giving the consumer the widest choice at the price he is prepared to pay.

It is only in exceptional circumstances that there can be any departure from this approach. Considerations of safety could be such a case, but only when the market does not provide sufficient protection for the consumer. The safety issue in this instance is that the provision of electrical appliances without plugs attached could lead to consumers placing themselves at risk from the wrong connection of the plug—a point that my hon. Friend covered in some detail.

The results of surveys of domestic households have not shown up any significant number of poor or incorrectly wired plugs. The important point is that, despite such instances, the evidence shows that a very small number of accidents which involve plugs occur. In the latest year for which home accident surveillance system figures are available—1986—of the total of about 100,000 accidents reported by the twenty participating hospitals, only about 82 are identified in which plugs or adaptors were specifically involved.

The general injury record has to be seen in the light of the growing number of electrical appliances used in domestic households over the past ten years and the consequent demand for plugs. The plug manufacturing industry acknowledges some growth in output over the period and estimates that, in the past year alone, approximately 50 million to 60 million plugs were manufactured. In addition, there is a large net import of a further 10 million to 15 million plugs. Twelve million of those were fitted to appliances before sale, leaving a balance of nearly 60 million plugs of the re-wirable type coming new on to the market.

A proportion of the total would be for industrial use, but there is no escaping the fact that of this large number of plugs, a substantial number must be connected to their appliances by domestic customers—and that only represents the plugs added in the year. I would hesitate to estimate the number actually in use and the number that have been switched from one appliance to another in the year, but given these vast numbers compared to the number of related injuries, it is difficult to conclude that the process of connecting a plug needs a code of practice to ensure its safety—in spite of my hon. Friend's figures. None the less, we are not complacent and want to continue to strive to improve the situation. But I must stress that the intrinsic safety of electrical products and particularly the aspects concerned with wiring the plugs are not a major source of concern compared with other hazards to users.

My hon. Friend asserted that this matter was a cause of major concern among housewives, but produced no evidence to support his assertion. It is not unreasonable to say that, in a matter as important as this, assertion is not enough—evidence is required.

This leads on to the issue of whether other factors may already be beginning to contribute to an overall improvement in safety in this area. My hon. Friend generously acknowledged the introduction of the Plugs and Sockets Etc. (Safety) Regulations 1987. We would claim that they effectively cleared the market of unsafe and poorly constructed plugs, certainly those of new purchase, which in the past have been considered to be a contributory factor in a number of accidents.

In addition, harmonisation of product safety in Europe has also led to technical developments which do not rely on the earth connection to provide protection against electric shock. Inadvertent contact between the earth and the live connection in the plug has featured frequently in accidents of this type. The most notable feature is that the flexible cord that connects the appliance to the supply has only two cores instead of three, so there is less potential for miswiring the plug. The use of non-metallic or plastic enclosures has has also provided more protection.

Finally, a substantial and growing number of consumer products is available on the market place with plugs fitted, if consumers wish to make that choice of product. It is true that most of these products tend to be at the higher cost end of the market, but the impetus is there to encourage this development towards the lower end. I shall return to that in a moment.

Apart from the safety aspects, the universal adoption of fitted or moulded on plugs for electrical appliances and goods would have adverse economic implications for some consumers. My hon. Friend touched on this. The most significantly disadvantaged group would be consumers whose mains electrical system is still on the old round pin standard. Here there is slight dissent between myself and my hon. Friend. I stick to the estimate of 5 to 10 per cent. of households. My hon. Friend produced new figures which we will want to consider in order to check which are more reliable.

My hon. Friend might concede that, even if the figure were as low as 3·5 per cent., that would still leave a large number of households with round pin plugs. Those would tend to be older houses, probably with occupiers in lower income groups. Therefore, we must give special

consideration to the hardship which might be caused by the arbitrary introduction of fixed plugs which would not be suitable for round pin sockets. Although we may disagree slightly about the numbers, I still believe that we should pay close attention to the needs of these people, because they might be the most vulnerable if there were to be an arbitrary change.

Other arguments revolve around the inflexibility of the length of lead which might be introduced by my hon. Friend's proposals. It is noticeable that we are talking about the more expensive products, where the cost represents a smaller proportion of the total cost. That may be accompanied by a marketing promotion effort. The relative cost burden of my hon. Friend's proposal on the less expensive appliances would be even greater. Again, we must take that very much into consideration. The fact that consumers are perhaps more conscious of cost than convenience in that segment of the market and that the manufacturers' response to market behaviour is to provide what the consumer wants—a cheaper product with no attached plug—should also be borne in mind.

As I mentioned earlier, there are signs that manufacturing industry is moving in the direction of attaching plugs where it feels that there is a consumer demand that it can meet. That is very much in tune with what my Department and the Government feel should take place. I recognise that some sectors of the appliance industry will believe that they would be at a competitive disadvantage without the support of some kind of mandatory prescription. I do not consider that a mandatory approach would be justified at this stage, but this does not exclude the possibility of exploring other methods by which industry might, in collaboration with the distribution or retail sector, provide such a service to meet public demand. I am sure that the industry will take note of the points my hon. Friend has made in the debate.

I hope that the debate will allow further consideration to be given not just by the House but by the industry to the points which my hon. Friend has made and to the points which I have made in reply in the hope that there will be a voluntary move, not involving compulsion, towards a solution which will help consumers and the industry alike.

Question put and agreed to.

Adjourned accordingly at six minutes before Twelve o'clock.

House of Commons

Friday 24 February 1989

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITION

Motorway (Finsbury Park)

9.34 am

Sir Hugh Rossi (Hornsey and Wood Green): I beg to ask leave to present a petition to this House on behalf of my constituent Mr. Brian Simpson, which recites that he has suffered considerable and continuing hardship. In 1988 consultants employed by the Department of Transport published a London assessment study which, inter alia, involves the creation of a motorway running through my constituency between Highgate Wood and Finsbury Park. The publication of those proposals has caused widespread blight. In particular, the petitioner states that he owns two houses in the vicinity of the intended motorway, both of which now cannot be sold except at exceptional and substantial capital loss. Moreover, a bridging loan on one of the properties that he is unable to sell has already cost him some £14,000 and is continuing to increase at a high rate.

The Minister has refused to implement circular 15/69, which it is believed empowers him either to declare that he does not wish to proceed with the proposals or to pay compensation to those who have suffered hardship. The petition reads:

Wherefore your Petitioner prays that your honourable House request the Secretary of State for Transport to act urgently to end the aforementioned blight, and request him to submit immediate proposals to bring financial relief and compensation to your Petitioner and to all other people who are suffering financial loss or other hardship arising from the blighting effects of options in the London Assessment Studies.

And your Petitioner, as in duty bound, will every pray, Etc.

That is signed by Brian Simpson of 36 Milton park, Highgate, London N6.

To lie upon the Table.

Orders of the Day

Control of Pollution (Amendment) Bill

Order for Second Reading read.

[Relevant document: First Report of the Environment Committee of Session 1988-89 on Registration of Carriers of Controlled Waste (HC 222).]

9.37 am

Ms. Joan Ruddock (Lewisham, Deptford): I beg to move, That the Bill be now read a Second time.

First, I would like to thank all of those who have helped me with the Bill, especially the officers of the London Waste Regulation Authority, who have played a major part in turning an idea into a substantial Bill. I would like to thank them and the chair of the authority for their help and support. I have had, too, the co-operation of the Department in this matter and the benefit of a consultation exercise that it carried out prior to the drafting of my Bill.

I thank, too, my sponsors, several of whom are long-standing campaigners against this environmental blight, and especially, the hon. Member for Hornsey and Wood Green (Sir H. Rossi), who chairs the Select Committee on the Environment, which this week published a report commending my Bill. I am pleased that there is such strong agreement in the House on the need to tackle the growing menace of dumping waste, or fly tipping, as it is more commonly called.

I would like to thank, too, the Institution of Environmental Health Officers, the Royal Society of Chemistry and the Road Haulage Association Ltd. for their support.

For those hon. Members who may not be familiar with the term fly tipping, I shall provide a brief explanation. Fly tipping is the dumping of waste or rubbish on land without the landowner's consent. It is also usually taken to mean the dumping of waste on ground even where there is consent, but the site is unlicensed.

Different kinds of waste are fly tipped. At the lower end of the spectrum there is the domestic waste fly tipper. That is the person who takes black-bag waste, as it is known in the trade, not to a council site, but to be dumped on the nearest available space on the street corner. That dumping is not the subject of this Bill. It is irregular, the amounts are small and registration procedures would be inappropriate as a means of dealing with it. That does not mean that all hon. Members would not be pleased if we could end that littering of our environment. The Royal Commission on the environment recently reported on the management of waste and recommended that the problems of domestic fly tipping could be dealt with by more effective public information campaigns, by publicising the civic tips and through the provision of more community skips. We would all welcome those provisions.

The problems of fly tipping are far more serious than the occasional dumping of a three-piece suite or fridge. There are two types of fly-tipped waste; commercial or industrial waste which is collected by a waste disposal contractor who has been employed specifically to get rid of it, and demolition spoil, which is collected in tipper trucks. Most of us would know that as building rubble.

A contractor is paid by the producer of the waste, perhaps a building firm, to take waste from a site. Very

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often, the prime contractor sub-contracts and there may be a long chain of sub-contractors. It is extremely difficult at the point of production of the waste to know exactly where and how it will be disposed of. The two types of waste that I have described are creating major environmental and health hazards, particularly in our capital city, and on an increasing scale. This problem is costing the local authorities millions of pounds a year to clean up the mess.

In London, the boom in building works, in particular around docklands, has lead to fly tipping on an unprecedented scale. Up to 90 per cent. of the fly-tipped waste in London comes from construction sites. It may be dumped on roads, open spaces, car parks, industrial estates and even into people's back gardens or outside businesses.

Very often it is extremely difficult to discover who has dumped the waste. It is possible for anyone to obtain a vehicle and become a waste disposal contractor. Someone can engage in the business of removing waste from industrial or commercial sites without any insurance that the waste will be disposed of at a properly licensed disposal facility. It is therefore extremely difficult to monitor and control what is happening.

The problem is further exacerbated in the south-east by a shortage of landfill sites. In London in 1985, only 25 per cent. of hazardous waste could be disposed of within London's boundaries and 75 per cent. had to be taken outside. In some cases, that meant a journey as long as 60 miles to a landfill site in Oxford. The situation is worsening. The number of landfill sites is dwindling. The sites are becoming filled and we will need more sites to dispose of waste in that way. For many firms there is a great temptation to save costs and make more money by making more round trips and dumping rubble on street corners instead of taking it to the appropriate place.

The cost of disposing of waste in the proper manner is now about £200 a tonne. It is clear that the financial incentive to break the law is very strong. Hon. Members who represent south London constituencies and those from southern England as a whole will know that loads of docklands rubble is finding its way across the Thames on to our streets and open spaces.

In the preparation of this Bill, I had to ask whether this was simply a London problem. I needed to know just how widespread was the problem. Hon. Members may be surprised to learn of the scale of the problem and the costs involved. The London Waste Regulation Authority estimates that there are more than 1 million tonnes of fly-tipped waste on the streets of London at any one time. It would cost local authorities about £5 million to dispose of that waste. That is clearly an enormous burden on ratepayers.

In Lewisham last year, the council removed 10,230 tonnes of builders' rubble. The cost to the ratepayer was £68,540. For a rate-capped authority in London that is an expense which we can ill afford. some parts of my constituency—namely New Cross and Deptford—have been plagued by illicit dumping for years. That dumping often occurs at night and is often accompanied by threats and personal intimidation of local residents. The council is most concerned about dumping on the roads because it has a duty to keep the roads clear. In addition, it estimates that a large, but unquantifiable, amount is dumped on areas adjacent to the highway.

Other parts of London are suffering equally. The LWRA now has a hot line which allows people to telephone to inform the authority that an illegal act has been spotted. Fifty-four offences concerning tipper trucks occurred in Brent in the first quarter of last year; there were 17 in Ealing, and 15 in Havering. In all, there were 258 incidents in London involving trucks, and other incidents involving skips and vans.

A small number of hazardous waste deposits were reported in the same period. Generally speaking—I must stress this—I am not concerned with hazardous waste. However, because of the mixture of rubble that is deposited, there is clearly a risk that some of it is hazardous. The LWRA estimates that around 15 per cent. of fly-tipped material could be toxic, containing such things as asbestos. Clearly, the problem is very serious.

The problem is not confined to London. South-east England also suffers. Without this Bill I believe that we would experience a dramatic increase in fly tipping if the construction of the Channel tunnel fixed link goes ahead.

However, I must admit that I was surprised to discover the extent to which fly tipping occurs elsewhere in the country. There are regular reports of dumping in Birmingham. Asbestos, drugs and even a dump of animal spleens have been discovered in Birmingham. An estimated £300,000 per annum is spent in Birmingham clearing up after fly tippers.

Fly tipping is not unknown even in our rural areas. in some of the most scenic parts of mid-Wales, fly tippers have damaged the evironment. In Surrey, rubbish was dumped alongside the green belt to a height of 25 ft until it threatened the very life of a copse of mature elm trees.

Such waste is a hazard and a spoiler for everyone who wants to enjoy the countryside or the local urban environment. To deal with the problem of waste disposal, authorities can and do prosecute fly tippers under current legislation. However, the law is inadequate in several respects. In London, prosecutions are made under the Control of Pollution Act 1974, primarily using sections 3 and 93. Other waste disposal authorities in London boroughs also use the Refuse Disposal (Amenity) Act 1978. Under section 3 of the Control of Pollution Act it is an offence to

"deposit controlled waste on any land or cause or knowingly permit controlled waste to be deposited".

Section 93 of that Act gives the waste regulation authorities the power to request information relevant to the carrying out of its duty. The London Waste Regulation Authority has made extensive use of section 93 in an attempt to obtain information from owners of vehicles about incidents of fly tipping. However, it is extremely difficult to track down who is responsible.

On numerous occasions, the LWRA has served section 93 notices on so-called owners of vehicles and then has discovered that the vehicles are registered in the name of companies which are not themselves registered. Even when the company is registered, it has proved impossible to trace the directors, so the officers of the authority are severely hampered in their ability to use section 93 to stop fly tipping.

There is no doubt in my mind and in the minds of those who operate the controls that more prosecutions could be brought if evidence were easier to obtain. At present,

unless fly tippers are caught in the act by the police, the authority or a reliable witness, it is impossible to prosecute. If at the time of the offence the vehicle registration number is noted down and traced, the driver may not be caught. If the driver is apprehended but runs away, there is no proof that he is responsible, and the law is being evaded in many ways. Even when the responsible person is caught and prosecuted, those of us trying to deal with the menace of fly tipping are disappointed that the fines are often minimal and do not act as a sufficient deterrent because the money paid to the court is more than recouped in another day's illegal activity.

Mr. Robin Squire (Hornchurch): I fully support the Bill. Does the hon. Member agree that the responsible waste disposal contractors are among the first to be calling for tougher action through their organisations, because their reputations are on the line?

Ms. Ruddock: The hon. Gentleman is absolutely correct. I have received a number of letters from major contractors who support the Bill, are delighted that it has been introduced and have already consulted the Government about other proposed measures. They are quite clear that stronger regulation is in the interest of legitimate trade.

The number of prosecutions is disappointing. There were 66 in 1984, 53 in 1985 and 70 in 1986; therefore, there is a great deal of work to be done.

My purpose in promoting the Bill was to provide a more satisfactory framework within which officers attempting to curb the menace of fly tipping could act more effectively. I must stress that the Bill does not replace section 3 of the Control of Pollution Act as a means of prosecuting fly tippers. The Bill does not address the problem of catching fly tippers in action; it acts as a deterrent by enforcing registration procedures. Under the Bill, a fly tipper may be prosecuted for not being registered, although it might still be difficult to catch people in the act of fly tipping. If a person were caught fly tipping and found not to be registered, he would suffer the double penalty of being prosecuted for non-registration and for fly tipping. I hope that the Bill will bring the operators of illicit disposal trucks under much closer scrutiny and therefore reduce fly tipping which, as the hon. Member for Hornchurch (Mr. Squire) said, brings the legitimate waste disposal industry into disrepute.

Part I of the Bill amends the Control of Pollution Act by introducing a system of registration for carriers of controlled waste. Part II authorisies the impounding of vehicles suspected of having committed an offence under section 3 of the Control of Pollution Act when it has proved impossible to trace the owner of the vehicle. The definition of controlled waste in the Bill is the same as in the Control of Pollution Act:

"household, industrial and commercial waste or any such waste".

I should emphasise that the Bill applies to individuals and companies who run a business or make a profit by the carrying and disposal of waste. Therefore, the Bill raises no issue of civil liberties. There is no question that somebody moving personal domestic waste would be affected by the Bill, which seeks to deal with people who profit from moving waste.

The system of registration set out in the Bill is relatively simple. It is not intended to be a deterrent to legitimate small or one-person businesses. It provides that the carrier will supply to the waste regulation authority information about the business, the directors, the managers and partners, the address of the principal place of business, details of any waste disposal licence and unspent convictions. The authority would charge a fee for registration—I am sure that it will be a small fee—which would be introduced by regulation, and in return the carrier will receive a certificate.

The registration system will allow any person who is convicted of an offence related to waste disposal to be removed from the register, and it would then be illegal for that person to carry waste. That should reduce the number of illicit operators. The Bill gives a police officer, on the advice of the officer of the regulation authority, the power to stop a vehicle and require the driver to produce his authority for the transportation of waste. The Bill makes it an offence to carry waste without being registered, to supply false information to the authority, or to fail to supply and update information as required. Hon. Members will acknowledge that the registration scheme is relatively straightforward.

Part II of the Bill may be a little more contentious. I must inform hon. Members that, had we more time, we would have wished to consult much more widely. We had some difficulty in drafting part II, and I am conscious that it might not be perfectly drafted, but I hope that hon. Members will accept that any drafting errors can be adjusted in Committee.

The registration scheme will greatly aid the identification of illegal carriers of waste; in time, and given the diligence of the authorities, it should reduce the numbers of illegal operators. As I have said, vast sums of money are involved in those illicit operations, and I believe that the huge profits to be made from fly tipping will still induce some criminals to continue the practice. Those who persist are likely to be the most unscrupulous operators.

The advice I have received from the London Waste Regulation Authority officers and from the police, who are currently attempting enforcement in my own constituency, is that new measures are required to deal with the residue of offenders. Such a provision is made in the second part of the Bill. Impounding a vehicle may sound draconian to some right hon. and hon. Members, but the Bill presents it as a measure of last resort against those who organise their affairs in such a way as to circumvent existing law on pollution control. A vehicle will be impounded only if the waste enforcement officers cannot trace its owners, have applied to the courts and obtained a warrant, and are accompanied by a police officer. Impounding is justified in view of the immense cost that society pays as a consequence of the fly tippers' activities.

There are precedents for taking such action. New York city operates a similar law for offending fly tippers. There, the vehicle is not released until the fine has been paid—which is rather more draconian than my proposal. That action is taken with up to 1,000 vehicles per year.

I introduce this Bill to try to improve the quality of life for the ordinary people of my constituency and for the constituents of all right hon. and hon. Members in areas where fly tipping is a problem. Soon after I came to the House, tenants living on the Silwood estate in my constituency approached me in despair about gross pollution of the environment, both from fly tipping and from constant violation of licence conditions at several local waste transfer stations. Ten thousand tonnes of waste have been illegally dumped in the vicinity of that housing

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estate—tonnes and tonnes of rubble, concrete, wood, metal, rubber, glass and other hazardous material. Roads have been blocked, a new industrial estate has been severely blighted, and residents' lives have been made utterly miserable by airborne litter, dust, dirt and mud underfoot.

That is the hazardous environment in which the elderly and disabled walk with trepidation. It is the environment in which children face real danger in everyday play, and in which the law-abiding resident is affronted by gross squalor and decay. It is time that we gave the responsible waste regulation authorities more powers for dealing with that menace to people's lives and to their environment. I believe that my Bill offers them those powers.

10.2 am

Sir Hugh Rossi (Hornsey and Wood Green): I congratulate the hon. Member for Lewisham, Deptford (Ms. Ruddock) not only on introducing this important Bill and on seizing her good fortune in the ballot to do so and not wasting it on something else, but on the way in which she presented her Bill to the House, with complete clarity and conviction.

The Select Committee on the Environment recently concluded an inquiry into the problems associated with the disposal and management of toxic waste. The Committee hopes to report to the House on or about 8 March, and it would be improper of me to anticipate the contents of that report, as I would risk placing myself in breach of privilege if I did so. Nevertheless, when the hon. Lady's Bill came to the Committee's attention, its members immediately agreed to anticipate their main report by extracting certain conclusions and presenting them to the House immediately, as a report on the particular problem of fly tipping. It is on that first report of the Environment Select Committee for the current Session, "Registration of carriers of controlled wastes: Recommendation regarding the Control of Pollution (Amendment) Bill", that I address the House.

I begin by reading the Select Committee's recommendation:

> "We welcome the proposals contained in the Control of Pollution (Amendment) Bill, both as the first stage of a more general 'duty of care' in waste management, and as a major contribution to tackling the problems of the illegal dumping of waste. We commend it to the House, and trust that it will have the support of Her Majesty's Government."

The Committee reached that conclusion because, when receiving evidence relating to toxic waste, it was told by the London Waste Regulation Authority in particular of the enormous problems faced by waste disposal authorities throughout the land because of illegal fly tipping.

The hon. Lady, in her excellent speech, said that 1 million tonnes of waste are on sites in London at any one time. I can add to that, because the Committee received evidence from the London Waste Regulation Authority that a survey of its north area revealed 1 million tonnes of illegally dumped waste—not waiting to be dumped, but already dumped—in Tower Hamlets alone.

That shows the measure of the task confronting local authorities in having to clear up illegally tipped waste. The cost of doing so is paid not directly by the producer of the waste or by the cowboy carrier who dumps it, but by the general body of ratepayers who, through their council, must ensure that the nuisance is cleared up.

Illegally dumped waste is not merely a nuisance; as the hon. Lady said, there is also real risk attached to it. The Select Committee found that between 15 and 20 per cent. of illegally dumped waste contains toxic or dangerous matter. The hon. Lady referred to asbestos. I can add to that and suggest that cyanides from gasworks are also being found, together with refrigeration units, which are a source of chlorofluorocarbons. If CFCs are left in refrigeration units that rust and rot away, they will find their way into the atmosphere and add to a problem with which we are all concerned—the depletion of the earth's ozone layer, which is currently the subject of great public debate. Serious connotations are attached to illegal fly tipping.

The hon. Lady mentioned also the inadequacies of the existing law. First, there is the difficulty of mounting a prosecution, establishing who dumped the illegal waste in the first place, and taking that person to court—all at the great expense of collating sufficient evidence to satisfy the magistrates as to the identity of the particular individual who disappeared in the middle of the night after dumping his load, and who was responsible for that illegal act.

Finally, there is the insult to the waste authority of the derisory level of fines imposed by magistrates. The Select Committee found that in dealing with water pollution as well as with illegal waste, magistrates do not understand the environmental consequences of the offences upon which they are asked to adjudicate. They impose derisory fines, which the perpetrators willingly and readily pay as a minor overhead expense in their overall operations.

One piece of evidence that greatly struck us during the inquiry shows that it is not merely a London problem. Mr. Khan, of the South Yorkshire hazardous waste unit, described a case in which a farmer was paid by a waste producer to get rid of a load of rubbish. It would normally have cost about £300 to dispose of that load. The farmer came along with a trailer, picked it up and got rid of it for £150. The waste producer was £150 in pocket. He paid cash, no questions were asked, and away went the load to be dumped.

The Yorkshire waste authority then had the problem of trying to trace the man. A passer-by happened to see what was going on, and tried to take the registration number of the vehicle, but could take only the first three letters. Hon. Members can imagine the time, trouble and expense of tracing all vehicles in that area with those first three registration letters, and eliminating them one by one. Eventually, somebody was traced and there was a prosecution.

What did the magistrates do? They fined him £100. At the end of the day, the cowboy was still £50 in pocket. It was not as big a profit—no doubt, tax-free—as he would have hoped for, but nevertheless a profit. That activity must be brought to an end.

The difficulty is that hon. Members cannot interfere in magistrates' judicial discretion. We cannot tell them what penalty to impose. We can certainly suggest minimum and maximum fines, but, within that band, it is mostly a matter for them, and, in what they consider to be mitigating circumstances, perhaps even the minimum fine is not adhered to.

The word must go out from the House to the Magistrates Association: "Please, please, rethink your

policy on the penalties you impose for perpetrations of this kind, because they are serious—much more serious than you realise. Please read the excellent reports that are produced from time to time by the Environment Select Committee, and you may appreciate the problems with which the community is faced."

We concluded that the phenomenon of fly tipping occurs for four major reasons. First, the high cost of waste disposal means that the rewards for unscrupulous operators are high. Secondly, waste producers have no responsibility for their wastes if they pay a contractor illegally to dispose of them. Thirdly, it is difficult to identify and prosecute illegal disposers of waste. Fourthly, fines for convicted offenders are derisory. My next point relates to a consequence of fly tipping. To prevent fly tipping, because prosecution is so inadequate, waste disposal authorities have been inclined to reduce the costs of disposing of material in their landfill sites.

That leads to another problem. The lower the cost of operating a landfill site, the less technologically advanced is the operation of that site. That affects not only publicly owned sites but privately owned sites, because they must compete with the low price base set by local waste authorities. The result is that, although facilities are cheap, they are not being run as they should be to make them totally safe to the public. That is a disastrous consequence of fly tipping.

For those reasons, the Environment Select Committee willingly and with alacrity produced a special report to support the hon. Lady's timely Bill. The Bill endorses what the Department of the Environment is suggesting it will do about the duty of care. Having heard all the evidence, my Committee decided that some things should be done that have not been done hitherto. One was to impose a duty of care. That duty of care is intended to place upon all people who handle waste, from cradle to grave—the producer, the carrier, the ultimate receiver or disposer—a duty to ensure that that waste is properly handled in the right scientific, chemical, biological and technical way so that it is rendered harmless and presents no hazard to the public.

Mr. William Cash (Stafford): My hon. Friend is talking about waste carriers and local authorities. He will know that there is a distinction between the rules of negligence insofar as they apply to local authorities and ordinary commercial people. Has the duty as it is expressed in the Bill taken account of the significant difference that exists in law, which would have quite an impact on the way in which it would work?

Sir Hugh Rossi: My hon. Friend is trying to draw me into the major conclusions of the main report, which is to be published on 8 May. I should be at some risk if I were to say what is in my mind. No doubt I would be arraigned and placed before the Bar for being in contempt of the rules of the House. Therefore, I ask my hon. Friend to compose himself. All will be revealed about my Committee's views on the duty of care on or about 8 March—whether it should be strict liability or subject to reasonable care, whether it should be a statutory offence or dealt with as a tort in civil law. I hope that my hon. Friend will find our conclusions to be of some use.

Ms. Ruddock: Does the hon. Gentleman agree that the duty of care is still in the Department's mind? It is not part of the Bill, and it might be worth clarifying that point.

Sir Hugh Rossi: I entirely accept that. The Bill should be read in the context of the Government's proposals, on which the Environment Select Committee has commented.

The hon. Lady is right. She wishes to impose a duty of registration on carriers, which is important to enforce the duty of care. Unless it is known who is carrying waste, it is not known who is responsible and who should be penalised if the law is broken. Registration is a sine qua non of any duty of care that may be imposed subsequently in law.

The Committee considering the Bill will have to decide whether, as part of a licence the name, address and telephone number of the carrier should be emblazoned in large characters on the sides of every licenced vehicle so that it is known who is carrying what. If the police saw waste being carried in an unmarked vehicle, that would enable them to stop it and ask questions. If the vehicle were marked, the contractor would know that he was at risk if he was spotted dumping waste by someone who had a bit more than a registration number to jot down. That suggestion should commend itself, without reservation, to all hon. Members.

The hon. Member for Deptford has not gone far enough in part II of the Bill. I should be far more draconian, but the hon. Lady has the gentleness of an hon. Lady and perhaps does not want to be too hard or harsh. Perhaps it will be possible to make the impounding of vehicles permanent.

Mr. Simon Hughes (Southwark and Bermondsey): Confiscation.

Sir Hugh Rossi: Confiscation. The Standing Committee will have to decide whether it needs the imprimatur of a magistrates' court to say that the police can seize a vehicle and deprive the contractor of it. It will have to decide whether the police will be able to confiscate or whether there will be recourse to the courts.

It may be a deterrent if magistrates have the ultimate right of confiscation. If an offender appears before them for the first time, a significant fine may be sufficient, but they may say to a repeated offender, "You have been warned and now you will lose your livelihood; we shall keep your vehicle." There will be problems with the method of sale of the vehicle, because I am sure that the authorities will be disinclined to become involved in the storage and sale of vehicles. I hope that that suggestion will help to strengthen the Bill, which needs to receive the full acclaim and approbation of the House.

10.23 am

Mr. Paul Boateng (Brent, South): As the first Labour Member to follow my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock), I congratulate her not only on introducing this important measure but on the way in which she did so. It exhibited the combination of style and elegance for which she is justly famous and the content that one has come to expect from her. She should be congratulated by all hon. Members, and I know that we are united in our approval of her and this measure.

My hon. Friend the Member for Deptford was diffident and perhaps over-modest about part II, which deals with impounding vehicles. Many who must live with the consequences of the activities of these cowboys believe that they should lose an arm or a leg or even worse, never mind their lorries. They experience, day in and day out, what

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dumpers do to their environment and living conditions. Dumpers are potential horsemen of the Apocalypse because CFCs, cyanide and the like are found in the debris that they dump. They create hazards for children living nearby and health hazards, because all too often rats and vermin are found among the waste materials that they dump with such impunity. They make the lives of people living on estates surrounding dumps a living hell.

Residents of the Brentfield estate in my constituency have experience of illegal fly tipping. They have found—this is characteristic of the way in which these cowboys operate—that a dump need not be a large site. Dumpers comb our cities and major conurbations looking for any site that will enable them to offload their illegal waste. A relatively small site in my constituency became increasingly congested as waste was dumped, initially by commecial interests but later, in the wake of the small-time illegal operators, came the additional problem of domestic waste. Domestic waste is not within the ambit of the Bill, but is drawn like a magnet to other waste that has been deposited.

One of the attractive features of the Bill is that it goes to the heart of the problem by empowering the impounding of vehicles. I concur entirely with the hon. Member for Hornsey and Wood Green (Sir H. Rossi) in commending the suggestion that the Standing Committee should go further, to make that impounding permanent.

I am not sure that I would leave impounding to the discretion of magistrates. All too often, for some strange reason, magistrates are not prepared to be as robust as they might be in dealing with this sort of activity. It is to be hoped that, with the greening of the Prime Minister, we shall see the greening of the magistracy. We hope that they will become as concerned and engaged in environmental issues as they are in other law and order matters. Dumping is a law and order matter, relating to the safety and security of our community. It is important that that safety and security should encompass the environment as well as other matters that traditionally have fallen within magistrates' ambit.

The Bill is a welcome measure. It will be especially welcome in London, which bears the brunt of this problem. I am sure that it will be welcomed by local authorities. I have the honour of serving on the Environment Select Committee, the distinguished Chairman of which is present this morning—the hon. Member for Hornsey and Wood Green.

When one heard and considered the evidence of the London Waste Regulation Authority, it was clear how great was the scale of the problem in our city. It would be wrong to believe that that problem was somehow limited to the immediate geographical area surrounding the docklands developments. In fact, the cowboys are operating all over London; at present, we have a particular spate of such operations in north-west London and in my constituency.

Mr. Cash: Can the hon. Gentleman tell me whether the Committee considered the question of those places and premises in respect of which planning permission has been given and where buildings have been constructed where waste has been placed? How can one deal with that problem? It seems that many of the difficulties about the way in which gases, for example, have been escaping have been precisely that toxic waste has been put on sites where it should not have been.

Mr. Boateng: The hon. Gentleman has strayed somewhat from the ambit of the Bill. Under the Bill, if an unlicensed and unregistered carrier were to dump waste illegally anywhere, he would be subject to the rigour of the law wherever the rubbish was dumped, whether there was planning permission for building or not. I am sure that the hon. Gentleman will find amplification of the point he has raised when he reads the report to which the hon. Member for Hornsey and Wood Green referred.

The particular concern of local authorities in London and the reason why they welcome the Bill so much—I know that my own local authority, Brent, welcomes it—is that those authorities are already hard pressed in their capacity to cope with the problem of waste and refuse disposal in any event. When the waste that is the stock in trade of the cowboys, whom the Bill seeks to bring to book, is dumped in the local authorities' area, in addition to their concerns about domestic waste, that imposes an additional burden on the resources of the council and stretches already over-stretched departments throughout London.

They already have to cope with rate support grant which is all too often inadequate to cover the needs of the local authorities. When the cowboys are inhibited in their action, the authorities will be able to concentrate where they ought to be concentrating—on ensuring that domestic waste and waste arising from legitimate commercial activities is properly, efficiently, and regularly collected in a way that it is sometimes not, much to the justifiable consternation of local residents and ratepayers who have to meet the cost of the activities of the cowboys.

The Bill will be broadly and warmly welcomed by all who are concerned about the issue. It will not cause concern to anybody—except, of course, the cowboys and the illegal dumpers, who come from outside the areas in which they dump their loads. They do not have to live with the consequences, as do the residents of Brentfield estate, Alperton, Wembley and Harlesden, with whom I recently looked specifically at local sites that had been the subject of illegal tipping.

Tenants and residents associations throughout my constituency have shared their concern about the issue and they will welcome the Bill. Already, as they hear reports of our proceedings, the cowboys will be wringing their hands in angst and consternation at the likely loss of their vehicles. If that does anything to deter them now, my hon. Friend the Member for Deptford in proposing this Bill will already have done a good service, not only for the people of London, but for people up and down the country who care, as we all do, about their environment.

10.35 am

Mr. Gerald Bowden (Dulwich): I want to add my words of congratulations to the hon. Member for Lewisham, Deptford (Ms. Ruddock) on proposing the Bill, and I want to say a brief word in support. The Bill, is concerned with the environment, with law and order and with the quality of life. We have produced more waste in this country without providing a proper means of managing waste disposal. We have worked on an ad hoc basis and on procedures that may have been appropriate before we became a give-away throw-away society, but which are not

now. The means we have for disposing of household waste, building waste and industrial waste are more adapted to the Victorian era than to the 21st century. In its modest way, the Bill is a first step forward.

All of us have articles at home and items in the garden of which we want to dispose and with which the local waste disposal arrangements of the borough council are inadequate to deal. There has been a development of civic tips, which provide an opportunity for those of us who are mobile and who have our own vehicles in which to carry and deliver the waste, but there is a real problem for those who have to get rid of old mattresses and sofas and who do not know what to do with them. Any of us who have engaged in our own building works and who have hired a skip to take away the rubbish will know that one has to ensure that the skip is delivered in the morning and then one has to mount guard over it. I have had a skip delivered to my home the night before. Darkness fell, and in the morning the skip was full. I was clearly providing a service for the locality, but not a service that I wanted to provide.

Mr. Tony Banks (Newham, North-West): The hon. Gentleman highlights the problem of getting rid of bulky refuse. Many councils have depots where such refuse is accepted, but some people do not have the wherewithal to carry it to the dump. When I was the chair of the public services committee on Lambeth borough council, I had a scheme for siting skips at strategic points around the borough and taking them away regularly. They never went away until they were overflowing and they were filled quickly. Perhaps other councils could continue such schemes.

Mr. Bowden: I remember when the hon. Gentleman was the chairman of the Greater London council and if he achieved one thing well on that council, it was the recycling of rubbish. If one issue predominated in the chamber when he was there, it was a preoccupation with rubbish. On the point about civic tips, the hon. Gentleman brings to mind a point that I was going to make as a matter of principle. What is rubbish for one person may be of value to another.

I recall that during one period when there was inadequate removal of garden and domestic rubbish, my neighbour loaded up his car one morning with black bag and garden rubbish and went off to the Southwark civic tip. He went with his car loaded and returned with his car loaded because when he was at the tip, discovered that someone—I know not who—had thrown away a number of collapsible garden chairs of the type found in parks in the past. He came back triumphantly with the chairs, and gave me one of them, saying that there were more there. I immediately went and packed up my car with such rubbish as I could find and returned with a number of chairs, which are now among my garden furniture in London. The other day, I was interested to discover that similar items are available in Heal's and Habitat at a price of £50 or more.

The words "rubbish" and "waste" can be offensive, because what is rubbish to one person is not necessarily valueless to another. Perhaps we should be discussing rubbish or waste recycling, and ensuring, for example, that builders rubble, which it is completely inappropriate to throw on farmers' land or into someone's front garden, is recognised as just the sort of hardcore material required for building work elsewhere. The Bill seeks to address precisely this aspect—waste recycling and management—and I hope that in Committee a way will be found to ensure that this positive approach is made the starting point for further measures.

I shall say something about part II of the Bill because we are talking not about theoretical wishes but about pragmatic proposals with real strength, and about sanctions to be applied in dealing with this difficult problem. I was interested in the macho alliance between my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi) and the hon. Member for Brent, South (Mr. Boateng), who sought to incite the hon. Member for Lewisham, Deptford to give her Bill more teeth. I shall not follow their example in advocating the confiscation forever of the fly tippers' vehicles, but the impounding of vehicles is an important sanction. If our friend, who had made about £50 out of his transaction after paying his £100 court fine, found that his vehicle was not available to him for a week or more, he might think very much more seriously before undertaking another contract.

Those in the waste disposal and building contracting business ought to have a duty to display on the side of their vehicle the name of their operation and the telephone number on which they can be contacted. They ought also to keep their number plates clean of dust and mud, which frequently obscure the identity of a vehicle.

I hope that these points will be considered in Committee and that we shall introduce pragmatic provisions that will do much to alleviate the problem, which, although small in comparison with other national issues, is very real to those who suffer the difficulties created by fly tipping. This Bill is a modest proposal, but it is a modest proposal that deserves the full support of the House and the Government.

10.43 am

Mr. Simon Hughes (Southwark and Bermondsey): I add my name to the list of those who are grateful to the hon. Member for Lewisham, Deptford (Ms. Ruddock) for introducing the Bill. I will reveal a secret—like other hon. Members, no doubt, I keep a list of Bills that I should like to introduce if I came high enough in the ballot. I share a constituency boundary with the hon. Member for Deptford, we also share the Silwood estate, and for many years we have shared the problems created by fly tipping and the dumping of waste and refuse. For obvious reasons, therefore, I have pursued the matter myself although I have never had the opportunity to pursue it in legislation.

I am happy that the hon. Lady has taken the opportunity to introduce a Bill, for which she has invited and obtained all-party support, which is a directly practical and useful measure. Some hon. Members who introduce private Members' Bills bite off more than they can realistically chew, to put it generously, but in this instance a practical problem needs to be addressed and the hon. Lady has sought a practical answer to it. I hope that we shall be able to proceed in a practical way and get the Bill on to the statute book as soon as possible. It is extraordinary that hon. Members on both sides of the House should be asking for the Bill to be toughened rather than weakened. That is an unusual coalition. We are all calling for greater penalties—from confiscation to impounding and clamping—to deal with the vehicles which are the direct cause of the problem. I hope that we shall have an opportunity to discuss those penalties.

[Mr. Simon Hughes]

London Members—particularly those who represent south London boroughs—predominate today because the figures show that Lewisham, Southwark and Tower Hamlets are the worst affected local authority areas. I have been pursuing the matter with officers of my local authority and with Ministers for the past two years, and I note that councillors in my borough have been pursuing it since May 1966. An article in the *South London Press* last March, when the matter was again high on the political agenda in south London, stated:

"In May 1966, then Southwark Council planning committee chairman Charles Halford claimed the council was 'being held to ransom' by the strong-arm methods of fly-tippers. His comments came as he announced a new offensive against illegal dumping which at that time was costing the council 'thousands of pounds a year' . . . Cllr. Halford instanced cases where tippers had ignored fences and gates and just reversed through obstructions to make their dumpings. And he called for assurances that contractors employed only recognised firms to get rid of rubbish in authorised dumps."

By August 1966, all four Southwark Members—there are now three—were calling for legislation to make it compulsory for all vehicles using carriers' licences to display the name and address of the registered owner. Since then, the problem has worsened and further legislation is urgently needed.

Those of us who represent inner-London constituencies can cite many instances in which dumping has resulted in practical day-to-day problems for innumerable people—both residents and other users of the area. Certain sites are of specific concern to me. I know that the Under-Secretary of State has been visiting sites. I should therefore like to place on record the areas in the north part of Southwark and Bermondsey that are still of concern. The Silwood estate is one. We have had a setback as a result of the planning inquiry decision, which prevented us from blocking up a road which has served as a rat run through which offending vehicles have passed. To his credit, the chief executive of Lewisham has publicly expressed his disappointment at the failure of that attempt to deal with the problem.

Around the Bonamy estate, which has been rebuilt—the Verney road, Varcoe road and Bramcote road area—roads have had to be closed by temporary order sought in a magistrates court. It has been impossible to do anything other than close those roads because a mountain of rubbish has completely blocked them. People taking their children to school have either found no access at all, or have had to walk well away from the pavement, at great risk to themselves and their children.

In Surrey Docks, where the London Docklands Development Corporation is at its most active south of the river, one of the main thoroughfares—Rotherhithe street—has often been completely impassable. The residents of estates find that they cannot use many of the roads in their areas. In the Redriff estate downtown in Surrey docks—shortly, I hope, to be transferred to housing association ownership—streets have suddenly been completely blocked and residents have found themselves cut off. There is also the question of important tourist sites such as Southwark cathedral, which is very important in heritage terms and for visitors as well as residents. Substantial construction work is under way in the area and people have had the gall to dump on the doorsteps of the construction sites where the work is being carried out.

I have one complaint to make against the Government and I hope that it will be accepted as being honest and fairly made. It is that new legislation and improvements to the existing legislation have been a long time coming. The consultation document was produced in September 1986 and I pursued the matter with my local authority in 1987. The cause of the problem was clear. The director of engineering and public works in Southwark wrote to me in 1987 stating:

"Regrettably fly-tipping is on the increase due, I believe, to (a) the increase in site development in and around the City, and (b) the cost of transporting and disposing of unwanted materials to proper landfill sites in the home counties, (c) the mushroom of 'cowboy' haulage contractors . . . I feel that no significant improvement to the situation will be made until . . . tighter legislation is introduced which is more readily enforceable and involves punitive fines and/or imprisonment.

As the Minister knows, I pursued this matter with her predecessor the hon. Member for Lewisham, East (Mr. Moynihan), who is now her fellow Under-Secretary of State for the Environment. I asked specifically whether there could be legislation to ensure that one need not have to identify the driver concerned but only the vehicle, for criminal proceedings to be initiated. I pursued that issue throughout last year, as I am sure that other hon. Members also did. I was encouraged by a reply from the hon. Member for Lewisham, East which suggested that the Government were considering that matter.

The Minister's colleague and husband, the Minister for Roads and Traffic also has an interest in this and has said that he would be happy to follow guidance given to the Department of Transport by the Department of the Environment, which is the lead Department to which we look for substantial interest and positive support for the Bill. Our hand should be strengthened, not least because the Minister is now personally convinced of the need for further tough action. The Select Committee on the Environment has done the House a good service by reporting pre-emptively so that it could contribute to the debate. The Minister has made it clear that further legislation on this matter is on her departmental agenda. She was good enough to state in reply to a question that I tabled on Wednesday of this week:

"Plans to legislate for the registration of waste carriers were announced in June last year. Further proposals for legislation to make the registered keepers of vehicles used in fly-tipping liable to prosecution in certain circumstances are being considered following public consultation."—[*Official Report*, 23 February 1989; Vol. 147, c. *705*.]

Now that the hon. Member for Deptford has given us the opportunity to legislate on both those matters, I hope that there will be no equivocation but that, speedily and with all-party agreement, we can further extend the Bill to bring other matters within its scope as soon as possible.

I pay tribute to the good work of the London Waste Regulation Authority and to that of the local authority enforcement officers. They do not have an easy time. It is not just that they do not have an easy time administratively—some of them have not had an easy time personally in carrying out their task. Three London sources have made a helpful contribution to the debate in London and tribute should be paid to them also. First, London Weekend Television's "The London Programme" produced an effective documentary in December 1987. Secondly, Thames Television produced an effective item

on "Reporting London" in January this year. Thirdly, our local paper in south London, the *South London Press*, has been persistent in its campaigning. Where such credit is due, it is right that we should give it.

Those organisations have produced the evidence for those who did not already know it, that in trying to combat the damage and pollution that the tipping of illegal waste regularly causes, people have had to risk their safety, their security and even their lives. Those who make a phenomenal profit from driving and depositing waste will stop at nothing. I will give an example later of how urgent it is that we give the public servants trying to deal with the problem the necessary protection to ensure that they can do their jobs properly.

The two substantial propositions in the Bill should be supported. Like hon. Members of all parties, I hope that we can strengthen part II. This is a matter of immediate and general environmental concern. At present, there is enormous financial benefit for those who get away with illegal dumping. The hon. Member for Deptford rightly referred to the percentages involved. Few contractors will make the 25 mile trip out of London, which means a round trip of 50 miles because of the financial disincentive of additional cost in fuel and time. I am advised that a legal waste disposer makes about £400 per week profit in normal business, on the basis of four runs per day to an official site, but that an illegal dumper, who can save fuel and time and make more runs, makes about £1,300 per week. It is appalling that some of the people appointed by councils to help to clear the waste have themselves been guilty of acting illegally. I know that that has happened in Southwark. Many firms have absolutely no scruples. When the matter has gone to court, the fines have usually been about £50 or £100. That is absolutely nothing to the culprits. Indeed, it is regarded as a normal risk of the job —almost as a disbursement—and does nothing to deter the practice.

It takes only about a minute to empty a truck. At night —or even in the day—it is possible to arrive at a site, dump the load and be away within the minute, with only a minimal chance of being caught because a witness would have to identify the driver of the vehicle. Illegal tippers squeeze legal tippers out of the market by charging a lower rate for the job. Such people are making a phenomenal profit with extraordinary business practices, and many people who have tried to track down those who run such operations have found great difficulty in doing so.

The hon. Member for Dulwich (Mr. Bowden) and others have emphasised the importance of regarding this as an environmental pollution issue. As they have also said, we should think in terms of recycling rubbish and waste. What is known in the trade as "muckaway" is a mixture of concrete, clay, steel rods, brick, and glass of which, on average, 20 per cent. comprises hazardous materials such as broken sheets of corrugated asbestos. Dangerous chemicals have also been found. As the hon. Member for Deptford said, the dirt and dust are a hazard. Clouds of dust are not only scattered on the people standing by but spread into the homes of those living adjacent. Positive correlations have been identified between the level of fly tipping of "muck away" and the incidence of ear, chest, throat and other infections. As the hon. Lady said, rats are encouraged into areas because of the materials left lying around. We must address this issue——

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley) *indicated assent.*

Mr. Hughes: I see the Minister nodding positively. We must address this issue not only in the context of imposing regulations to deal with the problem and the menace but in terms of finding a method of recycling, as far as is possible, such building and construction waste. Only one or two firms in London do that, so there seems to be a great opportunity to do much more. It may need financial incentives or a much clearer strategy, but I am sure that, given a lead from the Government, the developers and the construction and demolition industries will be happy to co-operate.

I said earlier that I would end with an example of the urgency of the need for action. In doing so, I shall quote someone who has been willing to be quoted publicly in the past. I refer to the enforcement officer in my own borough of Southwark—a brave man called Danny Mannix. I shall quote from statements that he has made about three incidents which happened to him as he sought to go about his business of dealing with environmental pollution. He has said:

> "About eighteen months, two years ago, I was following a loaded HGV which was concerned in fly-tipping offences in Southwark, and followed it through the Rotherhithe Tunnell. It went—I turned into a side-street to find that it was reversing at me at speed and it rammed my vehicle and completely wrote it off. You know, I was very lucky to escape with my life . . .
>
> On two occasions when I had followed loaded tipper-lorries onto Docklands Development Corporation sites in Rotherhithe Street, sawn-off shotguns were produced and I was told to make myself scarce or I'd be getting some hospital treatment from the attention that was going to be imminent . . .
>
> I was on leave and two men visited my home address, in my absence spoke to my wife, produced a sawn-off shotgun and an automatic pistol, and made it quite clear that they would return to take care of me, and it was to do with my fly-tipping activities."

The number of Southwark officers has fallen to one because the others, for various reasons, felt that it was unsafe to continue doing their job.

This is a grave matter of law and public order in the capital city, as well as a matter of improving our environment. I hope that we can devise the strongest possible measure with the strongest possible Government support. I repeat my gratitude to the hon. Member for Deptford for giving us this opportunity to legislate with urgency.

11 am

Mr. Robin Squire (Hornchurch): I am pleased to speak after the hon. Member for Southwark and Bermondsey (Mr. Hughes) whose concluding comments remind us that, although hon. Members often refer to cowboy operators, in this case—with the addition of shotguns—we are literally taking about cowboy operators. The need to crack down on them is obvious and immediate.

It is a pleasure to join the litany of praise that has been heaped on the hon. Member for Lewisham, Deptford (Miss Ruddock)—not just for the measure but for the way that she introduced it. She explained its provisions so clearly that she has made it easy for subsequent speakers to talk in greater detail about the problem instead of concerning themselves with the wording of individual clauses.

[Mr. Robin Squire]

It is appropriate that the Member of Parliament for Hornchurch should say something about rubbish. My constituency includes Rainham in Essex, one of the few parts of Greater London that takes some of London's rubbish. The hon. Member for Deptford referred to the fact that a fair chunk of London's rubbish is exported outside Greater London's boundaries. Rainham accepts domestic rubbish. It is brought down the Thames by one of the best companies in the waste disposal business, Cleanaway, which operates barges that do not run into London's bridges. That cannot be said of all the barges that go up and down the Thames. Cleanaway runs a properly supervised, legitimate operation, and I pay credit to it for doing so. In consequence, quite a large part of my constituency is literally built on rubbish.

The people we wish to control are illegal dumpers. They are the subject of today's debate. Within the last six months, a man has been convicted in Rainham and fined £1,000 for dumping building rubble. I am pleased that he was caught. I am particularly pleased that the fine he had to pay was considerably greater than that quoted by my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi). It would be foolish to believe that that was the first time that that man had been involved in illegal dumping activities. For all I know, he—and many others like him—are still involved in illegal dumping. Even a £1,000 fine is an insufficient deterrent, compared with the money that can be made by engaging in that illegal activity.

Thurrock spends many thousands of pounds on clearing up unsightly lay-bys, a problem that is caused by the indiscriminate dumping of rubbish. I have asked council officers in my borough how much it costs to clear up fly tipping in Havering. They have explained that part of the cost can be attributed to the maintenance of vehicles and the employment of staff for that purpose, but they claim that the fly tipping itself costs £30,000.

I accept that the problem is greater in central London than in outer London, but it would be wrong to suggest that outer London does not have problems. The Association of Metropolitan Authorities, of which I am proud to be vice-president, says that it believes that 1 million tonnes of unsightly and dangerous waste is dumped each year in London's streets and that it costs London ratepayers and taxpayers £5 million a year to clean it up.

The problem affects other parts of the country. Recent cases in the midlands suggest that all the farmers in Herefordshire and Worcestershire would be well advised to lock their gates at night, lest they find in the morning that rubble or rubbish from Birmingham has been dumped smack in the middle of their fields. I should have thought that farmers had enough difficulties at the moment without having to deal with that additional hazard.

The Bill has received support from a number of quarters. I have in my hand a letter from the Royal Society of Chemistry. It says:

"The Society welcomes and strongly supports the principle of the Control of Pollution (Amendment) Bill and considers that the statutory registration of carriers of controlled waste —especially in relation to the movement of hazardous waste chemicals—represents a significant step forward in terms of health and safety in this country."

As a sponsor of the Bill, I welcome the society's support.

I have also heard in detail from the National Association of Waste Disposal Contractors. Members of the Select Committee on the Environment will be aware that that association has given evidence to the Committee on more than one occasion. I must be careful not to put myself in contempt of the House by referring to matters that are beyond the confines of this Bill—the Committee's wider inquiry. However, all the Committee members were impressed by the depth of the witnesses' knowledge and, above all, by their desire to raise standards in the industry.

The waste disposal industry has a somewhat spotty background, but it has made great efforts in recent years, led by the National Association of Waste Disposal Contractors, to put its house in order. The association strongly supports the Bill but believes that it is a minimum step forward. It wishes the Bill to go even further. It says:

"it is essential that any registration scheme is introduced on a national basis and differentiates between those companies who are able and those who are not able to carry different categories of waste."

The association splits the waste into three categories: first, hazardous waste; secondly, commercial and domestic non-hazardous wastes; and, thirdly, inert harmless wastes such as builders' rubble, household and garden clearances, and so on. It believes—I have some sympathy for its view —that

"the carriage of any waste by an unregistered company, or the carriage of a waste which the carrier is not registered to carry should be an offence. Furthermore, it is vital that a simple cover-note procedure for all waste movements is introduced in conjuction with a register."

The association also believes that

"the cover-note system would involve written documentation outlining the nature, quantity, source, carrier and destination of the waste. A copy of the note would be kept by each element in the chain from the producer to the disposal site. A final copy would be returned from the site to the producer thereby closing the loop and ensuring 'cradle to grave' control. A much needed statistical base could also be collected from the cover notes held at the disposal sites being returned the Waste Disposal Authorities."

The association then says:

"it would be an offence to carry any waste without a cover note and to accept waste at a site without a cover note."

I sympathise with that view. It underlines the fact that the major contractors want the cowboys to be outlawed and driven out of business.

Whispers have reached me that there may be some reluctance to proceed with the impounding of vehicles. There are many ways to skin a cat. I am convinced beyond any shadow of doubt that a deterrent needs to be built into the system that is greater than the one which we already have. The impounding of vehicles may not be the answer. I support that principle, but if impounding is impossible, we must find something else that is as much of a deterrent.

As has already been mentioned, we must increase the fines. We must make it so uncomfortable for people going about their nasty, dirty, criminal business late at night that they stop doing so. The Bill is an important first step in introducing better regulation. I warmly commend it. I wish it well in its remaining stages and I hope that we shall see it on the statute book in the near future.

11.10 am

Mr. Frank Cook (Stockton, North): I first took the oath from the Dispatch Box on 15 June 1983. From that moment I looked to a small handful of Members for example as to how to behave and conduct oneself here.

One member of that small handful was, at that time, the hon. Member for Bow and Poplar. He is probably more accurately described as the reliable Left-wing character, Ian Mikardo. He is referred to by us in a friendly way as "Mick". Mick was a Member of the House for more than 30 years and was never fortunate enough to win a place in the ballot.

People outside might be forgiven for thinking that a ballot is some form of election and might not realise that it is a form of raffle or lottery. Mick spent over 30 years trying to win that lottery and never achieved one of the leading places. Therefore, I must congratulate my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock) on her good luck in achieving one of those places so early in what will clearly be a glittering parliamentary career.

I wish to congratulate her not only on her luck but on her judgment. When she told me what subject she had chosen for her Bill, I was stunned. I said to her, "What on earth have you picked that for?" She then started to tell me about the scale of the problem and I was dumbfounded. I realised that it was a major problem in the metropolis and I thought I should find out more about the scale of things on my own patch. After having made inquiries, I was even more worried.

Thanks to Mr. Ken Lupton of Stockton borough council and Mr. Ray Maughan and Mr. Fred Willingham of Cleveland county, I now have more definitive knowledge about what happens on my patch.

Mr. Lupton told me that in Stockton borough, back street properties are a particular problem. Council employees have found wagon loads of garden waste containing soil and hedge trimmings and so on dumped in back lanes when there are no gardens within two miles of the site. Clearly, it has taken considerable effort to pick up the dross and transport it to the spot where it has been disposed of. Mr Lupton said:

"Who is doing the dumping? Probably the fly-by-night jobbing gardeners. Perhaps the fear of more severe punishments would prevent such abuse.

He goes on to quote the case of the "phantom market trader"

"who was dumping fruit and vegetable boxes late in the evening in a lay-by along the A66 between Stockton and Darlington. It transpired it was a market trader not prepared to pay the charge for commercial waste disposal."

All that is happening in a borough which offers free waste disposal. Skips are provided free of charge.

He asserts that

"Jobbing builders are the main culprits in this area."

He cites instances where they have literally breached perimeter walls of properties in order to gain access to dump their building spoil on someone else's territory.

The overall responsibility in the area for waste dispoal and waste disposal control rests with the county authority. Mr. Willingham has provided us with even more, almost humorous, examples. Apparently 32 fly tipping black spots have been identified across the county and the county has instituted a system of "reward for information" on the basis of successful prosecutions. Informants can receive a bonus of £50 a time. That does not seem to improve matters because the signs are constantly vandalised and removed. Vested interests are suspected of doing that—the commercial traders and fruiterers rather than the casual tipper. Therefore, it is an organised removal of signs and an organised deterrent of the passing of information. The cost of servicing and replacing the 41 signs last year in the 26 locations was in excess of £6,000.

One prosecution occurred 250 yards from an established fly tipping black spot it was almost a satellite fly tipping while county workers were erecting "No Tipping/Reward" signs within sight of the tippers.

Mr. Willingham said:

"At one former fly tipping black spot the 'Keep Britain Tidy group" spent £9,000 and some seven months clearing a deep ravine of rubbish. Within weeks of it being cleared a van was reported for tipping household and garden rubbish."

The driver worked for the 'community task force' on clear-up jobs. He had a supply of free tipping tickets for county facilities but he chose to tip on an illegal spot because it saved him a journey. He pleaded guilty but the magistrates gave him an absolute discharge, despite his having been abusive to the witness and refusing to take his waste away when invited to do so. The people from whom I have obtained my information have made suggestions about penalties but I shall come to that.

I have given examples of what happens within Cleveland county and Stockton borough. "Example" is probably the operative word because I should like the House to bear in mind that "example" is one of the principle things we should emphasise. If authorities had been more diligent in ensuring that waste-tipping licences had been properly regarded in the past and that people breaching those licences had not been allowed to go scot free, we might have been able to impose the regulations more forcefully on previous occasions.

I should like the House to bear in mind what may, at first glance, be considered an Irishism—a statement of the obvious. The whole concept of waste is wasteful. Waste can be divided into three basic groups—decomposable, combustible and non-destructible. Positive, constructive use can be found for all those types of waste. We must try to emphasise that and make progress on it.

Decomposable waste can be used as a source of clean, alternative energy. There are independent, commercially viable enterprises in Britain which, by using decomposable waste, make a profit by producing energy at a cost lower than the state-owned energy producers.

Many local authorities use compbustible waste. If we were to combine combustible waste disposal with combined heat and power units, we would rid ourselves of the waste and be able to put the heat gained to a positive use.

Non-destructible waste could be used for road construction rather than using some of our mineral sources of limestone and dolomite. All those methods are achievable and would be beneficial if they were encouraged by positive and constructive Government incentives.

Those matters could be discussed in greater detail and one could write a volume on each one. However, they could be discussed in Committee and provision made for them.

I conclude by once again commending my hon. Friend —as have so many other hon. Members—for the clarity with which she has expressed the case that she seized on so clearly when given the opportunity. I should like to commend the supporters of the Bill. For the life of me, I have been unable to find anyone—other than the cowboys referred to—who has been opposed to the proposals. Everyone—the police, local authorities, emergency services, which were concerned about access, and industry—supports the Bill. Doubtless, some attention to the detail of

[Mr. Frank Cook]

the Bill will be needed, but given the enthusiasm displayed and the support voiced in the Chamber today, there will be no shortage of that. Finally, I thank my hon. Friend for giving me the opportunity to be a sponsor of the Bill.

11.19 am

Mr. Ken Livingstone (Brent, East): I am delighted to associate myself with all the wonderfully nice things that everybody has said about everyone else in the debate. I, like everyone else, am totally committed to the Bill produced by my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock). It will result in a major improvement in the quality of life of people throughout the country, particularly, I hasten to say, in Brent, East.

A few weeks ago, I was appalled to receive correspondence from the Waterloo road business community group asking me to come to what was, effectively, an industrial site in Brent, East, adjacent to the north circular road. An entire street has been filled, from one end to the other, with vast quantities—about 20 lorry loads—of dumped soil and clay. It makes the road completely impassable so that pedestrians have to walk in the middle of the road. Streakes Field road is treated in this way because nobody lives there and, once the factories shut at night, there is nobody—except perhaps officers in a passing police vehicle—to prevent anyone from fly tipping. The fly tippers have got their activity down to an art. They do not stop, but turn off the north circular road into Streakes Field road, slow down and dump their load without even coming to a halt.

All sections of the business community, which operates almost exclusively in all the newer and more dynamic sections of society, got together and set up a camera so that there would be a record of any fly tipping. They hoped to zero in on the number plates of fly tipping vehicles. However it was obvious that mud had been smeared over the number plates so that they could not be seen. The fly tippers could not get to the camera that had been put on the top of one of the nearby factories but very rapidly the lamp standards in the road were smashed, making the road completely dark and thus even more dangerous.

I was appalled at what happened and was delighted that a meeting of the local business community was held, which the police attended. Like many others at the meeting, I assumed that fly tipping was merely a nuisance. It was only when I listened to the police that I realised the scale of organised crime that is now involved.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) underestimates the money to be made from fly tipping. The police estimate given to me about three weeks ago shows that one individual can make a clear profit of £2,000 per week on illegal fly tipping. In London, organised gangs take part. The lorries used are linked to each other by short-wave radio and there is often a motor cyclist to ensure that an area is clear and ready for tipping so that the convoy can come in and dump load after load. My tale is not as horrifying as that of the hon. Member of Southwark and Bermondsey. However, the police were well aware of the problem and warned members of the local business community not to take action themselves because they would be set about by thugs with iron bars.

This problem does not involve just a few cowboys. We know the engaging concept of the poor old character who is a bit down on his luck, has just about scraped together enough money to buy a lorry and is just keeping himself from starvation by taking the odd load somewhere. However, we are talking about pernicious organised crime that involves the same sort of people who are associated with some of the worst aspects of the London underworld —it needs to be stamped out ruthlessly.

I want to make my position clear. The only matter of contention—that is perhaps too strong a word—today is the nature and scale of the penalties. I have already told the promoter of the Bill, my hon. Friend the Member for Deptford, that I should be delighted to be appointed to the Committee. I want to do so to ensure that the maximum and most severe penalties are imposed. When dealing with organised crime, a slap on the wrist or a few hundred pounds fine is not worth while.

My hon. Friend the Member for Brent, South (Mr. Boateng) said that he hoped to see the greening of magistrates. For the magistrates in my own area, their only greening will be the prelude to their decomposition. They are completely unaware and unalive to the problem. Some of them impose fines of merely a few hundred pounds, which is absolutely no deterrent. They often seem to have sympathy for the fly tipper as though some poor, struggling entrepreneur is simply being harassed by an insensitive police force and irresponsible local government bureaucracy. We need good, strong powers to handle the problem.

I should be happy for the police to be able immediately to seize and impound the vehicle of anyone they suspect of fly tipping and put the onus on the owner to retrieve it. The vehicles should be impounded immediately. Police vehicles should carry a shovel so that if the police catch someone who has dumped a load, they can make him shovel the load back in and take it away. There is no point in leaving the stuff lying around on the streets.

Brent council deploys one vehicle to tackle the problem, but it has mushroomed with such speed that councils, irrespective of their political complexion, will not find it easy to assemble the capital investment to purchase the range of vehicles needed. Indeed, I do not see why they should.

I shall support giving the fullest possible powers to the police so that they can deal with the problem. That is why I particularly want to be involved in the Committee. If we are not prepared to be tough, all the fine sentiments that we have heard today will come to nothing. Organised crime can respond much more quickly to changes than can Parliament. We need to ensure that the powers given to the police are flexible enough to enable them to adapt as the thugs adapt.

11.28 am

Mr. Tony Banks (Newham, North-West): It is a pleasure to follow my hon. Friend the Member for Brent, East (Mr. Livingstone) and, as I sat here next to my hon. Friend the Member for Brent, South (Mr. Boateng), it almost took me back to the heady days of the Greater London council, when God was in his heaven and all was right with London and the world. How things have changed since 1986.

It is interesting to be here on an occasion of such rare unanimity within the House. Although I might be the last person to speak on this Bill from the Back Benches, I will not be denied my opportunity to congratulate my hon.

Friend the Member for Lewisham, Deptford (Ms. Ruddock) on introducing this singularly useful piece of legislation. We hope that it completes Committee stage and emerges on the statute book, so that she will have contributed something else to the politics of this country to add to her other achievements within other organisations and the House since she was elected.

I accept that the Bill is not the sexiest piece of legislation that we are likely to consider, but it is clearly required not only by all hon. Members but by all those authorities and responsible people—particularly responsible waste disposal contractors—outside the House.

We have received so many letters suggesting that we should support this legislation that it is very opportune that my hon. Friend should have introduced this Bill, using her opportunity—for which we all wish—of coming high in the ballot.

Fly tipping has obviously always been a problem not only in London, but elsewhere. It is certainly noticeable, however, that in recent years fly tipping has reached epidemic proportions in the capital city. As anyone who travels round London can clearly testify, there is much construction taking place, but most of it appears to be in the east end, especially in the London Docklands Development Corporation area, which involves the boroughs of Newham, Southwark and Tower Hamlets.

It is true that for generations the east end has been used as the engine room for London's wealth. The power-producing areas have been concentrated in the east end, as have the waste and sewage disposal areas. Of course, that has left us a legacy that is only now becoming obvious, as more and more construction takes place. Because of the especially obnoxious processes that have been used in the past, much of the land in the east end is poisoned and blighted. It cannot be left just to the east end boroughs to deal with the problem, but will require considerable Government support if we are to deal with the problems we have inherited.

That is the matter historically. Obviously, the problems we have inherited are being exacerbated by the anti-social behaviour of the cowboy waste tippers.

I must confess that the London borough of Newham is not the most picturesque part of London, which might have something to do with the fact that it has 110 tower blocks and that the A11 and the A13 dissect the borough. However, we have our compensations, too. Anyone who wants a good walk through semi-rural conditions in London could do far worse than spend a Sunday strolling along the Embankment of the northern outfall sewer. That does not sound very attractive, but it is quite an attractive walk on a Sunday.

There is also the opportunity for people to practise skiing down the Beckton alps, which is just off the A13. The Beckton alps were created by the waste soil which came from the development in the docklands area. As my hon. Friend the Member for Stockton, North (Mr. Cook) said, not all waste generated by construction needs to be dumped unproductively and uselessly; some can be used to provide some valuable facilities. Anyone who knows the Beckton alps will know that they provide a major addition to the leisure facilities of the East end.

Fly tipping is a serious problem in Newham. I would suggest that it is probably as bad there as anywhere else in London. Clearing the rubbish, and indeed repairing the damage caused by the dumping of the rubbish, is costing the London borough of Newham ratepayers about £150,000 a year. That is money the Newham ratepayers can scarcely afford, as my borough is the second most deprived local authority in the country. We need all the money we can get from central Government and all the money that we can generate to improve our facilities. We do not want to spend so much money on clearing up the rubbish that is being dumped by the anti-social people who infest our borough.

From what I have been told by the local borough council, it is clear that current penalties are entirely inadequate. Indeed, as we have heard from my hon. Friend the Member for Brent, South and others, the courts do not appear to treat these matters seriously enough. They do not share the concern of hon. Members on all sides of the House. I hope that this will change when this Bill moves to the statute book.

The borough of Newham and its officers have experienced considerable difficulties in taking out prosecutions, for the various reasons mentioned by hon. Members. As the hon. Member for Southwark and Bermondsey (Mr. Hughes) and my hon. Friend the Member for Brent, East said, a great deal of organised crime is behind fly tipping. Honest, decent council officers do not like having sawn-off shotguns stuffed up their noses when they are trying to enforce the law. It is not surprising, therefore, that there is less enthusiasm to pursue as rigorously as one would some of those nasty and loutish people who drive the lorries and are involved in this organised crime. It is difficult to take out prosecutions, and the threats to council operatives have made it much more difficult to secure witnesses and to push cases through the courts.

A great majority of the fly tipping in my borough emanates from waste coming from the docklands area. We have recurring problems in Plaistow and in Customs house in the Newham, South constituency. For example, in First avenue in Plaistow and in Marshgate road and Burford road in Stratford, those problems have reached almost farcical levels—except that it is not that funny for people living in the area. Not only have operators come into the area, broken down fences and dumped their waste on council-owned land; they have then set up signs inviting other lorry drivers—for a fee—to dump there as well. I know that Conservative Members believe in the enterprise culture, but surely that goes beyond even their desire to see someone making a few bob. I am delighted to hear that the Government will be giving this Bill a fair wind today.

Fly tipping does not only cause problems to the residents. Close to where I live in the constituency, there is an area called Sprowston mews. "Mews", of course, always conjures up the image of those rather twee little places in Hampstead where arty people live and which are sold for vast sums of money. I assure the House that Sprowston mews does not fit that description. It is a series of old stables that are now used for small businesses. People have complained to me as the local Member of Parliament, that they have turned up to open their businesses only to find that, because it is an unadopted road, a lorry has gone down there during the night and dumped a huge pile of waste right outside their doors. They cannot even get into their premises to open their businesses.

They contacted the council for it to arrange for the rubbish to be cleared. Of course, the council has so many other things to do in regard to other fly tippers that sometimes people lose days of business because they are

[Mr. Tony Banks]

physically unable to enter their premises. Such things are intolerable and must stop. The sooner that the Bill gets on to the statute book and stops such practices the better it will be not only for people in my constituency, but for people throughout London.

Again, I warmly welcome the Bill. I have heard a number of proposals from hon. Members on both sides of the House for ways in which it could be strengthened in Committee. I am especially attracted by the proposal to tighten up the penalties. The idea of confiscation of lorries is certainly a good one. I believe that those who are convicted of fly tipping should not only lose the wherewithal to continue to do so, but should have to pay the full cost of the removal of the rubbish and the restoration of the area and, indeed, pay compensation. On this occasion, I believe that in Committee we will be vying one with another to see who can impose the strongest and most stringent penalties on fly tippers.

I know that the Minister will welcome the Bill, but I ask her to tell the House what will happen to the London Waste Regulation Authority, which is based in county hall, if the hideous, absurd and obscene proposals go ahead for the conversion of county hall into a hotel. That authority does an excellent job, under difficult circumstances, and its future should be clearly spelt out by the Minister.

11.38 am

Ms. Joan Walley (Stoke-on-Trent, North): It gives me great pleasure to be the last but one speaker in this debate to offer my congratulations to my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock) on bringing forward the Control of Pollution (Amendment) Bill. No one was more pleased than me when I heard that my hon. Friend had drawn No. 7 in the private Member's ballot, lottery or raffle, as it has been called, but—like the hon. Member for Southwark, Bermondsey (Mr. Hughes)—I had a tiny tinge of regret that I had not had the opportunity to bring forward such a Bill. When I heard that my hon. Friend had chosen this subject, I was delighted, and I was even more delighted to know that I would be at the Dispatch Box to ensure that the Bill gets on to the statute book.

It is quite strange that this Bill has the full support of all hon. Members who have spoken today. Perhaps the only item of contention was the point raised by my hon. Friend the Member for Newham, North-West (Mr. Banks) about what will happen to the office premises of the London Waste Regulation Authority when other proposals are put forward for county hall. I hope that the Government's new-found commitment to environmental and green issues will ensure that only the best office space is available to the LWRA so that it can carry out its valuable work in the capital city.

The Bill does not simply have the support of all hon. Members who have spoken this morning. It also has the support of waste regulation authorities and the Institution of Environmental Health Officers. I hope that the Minister will be able to assure us that she has been able to persuade the Secretary of State for the Environment that every clause in the Bill should receive the Government's full support.

I also welcome this debate because it follows the most important debate in the House yesterday. I want to relate my comments to the important issue of waste management and disposal and the much-needed duty of care, for which we have been waiting for some considerable time. It is no coincidence that the first step towards getting that urgent legislation, the need for which has been shown clearly by all hon. Members today, has been taken by the Opposition.

During this debate we have heard many details about the implications in the Bill for local government. I was grateful for the comments from the hon. Member for Hornsey and Wood Green (Sir H. Rossi) who spoke in his capacity as the Chairman of the Select Committee on the Environment. He referred to new information and told us that in one London borough there is 1 million tonnes of dumped waste. The LWRA and the local authorities must find the resources to clean up that great public health problem. It is not simply a problem for every inner and outer London borough, it affects the whole of the country.

When the Government address the many wider issues which lead on from our narrow discussions this morning, I hope that they will pay proper attention to the way in which we dispose of refrigerants and CFCs. I hope that we shall learn how the Government will deal with the 13 per cent. vacancy rate among funded posts for environmental health officers. Instead of simply rate capping local authorities which are trying desperately to deal with these vital public health issues, the Government should seriously consider how local authorities and environmental health officers can be properly resourced to carry out their vital work.

I remind the House that we are considering controlled waste. Such waste is defined in the Control of Pollution Act 1974 as:

"Household, industrial and commercial waste."

The 1974 Act states that:

"All such wastes may only be deposited on licensed waste disposal sites."

Although the full report from the Select Committee on the Environment will not be published until 8 March, I was grateful for the fact that the Select Committee has made its comments as they affect this Bill available now. However, we do not need those comments for us to understand the real need to take urgent action in the Bill. All conscientious Members, and all hon. Members who have spoken today are conscientious Members, are only too well aware of the real dangers to public health which arise fom waste problems.

We all feel despair when we see large amounts of rubbish and building rubble dumped indiscriminately. Nowhere is safe. Local beauty spots, children's play areas and even main arterial roads have been used and are used as opportunistic dumping grounds by unscrupulous operators who are anxious to make fast money and a fast getaway.

Large contractors evade their duty of care principles by subcontracting responsibility for building rubble removal to smaller firms which, in turn, offer attractive rates to cowboys to get rid of the rubbish without too many questions being asked.

When I was a local councillor I watched a wagon full of rubble being dumped onto a site which had just been acquired by a local authority for new house building. I had called out the police and local environmental health officers in my capacity as a councillor, but I could do

nothing to stop that lorry which in the process of dumping its rubble broke a main gas main which was just below the surface of the water. Everyone must be aware of how serious is the problem and how urgent is the need for action.

Rather than incur costs at waste disposal sites and the costs for fuel to get there, it is far more remunerative for people to dump rubbish. There is a pattern of fly tipping in inner London boroughs which ring large development sites in the City and in Docklands. Even the Secretary of State's backyard may not be immune from the fly tippers and I am sure that he appreciates that.

Once established, a pile of builder's rubble often proves to be an attractive magnet for other unscrupulous tippers of more hazardous wastes. In Lambeth, blood-contaminated hypodermic syringes, drugs and dangerous medical and toxic wastes have been found partially hidden on such sites. Apart from the general eyesore and public health hazard, the sites may become a dangerous play space for children. We must bear the public health implications in mind.

Regrettably, some local householders may add to the rubble by dumping old furniture, bedding and domestic waste. That combination of harbourage and food supply attracts colonies of rats, which are found in increasing numbers all over the country. I urge the Government to be consistent in their policies on waste and the prevention of pollution. It is our experience that the lack of maintenance of the whole infrastructure of public sewers is causing rats to leave the sewers to go to these sites, where there are huge problems with accumulated rubbish caused by fly tipping and cowboy operators.

The unscrupulous practice of fly tipping with its chilling lack of concern for the environment and the health and safety of the community leads to justifiable public outrage. It has been estimated that there are 1 million tonnes of fly-tipped rubbish in one borough alone. The information available before this debate, before we had the advantage of the information from the Select Committee, was that 1 million tonnes were dumped in the whole of inner London. The real figure is 1 million tonnes for one borough. That problem must be addressed.

The cost to London for removing the accumulated dumped rubbish is at least £5 million per annum. Faced with those facts and the way in which they have been highlighted in recent television reports, people are rightly demanding action to deal with the scandal. The Bill will introduce major new powers to provide the strength of purpose to combat what has become a national disgrace.

Every hon. Member, regardless of political party, has a duty to constituents and the country as a whole to combat this anti-social practice of tipping. The problem was outlined so well by my hon. Friend the Member for Deptford and it has been well documented. The Government should have closed the loophole in the Control of Pollution Act 1974 long ago. But at least they have an opportunity to do that now.

The Bill is in two parts. The first part contains new enforcement conditions to register carriers of controlled waste together with the power to stop vehicles to determine whether the registration details are in order. If guilty of an offence, a fine of up to £2,000 may be payable. That new initiative, while useful, is not the sole answer to the problem.

Experience has shown that there may be difficulties in bringing a successful prosecution, and as hon. Members have pointed out today, magistrates impose inadequate fines. I agree that we should all do what we can to influence magistrates and stop them handing out derisory fines, as they have in so many cases. Stricter supportive measures are required, which are set out in part II of the Bill which authorises the stopping, removal and detention of the vehicle involved in the illegal dumping of controlled waste.

Although he is not in his place at the moment, I was very pleased to hear the comments of the hon. Member for Hornchurch (Mr. Squire). I hope that when the Minister replies to the debate, she will tell the House that she is in favour of the impounding of vehicles—which is crucial—and say that in Committee she and the Secretary of State are prepared to go further. The Opposition would have produced stronger proposals had we been sure of the full support of the Government. The Bill is constructive and positive and we wanted to ensure that everyone would support it. I hope that it will reach the statute book.

The justification for the most stringent punitive action is that the crime of illegal dumping, with its heavy emphasis on quick profit risking damage to the environment and to public health, necessitates immediate and positive sanction. Without the horsepower of their wagons the cowboys will be unable to operate.

Last year, New York city council introduced such measures as part of a package to improve the city's image and boost civic pride. As a result, 175 vehicles were impounded. Together with other action such as the removal of graffiti from New York subways, the city is beginning to improve its environment and reverse the downward spiral of inner-city decay. The adoption of a similar positive action here will lead to a cleaner city and a firm commitment to putting environmental issues back on the agenda—an objective which the Government claim to share with the Opposition, although the proof of the pudding will be in the eating. I hope that the Minister will agree that if part II of the Bill is not perfect, any adjustment can be made in Committee. It is clear from the speeches we have heard this morning that many competent hon. Members will contribute to dicussion in Committee.

The Bill will receive virtually unanimous support from the public and from all responsible sectors of industry and commerce. It will counteract public concern about the inability of the authority to get to grips with the increasing problem of fly tipping. Good publicity about the Bill's intentions will ensure co-operation throughout the country. I have no doubt that lorry drivers in London and throughout the country who engage in such illegal activities will hear our proposals on their citizens' band radio and will be quaking in their seats, alarmed at what will be in store for them if they continue their anti-social behaviour. However, as has been pointed out, responsible contractors who accept their obligations will benefit if the Bill eliminates irresponsible cowboy operators. The House will be aware that the chairman of the Road Haulage Association's environmental and waste management committee is greatly in favour of such measures. Last year he called for more punitive measures to deal with the problem and counteract the feeling of inadequacy among enforcement officers in using existing legislation.

I hope that in Committee the Government will take note of the need to impound vehicles and the need for the regulations to be as stringent as possible. I hope that the Government will also take note of the implications for local authority services. Mention has been made of local authorities providing city amenity sites, and we have heard

[Ms. Joan Walley]

about the excellent public protection committee services provided by the former Greater London council. However many London boroughs and local authorities provide free collection of household waste and there is no reason why those services should not continue as they will not be affected by the Bill.

I urge support for the Bill. It gives us the opportunity to give public servants, constituents and honest contractors the legislative support that they need to stamp out fly tipping. The Opposition put care for the environment at the heart of all our policies, and it is not a coincidence that we have introduced the Bill. I look forward to hearing an undertaking from the Minister that we can proceed with all provisions in the Bill without further delay.

11.55 am

The Parliamentary Under-Secretary of State for the Environment (Mrs. Virginia Bottomley): I add my congratulations to those of other hon. Members to the hon. Member for Lewisham, Deptford (Ms. Ruddock) not only on her good fortune in the private Member's ballot —hon. Members have been truthful in acknowledging that they have been tinged with envy at that—but in her excellent judgment in selecting the problem of fly tipping as the area where she hopes to leave her mark on the statute book.

The Bill has been promoted by a woman and the spokespersons for the Government and the Opposition are women and you, Madam Deputy Speaker are present. Perhaps there is so much enthusiasm for the subject because of our desire to do things in a practical and effective way. However, I shall leave such sexist remarks for the time being.

With an increasingly industrialised economy, with economic growth, inevitably wastes are produced which are costly to deal with. The Government are committed to ensuring that all wastes, whether toxic and difficult, industrial, domestic, or really relatively inoffensive, are properly catered for in our communities. It is the Government's intention to undertake a major reform of our waste disposal law. That Bill will be introduced as early as possible during this Parliament.

The groundwork for reform has been thoroughly prepared by a series of announcements and consultation papers on waste disposal law over the past three years. As a result, we are now bringing together a clear, coherent package of measures. We believe that that package should command the general support of industry, local authorities and, above all, the public. It is essential that the general public should have full confidence that our arrangements for dealing with wastes of all kinds are properly and professionally regulated and enforced.

Clearly such matters take time and consultation is important. Often an initial solution to such offensive and appalling problems is discovered to be wrong when all the various interests have been consulted. It is absolutely clear that many hon. Members who have spoken today, many of them representing London constituencies, have given evidence of the offensive nature of fly tipping, which is an absolute scourge on the environment. It is not an innocent matter; it is a complex, sophisticated crime in which very large amounts of money change hands. None of us should underestimate the seriousness of the problem.

Many hon. Members involved in the former Greater London council have spoken, clearly resurrecting a long standing concern. The hon. Member for Newham, North-West (Mr. Banks) was concerned about the accommodation of the London Waste Regulation Authority—perhaps that was a legacy from his previous responsibility. He will be pleased to know that discussions as to its future accommodation are progressing well and there should be an announcement about its alternative accommodation. I know that the LWRA will appreciate his concern on its behalf.

Mr. Tony Banks: Will it definitely be booted out of county hall to make room for the people who will stay in the hotel?

Mrs. Bottomley: I am sure that the LWRA has no wish to prolong the long, drawn-out battle that the hon. Gentleman has waged for many years. The officers of the LWRA have a responsible, difficult and taxing job and we want to see them settled and established in a place where they can do that job properly and effectively. I pay tribute, with other hon. Members, to the work of the LWRA and to its professional approach and dedicated attitude, particularly to fly tipping. Recently, I spent a day visiting a number of sites with members of the authority and with its distinguished chairman. I was enormously impressed by the efforts made by the LWRA to co-ordinate a plan of action with the police, local authorities and public. The establishment of the hot line is an important ingredient because, when it comes to enforcement, adequate evidence is vitally important.

The illegal dumping of waste is a costly matter. It is estimated that in London, about 1 million tonnes of waste have been illegally dumped, costing the London waste regulation authority and London boroughs up to £35 million a year to remove. The Government strongly share the hon. Lady's wish to tackle that problem.

Before going on to discuss this Bill within the context of the Government's overall strategy of waste management, I shall make clear where the Government stand in relation to those proposals. We are able to give an unequivocal endorsement to the earlier parts of the Bill covering the registration of carriers. It forms part of the package of measures the Government hope to implement. It has been supported by the Select Committee on Environment and many others. I appreciate the remarks made by the Committee's Chairman, and his consideration in making a preliminary report.

As to part II of the Bill, while wishing to see greater, more effective enforcement, the Government have considerable reservations about the suggested means of achieving that desirable end, and feel that they are not the most effective means of dealing with the problem. We believe that the proposed powers in relation to stopping, removing and detaining vehicles require further detailed consideration in Committee. I appreciate the efforts made by the hon. Lady to establish co-operation, and the consideration that she has shown. We are all united in our commitment to getting the legislation right, so that it is effective and fair.

Ms. Walley: Will the Minister give an assurance that she will not rule out the impounding of vehicles, and that

that aspect will be further considered in Committee? Judging from the comments of many hon. Members, they feel that the Bill will be unworkable if the most stringent sanctions possible cannot be brought against those responsible for illegal dumping.

Mrs. Bottomley: It is our intention to bring forward comprehensive proposals for dealing with waste regulation generally. Our intention is that they will meet with support and co-operation from all parties, not only in the House but in the waste disposal industry and local authorities. Any system of regulation requires enforcement, and it is our intention to consider that aspect carefully and in detail. Later, I shall say more about the difficulties that arise. Enforcement raises broad questions of our whole system of criminal justice, police powers, and the procedures available in relation to matters such as road traffic offences. It is a detailed and complex subject requiring proper consideration.

Mr. Boateng: I see the dead hand of the Home Office dampening the Minister's environmental zeal. I do not doubt that her heart is in the right place, but I have heard those words before. We know that once the Home Office gets its hand on any issue, things suddenly become very difficult.

Mr. Tony Banks: They become Hogg-tied.

Mr. Boateng: Will the Minister do everying in her power to ensure that the punishment fits the crime? Does she acknowledge that, until now, the penalties imposed on the cowboys concerned have been derisory by comparison with the gains they make from their illegal activities? Will the Minister give an undertaking that such penalties as ultimately emerge will be of a stringent financial nature?

Mrs. Bottomley: If I can get a word in edgeways, I will give the House many assurances. I shall say more about penalties later, but particular aspects of impounding are not the same as penalties. Provided that the House gives the Bill a Second Reading, which I am sure it will, we shall be able to spend longer considering every aspect in Committee.

Within our own proposals, we believe that measures can be taken that will effectively ensure that the increasingly criminal and sophisticated crime of fly tipping is properly dealt with and that some of the worst perpetrators of that deplorable activity are no longer able to escape without redress.

Today's debate gives a useful opportunity to set out the Government's policies on waste disposal, and to discuss fly tipping in that context. I shall explain what the Government will do to improve the law and to reform the authorities that enforce it. Part I of the Bill effectively forms an advance piece of that main legislation. In making proposals, it is essential that environmental controls command public confidence. The existing waste regulation system has too frequently failed that test, and evidence of that has been given by hon. Members today. Sometimes, public impressions are unfair and too readily affected by a few isolated but well-publicised waste disposal incidents. When the waste disposal industry is good, it is often very very good. But when it is bad, it is horrid. The public is right to demand that the worst should be brought up to the standard of the best. Only then will public confidence be fully restored—and that is the Government's objective.

We must carry the industry with us. Enthusiasm for tough environmental laws preoccupied with bashing the industry is no substitute for a system that works. No system of legal controls will work in practice unless it has the consent and co-operation of most of those who have to abide by it. That means that we must take into account the contribution of industry when deciding how to safeguard and improve the environment. Responsible industry—and that is most of industry—welcomes high environmental standards. As has been said today by many hon. Members, responsible contractors have nothing to fear from a proper system of registration and enforcement. It is often the criminal element that undermines the efforts of the responsible element and makes its cost margins almost untenable.

Mr. Frank Cook: The Minister countermands her own statement. The responsible sector of the industry does not need the measures in the Bill. It welcomes them, and penalties are unnecessary for it. Responsible operators will gladly conform to whatever requirements are made, and it is in their interest to do so. Penalties are required only in respect of the criminal element.

Mrs. Bottomley: The hon. Gentleman surely appreciates that the Bill is not only about penalties but registration. We are anxious to ensure that the registration system does not make life so difficult for responsible contractors that they feel alienated by it. It is important to have an effective registration system that is tolerable and manageable. I reiterate that the responsible sector of the industry has everything to gain. Responsible operators, who behave in a law-abiding and effective way, are among those most outraged by abuses of the present arrangement.

When I spent a day with the LWRA, I visited Docklands, which is the biggest building site in Europe. I had the opportunity of talking to an official there responsible for waste removal. On that site, an embryonic system of waste regulation has been introduced, by which chits are issued and must be returned as evidence that waste has been taken to a legitimate and licensed site. That is one example of the way in which responsible contractors are on our side. We are anxious to continue consultations and to behave in a way that meets with general agreement.

Mr. Simon Hughes: The general view of residents in Docklands is that the combination of the local authority and the Docklands corporation is not dealing with the problems caused by the construction industry. Pollution often spills into the roadways and pavements. There are complaints about noise pollution. Enforcement and self-regulation are not working. I hope that the hon. Lady does not hold the view that people are generally happy and that things are satisfactory; they are not. There are great problems associated with construction, particularly in an area such as Docklands.

Mrs. Bottomley: I thank the hon. Gentleman for his intervention. That is why we support the registration of carriers on a statutory basis. I hope that I can manage to talk about some of the other measures that we are considering to improve and update waste management generally. We believe that there is a firm and proper place for regulation which is enhanced, more comprehensive, and deals with more of the loopholes. I hope that it will meet with the hon. Gentleman's approval.

[Mrs. Bottomley]

Many firms are taking a lead on environmental improvements. Industry, local authorities and Government together must work out a legal framework that ensures the highest practicable environmental standards without imposing excessive costs for overly bureaucratic burdens. That objective underlies our package of waste reforms.

The Government's reform of waste disposal law will build on the present system laid down in the Control of Pollution Act 1974, which was a pioneering measure at the time. The principles in that Act have stood the test of time, in particular the idea of disposal site licensing by local authorities. The Government plan legislation on two fronts: first, to tighten and extend the existing controls and, secondly, to reform regulatory authorities.

I hope that the hon. Member for Deptford will agree that fly tipping is a manifestation of a system of waste disposal regulations and supervision that has gone wrong. The act of fly tipping must be seen within the chain of waste production and disposal. That is why I should like to examine some of the proposals in more detail.

Last June, the Government announced the main elements of tightening and extending controls. Controls and legal responsibility over waste should extend throughout the life of the waste. From the original producer to the ultimate disposer, all who handle or treat waste should share a responsibility for its safe and proper disposal.

As the Chairman of the Select Committee said, the key measure will be the duty of care. Anyone who produces or holds waste will be under a statutory duty to take reasonable steps to ensure the safe and proper disposal of waste when consigning it to someone else. No longer will a producer be able to give waste to the first person appearing with a tipper truck at the factory gate. If he does, and that waste turns up illegally dumped, the producer will be liable to prosecution.

In regard to some of the sites that I visited in the east end, the London Waste Regulation Authority knew precisely where the waste came from, but, unless the fly tipper could be seen in the act of fly tipping, it was not possible to take action against the producer. When we introduce a duty of care on the producer of waste, he will be liable when waste can be traced back to him, which is sometimes a much easier job than catching somebody in the act of fly tipping, which may take all of two minutes, with an effective band of supporters with car telephones or radios keeping guard.

Expert waste firms, large waste producers and those producing difficult waste will be expected to check rigorously on what happens to their waste after it leaves their hands. That will mean selecting the best means of disposal, appointing a reputable contractor and ensuring that all the waste reaches its intended destination. They will be burdens on industry, but they amount to no more than many responsible firms already undertake.

The Government do not intend the duty of care to be inflexible or onerous. The steps which it is reasonable to expect will depend on the size and expertise of the firm and the danger posed by its waste. My hon. Friend the Member for Hornchurch (Mr. Squire) referred to the various types of waste and the way in which the duty of care will work. It will be set out in a code of practice to accompany legislation. Domestic householder's waste will be exempt altogether. For ordinary small-scale producers of waste from commerce or industry, the code of practice will require little more than that the waste should be consigned to a responsible destination. Such a destination might be the local authority or a properly licensed disposal site. It might also be a middle man—someone who will transport and, possibly, sort the waste before consigning it for ultimate disposal or for reclamation.

It is essential that producers have some means of knowing to whom they may give their waste to discharge their duty of care. That is why we welcome the establishment of the register of waste carriers ahead of the rest of the legislation. The hon. Lady is rightly and properly bringing forward the measure as a way of dealing with fly tipping, but it has a broader significance so that the duty of care can be introduced with all possible speed when the legislation reaches the statute book. It will provide a control over all those involved with waste between the producer and the ultimate disposal site. Carriers on the register will be identifiable and traceable by the producer who gives them waste and by the waste regulation authorities trying to stamp out illegal disposal. That is the context of the proposal which forms part I of the Bill.

As well as putting new controls on producers, holders and carriers of waste, the Government's intended legislative package will tighten the existing controls at the disposal end. We believe that the existing system for local authority licensing of waste disposal sites is the right one. Local authorities already have wide powers to set conditions on these licences and to enforce the conditions. The Government have recently issued updated detailed advice on site licensing. I hope that authorities will use their licensing powers in the future more thoroughly and vigorously than some have in the past. The council is the licensing authority, and it is up to it to write comprehensive licences and then to enforce them.

Many of the individual cases that come to my attention about certain incidents are a result of the waste disposal authority not exercising its present powers. We recognise that there are a few gaps and weaknesses in licensing powers. We are acting to fill them.

It will be made more straightforward to prosecute waste disposers who breach the conditions attached to their licences. Authorities will be able to vet applicants for disposal licences. Only those with a clean criminal record in respect of pollution offences, with sufficient funds to operate and complete a site and with the appropriate professional qualifications will qualify for future disposal licences. Hon. Members have referred to some of the more complex materials that may be included in waste. It is essential that people appreciate that dealing with a site is not just a matter of digging a hole in the ground and throwing everything in. We need proper professional qualifications, scientific analysis and study, and a sophisticated approach.

We shall also be giving local authorities more power to enforce the long-term safety of waste disposal sites. There has been justifiable concern about the threat of gas building up or leachate pollution at completed landfill sites. Once again, good practice and modern technology are essential in waste management.

Local authorities and Government are working closely together to tackle these problems and make sure that existing sites are safe. Beyond that, we need to ensure that future sites do not pose a hazard. We shall empower

authorities to impose conditions on waste disposers which require continued monitoring and care of sites for many years after completion until the site is safe. Licence holders will not be permitted to surrender or evade these obligations, and local authorities will be under a clear duty to police them.

We are proposing also to take fresh powers to deal with another matter of public concern, and that is the international trade in waste. It is not particularly material to the hon. Lady's Bill, but it is another——

Sir Hugh Rossi: The Minister's remarks are extremely interesting and important, but they have little relationship to the narrow point of the Bill, which is fly tipping. My hon. Friend is anticipating my Select Committee's report, which I am not allowed to discuss, as to do so would be in breach of the privilege of the House. She is able to declare the Government's position on my paper before the House has had an opportunity to read it.

Mrs. Bottomley: I am saddened and disappointed to hear my hon. Friend—for whom I have had long-standing and high regard—so cynically interpret my remarks. I have held my present office for about seven months, and have been longing for an opportunity to discuss waste. Unlike some of my hon. Friend's constituents, I do not regard this subject as a load of old rubbish. It is fundamentally important and extremely interesting. It is extremely important to tackle fly tipping and rubbish, which is of much concern to people even in Eastbourne and other parts of the country. I hope that my hon. Friend will bear with me. I will not say any more about the Government's proposals to ban the imports of waste.

Mr. John Home Robertson (East Lothian): The Minister referred to Eastbourne and other parts of the country. I note that the Bill does not extend to Northern Ireland. Given that the Government intend to support the Bill, will the Minister say whether the legislation will apply to Scotland? If she is unable to respond, do her hon. Friends at the Scottish Office intend to say something about the Bill?

Mrs. Bottomley: I am happy to inform the hon. Gentleman that the Bill will apply in Scotland, where some of the waste disposal issues are different. The hon. Gentleman spoke last night about municipal waste incinerators, and we had an opportunity to discuss the Scottish position from a slightly different angle.

The Government intend to reform the regulatory authorities so that they can properly enforce the steps that need to be taken. Too often, the waste disposal officer has little status and is little known. Most hon. Members are aware of the indentity of the person in charge of their police forces, hospitals, schools and roads, but insufficient hon. Members are aware of the difficult task of the waste disposal authorities.

Local authorities have no excuse for setting a bad example. At present, most waste disposal authorities are poachers and gamekeepers. They regulate and police waste disposal in their areas but also undertake much disposal directly. There should be no suggestion that an authority favours its operations compared with its policing of the private sector. Public and private waste disposal have their good and bad practitioners. Waste disposal must be properly and effectively supervised and enforced.

Part I of the Bill effectively provides an opportunity to put in place, in advance, a piece of the jigsaw that we anticipate. Part I will introduce the registration of waste carriers. If the proposals are implemented at an early stage, the register will be up and running before the Government's main legislation on waste takes effect. It will enable the duty of care to come into effect speedily, which will benefit the new waste regulation authorities, the waste industry and, above all, the environment, about which the hon. Member for Deptford is concerned.

One of the strengths of the proposed registration system is its simplicity of operation. The carrier will present information to the waste disposal authority and, on payment of a fee, will be registered. The only reason he can be refused registration is if he has been convicted of a waste-related offence in the past five years. There is no barrier to someone of good repute starting to make their way in waste collection. We are not creating obstacles to legitimate trade, but if at any time he commits an offence and is convicted he may be removed from the register. If he continues to carry waste when unregistered, he will be guilty of an offence. The authorities will no longer have to catch him red-handed in the act of fly-tipping. This, together with other proposals, will be an important break-through.

When the Government's legislation is tabled, the producers and holders of waste will become liable to prosecution if they use an unregistered carrier for their waste. The intention is quite clear—to starve criminal carriers of business.

The hon. Member for Deptford, explained at length the thinking behind part II of the Bill. Many hon. Members added their concern that steps should be taken to enforce the regulations and prevent the perpetrators of fly tipping being able to continue their foul trade. Part II deals with the stopping and confiscation of vehicles. Although at first sight it seems an attractive proposition, there are some serious difficulties and wider implications that will have to be ironed out fully. There are a number of problems and complex issues, which I have already mentioned. We are not convinced that this is not the most effective way of achieving this goal, but we are most sympathetic to the objectives that the hon. Lady has in mind. It must be considered within the context of the criminal justice system, police powers generally and the treatment of other offences.

The Government have recently consulted on proposals to make the owner of a vehicle directly liable for prosecution unless he can show that he took reasonable steps to ensure that the use of the vehicle was legitimate. This might be a useful step forward, but practical difficulties are arising from those proposals. We hope to explore them further and will have full regard to points made by hon. Members—especially the hon. Member for Deptford—when further considering them.

Fly tipping is an offensive matter. We are all appalled by it and determined to tackle it.

Mr. Simon Hughes: I sense that the Government are not willing, at this stage, to deal with the owner of the vehicle or the vehicle itself. The consensus is that hon. Members want urgent action to deal with the owner of the vehicle and the vehicle. It would be better if the Committee legislated to deal with those problems rather than waiting for another period of consultation and consideration, which one can never guarantee will produce a Bill in the

[Mr. Simon Hughes]

next Session or the one after that. Will the Minister support hon. Members in making the Bill as strong as possible?

Mrs. Bottomley: The Government are committed to introducing measures that will effectively and responsibly deal with the problem.

Hon. Members have spoken of penalties. I share the view that many fines imposed by magistrates are inadquate compared with the great damage caused and the cost of cleaning waste sites. Magistrates have powers to impose much stiffer penalties. The maximum for ordinary fly tipping, if any fly tipping is ordinary, is £2,000. If the waste is poisonous, such as asbestos, there is an unlimited fine. Imprisonment of up to five years is available in the case of poisonous waste.

The real problem is to inform the magistrates of the nature of the offence. Magistrates must deal with the facts of the case as presented to them and it is incumbent on the prosecuting authority to provide magistrates with chapter and verse on the environmental consequences of the offence and, most importantly, the costs of cleaning the rubbish away. Magistrates will then be in a better position to judge the seriousness of the offence and will be able to apply the appropriate penalties. It is important for the prosecuting authority to ensure that that information is before the court.

We have heard today that many hon. Members were not aware of the scale and effects of fly tipping until they made inquiries for the debate today. Perhaps waste disposal authorities should remember that magistrates are often in no better position. Penalties are available to magistrates, but better information will help them to apply those penalties. There are signs that that is beginning to happen and in the last year, the first custodial sentence was given for the illegal deposit of waste.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) and my hon. Friend the Member for Dulwich (Mr. Bowden) raised the question of recycling waste, and that is part and parcel of Government thinking. When proper costs are charged for waste disposal, it makes the economics involved in recycling more probable. We are promoting partnerships between industry, the Government, local authorities and other groups to help promote and enhance recycling.

I look forward to studying the Select Committee's report on toxic waste and I appreciate the contribution of its Chairman, my hon. Friend the Member for Hornsey and Wood Green. The Committee, with others, has given a great deal of thought to this vital subject over the years. We are committed to take powers to control and regulate waste and to ensure that that gains the confidence of the public and the co-operation of local authorities and industry. The Government's main waste disposal legislation will be brought forward as early as possible during this Parliament. Meanwhile, we welcome the opportunity the Bill gives not only to discuss these vital questions of great importance, but to put in place the register of carriers. I hope that the House will give this helpful and constructive Bill a Second Reading, so that it can be appraised in further detail and improved in Committee. I hope sincerely that we shall see an Act on the statute book this summer.

12.31 pm

Ms. Ruddock: I want to take a few minutes of the House's time to respond to the debate. On the question of penalties, I have been extremely encouraged by the way in which hon. Members of all parties have spoken in terms of strengthening the Bill. No one could be more delighted because I have formed a strong view that we need the penalties proposed in the Bill. If they went further, from taking the vehicles to confiscating them permanently, no one would be more pleased.

A message has gone out from the House today about the way in which magistrates already enforce the law. We are asking that, in this most serious offence which causes such distress to ordinary people, magistrates should look to the top of the scale, which allows them to impose a penalty of £2,000, and not at the bottom of the scale, as they do now.

I welcome the Government's plans as the Minister outlined them. I was aware of the consultation exercise and of the Department's interest in trying to bring forward a package of measures to deal with all aspects of waste. However, it is clear that the Government have had the opportunity to hold such consultations, draw up such reports and make such proposals for many years past. The reason I have brought forward my private Member's Bill today is that the Government have not acted. We are impatient and the people who are suffering from this manace are extremely impatient. Although I appreciate the sincerity of what the Minister said, we still do not know when the other measures will be brought to the House for debate.

I make no apology for wanting to push ahead with the serious measures contained within the Bill. I welcome the Minister's willingness to have those matters discussed in detail in Committee, but I am disappointed by the Government's reluctance to give wholehearted support to part II, although I am not surprised. I remind the House of all the comments that hon. Members have made today, which suggest that my thinking and advice that I have been given on the subject are pertinent to the task in hand.

Mr. Boateng: It is a modest proposal.

Ms. Ruddock: As my hon. Friend says, it is modest. I could have come to the House with far more draconian measures.

Like the Minister, I want to comment on the presence of women as the promoter and sponsors of the Bill and the Front Bench spokespersons. Until a moment ago, we also had Madam Deputy Speaker in the Chair. Many Lady Members of the House believe that the conduct of debates and concern for the environment might be much improved if the number of women in the House were to be increased.

Mr. Frank Cook: It has been.

Mr. Simon Hughes: The hon. Lady was about to make an important point—not only are three women in charge of the Bill; there was a woman in the Chair for much of the debate.

Ms. Ruddock: I was endeavouring to make precisely that point.

Mr. Tony Banks: Before my hon. Friend leaves that point, I wish to associate myself with all her comments. This has been a most auspicious debate, which has been made that much more interesting and intriguing by the fact

that the hon. Member for Eastbourne (Mr. Gow) has been acting as PPS to the Minister. One can only assume that it is the long road back to the top again for him.

Ms. Ruddock: I conclude my remarks by thanking yet again the sponsors of my Bill, most of whom have been present throughout the debate and many of whom have spoken.

The speeches today have been important. All too often, it is thought that only speeches on contentious issues really mater, but today's speeches have brought to the attention of the House, and of the wider listening public, matters that are of concern to many ordinary people and to many of our constituents.

Green matters are often thought to be the province of those who are already enjoying a good standard of living and who have become bothered by inconvenience or by the deterioration of the environment, but the people affected by the problem that we have discussed today are, in the main, members of poorer communities who live on council estates in our inner cities. They have not had the benefit of the voice of the green pressure groups; they have had to find their own voice. They have had to batle with the authorities in an attempt to get redress for their grievances. We in London are often thought to be green yuppies, and it is a timely development that people who cannot so easily be described in that way should have found a voice for their concerns in the House.

We end this debate on a note of optimism, with the feeling that measures will be brought forward, and in the hope that the Bill will succeed in Committee and that the problems will be solved. Meanwhile, I remind the House of the suffering of people who live in neighbourhoods where tens of thousands of tons of rubble have been dumped. We cannot act quickly enough for them. A great deal of effort will be needed, and in this regard I want to acknowledge the support and efforts of my staff who, like the staff of any hon. Member who introduces a private Member's Bill, have had to work extremely hard. I thank all those who have assisted us and I promise them that if the House should now decide accordingly, much more work will be in hand—in a very good cause and, I hope, to a very positive end.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

Road Traffic (Breath Tests) Bill

Order for Second Reading read.

12.34 pm

Mr. John Home Robertson (East Lothian): I beg to move, That the Bill be now read a Second time.

I am a little puzzled that the Home Office Minister whom I understood to be responsible for the Bill is not with us, although I am grateful to the Minister for Roads and Traffic for coming to the House to respond on behalf of the Government. We all know of his deep interest in this subject. I fondly recall the previous occasion on which I moved a private Member's Bill—now the Protection of Children (Tobacco) Act 1986. One of the prominent supporters of that Bill was none other than the hon. Member for Surrey, South West (Mrs. Bottomley), the Parliamentary Under-Secretary of State for the Environment. I sincerely hope that this Minister will do me a similar favour.

The Bill has two straightforward provisions. The first is to clarify existing legislation to remove the popular misconception that drivers may not be stopped and breathalysed unless they are committing another traffic offence.

Clause 1 would establish a clear and specific link between sections 6 and 163 of the Road Traffic Act 1988. It represents no real change in the substance of the law, but clarifies the statutory basis of measures that are already being practised by several police forces throughout the land. I should like such action to be better co-ordinated among police forces in various parts of the country to achieve more effective deterrence of the menace of drinking and driving.

Clause 2 would create new powers under which the police could conduct spot checks at the roadside and randomly breathalyse motorists, subject to clear safeguards to prevent any possible abuse of police power. The detailed powers and code of practice on implementation would be established by regulations made by the Home Secretary and the Secretary of State for Scotland. The objective of that provision is to deter the reckless minority of motorists who are still drinking and driving, regardless of the risk to themselves and others, and regardless of the now overwhelming public disapproval of that vicious conduct.

I emphasise that I have absolutely no objection to responsible social drinking. I very much enjoy occasional invigorating refreshment myself, both in the restaurants and bars in this House and in the excellent pubs and clubs in various parts of my constituency. I strongly recommend to all hon. Members the excellent products of Glenkinchie distillery and Belhaven brewery in my constituency of East Lothian——

Mr. Frank Cook (Stockton, North): That's the spirit.

Mr. Home Robertson: However, having taken a few drinks, we should travel in cars only as passengers. There are now no excuses for doing otherwise because any social pressure to drink and drive is long gone and an excellent selection of low-alcohol drinks is now available in virtually all bars. Therefore, there is now no excuse for failing to be self-disciplined.

I suspect that the Minister will tell us that all is comparatively well and that the situation is far better in Britain than it is in some other countries——

The Minister for Roads and Traffic (Mr. Peter Bottomley) *indicated dissent*——

Mr. Home Robertson: I am glad that the Minister is shaking his head because I was a little worried——

Mr. Bottomley: Things may be better elsewhere but the position is still appalling.

Mr. Home Robertson: I am grateful to the Minister for acknowledging that important and relevant point. It is not good enough to say that we are better than various other countries because, as I shall illustrate, the situation is still alarming.

Complacency would be cruelly inappropriate because there are still 950 deaths and 25,000 injuries each year in this country from alcohol-related road accidents. That represents an continuing disaster of truly tragic proportions. That figure of 950 deaths a year is 73 per cent. more than the number of lives lost in the recent disasters at Piper Alpha, King's Cross, Clapham junction, the M1 and Lockerbie put together. Britain's drink-driving death toll is equivalent to more than three Lockerbie jets and three Clapham train disasters put together. Clearly, there is no room for complacency and I am grateful to the Minister for acknowledging that.

I am convinced that the nation and the House are now ready for further action to deal with the continuing menace of drinking and driving. Up to a point, the legislative framework already exists. Drinking and driving is a criminal offence which is already subject to appropriate penalties. However, the trouble is that there is still a hard core of reckless morons who do not care about the risk of butchering themselves and others and who do not believe that there is any risk of being caught. That is the problem that the Bill aims to address.

Seasonal campaigns by the Department of Transport and the police do quite a lot of good. People can be routinely breathalysed following an accident or the commission of some driving offence. However, an offence cannot be deterred if it has already taken place so surely it would be better to deter drinking drivers before they take to the road in the first place.

In many cases these offenders can be deterred. For the most part, we are dealing with normal, law-abiding citizens. Half the culprits are upper middle-class businessmen between the ages of 40 and 50. The term "dumbo" has been used to describe these drunken, upper and middle-class business men over 40. By definition, these people are difficult for the police to target under the existing legislation, so they just drive on until the almost inevitable disaster, sooner or later.

If the Minister wants to target groups of drivers who pose a particular threat, clause 1 and the existing legislation make it possible for the police to do so. The second clause is designed to introduce a random aspect into the legislation so as to deter those drivers who are difficult to target. Poll evidence suggests that 77 per cent. of drivers who drink support random testing. If that is not a cry for help, I do not know what is, and it ought to receive a positive response from the House and the Government.

Human nature is very strange. Many of us cheerfully ran for years the risk of terrible injuries by not wearing seat belts, but when Parliament created the prospect of being ticked off by a policeman for not doing so, all of us buckled up pretty damn quick, and we have been doing so ever since. Legislation of this kind can therefore work, and in so doing can save lives.

Mr. Gary Waller (Keighley): Does the hon. Gentleman agree that many of those who responded to the question about random testing do not appreciate that they can already be stopped in a way that many of them would regard as random? If a police officer has any reason to believe that a person may have been drinking, which should be fairly easy to ascertain, that person can be tested. A fairly large proportion of the drinking and driving public do not understand what the law is at present. If we need a campaign, it should be to ensure that people appreciate that the risks of drinking and driving are already grave, because they can be stopped at random now.

Mr. Home Robertson: Some chief constables apply the legislation, but the difficulty is that they have to do so under two separate provisions. The first is a general power that enables a police constable to stop a driver. If he suspects that the driver may have been drinking, he can then go ahead and breathalyse that person. The problem is that the drivers I have been talking about do not know that they risk being caught, otherwise they would not drink and drive. The two provisions are designed to overcome that problem and I have sought to demonstrate that legislation of this kind can work and can save lives.

Evidence from New South Wales suggests that spot checks that increase the perceived risk of detection have a dramatic impact on the behaviour of drivers. There was a 37 per cent. fall in alcohol-related accidents in New South Wales over four years, following the implementation of legislation such as this. If we in Britain could achieve such a fall in alcohol-related accidents, we should save 300 lives and thousands of injuries every year. If the Bill became law, we could prevent the equivalent of a Lockerbie air disaster death toll in the coming year and in every year thereafter. That is a goal worth pursuing.

Public opinion is ready for the legislation and is demanding it. There is support for the key principle in the Bill from the widest imaginable spectrum of opinion, with a few eccentric exceptions, such as Mr. Max Hastings, who earlier this week suggested in *The Daily Telegraph* that legislation of this kind is unnecessary and that to cramp the style of drinking drivers was a monstrous imposition on civil liberties. I suspect that that journalist must have used up a great deal of printing ink in protesting about the death toll at Clapham and elsewhere. Why is he not prepared to do something about this infinitely worse death toll?

Mr. Peter Bottomley: For the avoidance of doubt by those who have not read the article on the feature page of *The Daily Telegraph* on Tuesday 21 February, Max Hastings—who must have been writing in jest—said that for those of his guests who were driving he was only offering small glasses of orange juice. If he had come across some of the other attractive drinks for drivers, his guests may have stayed longer and enjoyed themselves more.

Mr. Home Robertson: I cannot imagine that they would have enjoyed themselves much in that eccentric company. I think that Mr. Max Hastings is on his own when it comes to that particular argument.

To turn to a few examples of those who are clamouring for a change in the law, the police want to be given increased powers because the existing legislation is unsatisfactory. That covers the point raised by the hon. Member for Keighley (Mr. Waller). The National Council for Civil Liberties has withdrawn its earlier objections to random breath testing on the reasonable grounds that freedom to travel without running the gauntlet of drinking drivers must be more important than the liberty to drink and drive without fear of detection. The Casualty Surgeons Association, representing those who have to stitch up the pieces after the road accidents, supports the Bill wholeheartedly. A total of 9,200 women's institutes throughout the country strongly supports the Bill. The Royal Automobile Club and the Guild of Experienced Motorists support the principles of the Bill. The British Medical Association actively helped me with the detailed drafting of the Bill and the parliamentary advisory council on transport safety—PACTS—is closely involved with the initiative. I am grateful to Jeanne Breen, the co-ordinator of PACTS, for her great help in dealing with the Bill.

No doubt the most powerful advocates of the legislation must be the campaign against drinking and driving and the Scottish campaign against irresponsible drivers. They represent those who have lost relatives as a consequence of this murderous conduct. They want action and are entitled to demand it from the House.

The public opinion survey commissioned by Haig scotch whisky in December 1988 produced results which are anything but vague—93 per cent. of respondents thought that random breath tests were "a good idea". No fewer than 127 hon. Members from all parties and every part of the country signed early-day motion 382 supporting the Bill. Perhaps even more significantly, no hon. Member has yet voiced opposition for the measure although I am filled with trepidation at the sight of the hon. Member for Eastbourne (Mr. Gow) in his place. We look forward to hearing from him—perhaps.

Even the Minister acknowledged that this is

"one of the few occasions during the past three years when an hon. Member has introduced a Bill that is designed to improve adult safety."—[*Official Report*, 23 January 1989; Vol. 145, c. 848.]

We know that the Leader of the House is chairing an important ministerial committee to address the range of problems caused by alcohol abuse and we now have the White Paper, published last month entitled "The Road User and the Law" which arises from the North report. All that is positive and I welcome it as far as it goes. Nevertheless, I am sure the Minister would acknowledge that the Bill would save more lives than all the proposals in the White Paper put together.

I recognise that progress on the Bill is likely to be complicated by the fact that the Home Secretary produced a consultation document on the same subject six weeks after the introduction of my Bill. That is rather like being gazumped in reverse. However, if my initiative has helped to goad the Home Office into some action at last, I am happy about that.

I welcome the fact that the Home Office has taken an initiative on the vital issue of deterring drinking drivers by police action. However, the alternatives put forward by the Home Secretary do not include one of the most attractive options—that outlined in my Bill. The Home Secretary offers just three possibilities in his consultation document. The first is to do nothing. The second is to clarify the existing law on the same basis as clause 1 of my Bill is intended to do and the third is simply totally unfettered discretion for any policeman to stop and breathalyse any motorist, anywhere, as often as he likes.

I fear that such blanket powers could give rise to serious abuses. They would certainly damage the relationship between the police and the public and, as such, would probably do more harm than good. They would certainly run into strong opposition from both sides of the House. I would have the greatest difficulty in supporting legis[illegible]n that basis. There is a potential consensus arc[illegible]rinciple of random breath tests covered by pro[illegible]guards as outlined in my Bill. It deserves posi[illegible]consideration by the House. The Home Secretary has omitted that acceptable and effective alternative of properly regulated spot checks to deter and detect drinking drivers as proposed in clause 2 of my Bill.

I sincerely hope that the Minister will not reject the Bill out of hand. It would certainly save lives and I have introduced it with all-party support in a spirit of co-operation. If necessary, I would be willing to defer further consideration of the Bill until the Home Office consultation process has been completed at the end of April. I would be willing to accept constructive amendments and would even agree to running the spot check element of the Bill on an experimental basis if that is what the House and the Government prefer. Having presented the Bill in that spirit, I sincerely hope that the House and the Minister will allow the measure to make progress.

12.54 pm

Mr. Ian Gow (Eastbourne): Forty-three weeks ago today, an hon. Member said:

"Our debate takes place on the 87th birthday of the Emperor of Japan."—[*Official Report*, 29 April 1988; Vol. 132, c. 629.]

It is a strange irony that our proceedings today take place not on the birthday but on date of the funeral of the late Emperor of Japan.

I congratulate the hon. Member for East Lothian (Mr. Home Robertson) on having secured his place in the ballot and on his excellent speech commending the Bill to the House. I entirely agree with what he said at the start of his speech about the appalling casualties and the great human suffering and misery caused on our roads because of drink driving.

It so happens that I am a member of the Select Committee on Public Accounts, which recently considered a report of the Comptroller and Auditor General that was presented to Parliament on 14 June last year. The findings of the Comptroller and Auditor General were in exact conformity with what the hon. Gentleman said. The report stated:

"Drinking and driving is a major cause of road accidents costing at least £360 million and involving some 20 per cent. of road deaths in Great Britain each year."

I would have put it the other way round and said that drinking and driving cost about 1,000 lives a year, just in England, Scotland and Wales. I would have put the cost after the human tragedy.

The Comptroller and Auditor General and the Committee on Public Accounts also note that an extraordinary and deeply regrettable feature of our criminal law is how widely it is believed—we cannot be certain about it—that the law is flouted. As statistics clearly show, the prospect of a driver who is over the limit

[Mr. Ian Gow]

actually being caught is very remote. Therefore, the hon. Gentleman was perfectly correct to lay stress on the human tragedy. The Comptroller and Auditor General referred also to the enormous cost in monetary terms, though that is less important.

It is also relevant to point out that in other countries so-called random breath testing is increasingly becoming the norm. As the years go by, I should expect that practice, which is growing in other countries, to accelerate here.

If I have a doubt about the hon. Gentleman's Bill, it is not about purpose, because we share a common purpose, which is to diminish this appalling suffering. I am afraid that I shall not be able to stay to hear my hon. Friend the Minister but I shall be interested to read his comments. I believe that the law is already clear on this subject. Under section 159 of the Road Traffic Act 1972, the police have the power to stop any vehicle at random. Under section 7 of the same Act the police may require a motorist, once stopped, to provide a sample of breath if the policeman has reasonable grounds for believing that the motorist has alcohol in his body. Or even if the policeman does not suspect that, he can, if he thinks that a traffic offence has been committed while the vehicle has been moving, ask for a breath test. The courts have held that the police may use the power under section 159 to stop vehicles at random in order to decide whether there are grounds for administering a breath test.

If, therefore, there is in effect already in existence under the present law power to stop any motor vehicle—that includes, of course, a motor bicycle—at random and if, having suspected that an offence has been committed while the vehicle has been moving or that the driver has alcohol in his body, that gives a police officer the opportunity to administer a breath test, I ask the House, my hon. Friend the Minister and the hon. Member for East Lothian whether his Bill is really necessary.

In a sense, this is a matter for the lawyers, but the view of the police is also relevant. As I understand it—my hon. Friend the Minister will correct me if I am wrong—the police are not asking for the law to be changed.

Mr. Home Robertson *rose*——

Mr. Peter Bottomley *rose*——

Mr. Gow: My hon. Friend will understand if I first give way to the hon. Gentleman who introduced the Bill.

Mr. Home Robertson: Perhaps the Minister could give us chapter and verse on this matter, but my understanding from my meetings with the Association of Chief Police Officers' traffic representatives in this House about the Bill is that it now believes that the existing legislative framework is not satisfactory and requires clarification to help the police to enforce the law.

Mr. Gow: I give way to my hon. Friend the Minister, whose wife answered an earlier debate and, if I may say so, answered it extremely well.

Mr. Bottomley: That is probably because my wife has had plenty of opportunity to listen to my hon. Friend the Member for Eastbourne (Mr. Gow).

The position is rather more than that stated by the hon. Member for East Lothian (Mr. Home Robertson). First, ACPO Scotland suggested to the Scottish Office that the removal of some restrictions might be useful. I believe that ACPO was suggesting that it would not want mass random testing. The ACPO General, which takes in England, Wales and Northern Ireland, had a discussion in May on this matter at its conference in Eastbourne. I regret it if it did not ask my hon. Friend the Member for Eastbourne to attend.

Mr. Gow: It did not.

Mr. Bottomley: At its May conference, it was evenly balanced between whether there was a need for reinstatement of the law, restatement of the law or the removal of some of the restrictions on police powers. Subsequently, it came to a majority decision that it would welcome unfettered discretion, but it was not talking about mass random testing.

The issue is rather in the air and is there to be grabbed by any hon. Member who is interested in taking hold of it.

Mr. Gow: I am grateful to the hon. Member for East Lothian and, of course, to my hon. Friend the Minister for those helpful interventions.

In the Public Accounts Committee—under the distinguished chairmanship of the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), who is also a distinguished former Treasury Minister—close attention was paid to the evidence presented by the Comptroller and Auditor General.

The Department of Transport—in which the Minister of State, Foreign and Commonwealth Office my right hon. Friend the Member for Wallasey (Mrs. Chalker) used to serve—explained that in May 1988—which by common consent is only nine months ago—that English law gave the police powers to stop vehicles at random. Having stopped the vehicle, police could then administer a roadside breath test.

The Association of Chief Police Officers, to which the hon. Member for East Lothian referred, considered that the powers that I have just described were adequate to allow police forces to deploy resources effectively and efficiently to deal with those who seem likely to be driving while over the limit.

It is clear that the present law about the limit of alcohol that we are allowed to have in our blood, is being widely flouted. My hon. Friend the Minister and the hon. Member for East Lothian would agree with that. Unfortunately, there is no representative from the Social Democratic or the Liberal parties here today.

Mr. Paul Boateng (Brent, South): Why not?

Mr. Gow: As it is a Friday and the day on which the funeral of the Emperor of Japan is taking place, I think that I am allowed to call the hon. Member for Brent, South (Mr. Boateng) my hon. Friend. He has asked a relevant question to which we both know the answer. We are discussing a matter of the highest importance, but representatives of the so-called centre parties are absent.

Mr. Boateng: That is very kind of the hon. Gentleman. He will recall when he and I were members of the Housing Bill Committee that time and again hon. Members on both sides of the Committee felt compelled to draw attention to the absence of members of what I believe at the time were still called the Liberal and the Social Democratic parties. That was before the great sea change. However, it was

necessary for us to point out to the public that those right hon. and hon. Members are absent. Where are they now? It really is not good enough, is it?

Mr. Gow: I believe that it was my hon. Friend the Member for Brent, South who with characteristic eloquence described the Liberal party as being composed of a band of visionary missionaries with neither vision nor mission. I do not want to quarrel with those sentiments which, if my memory serves me correct, he expressed. We continue this debate as best we can without the assistance of any representatives from the Social Democratic party and the Liberal party.

I have already apologised to the hon. Member for East Lothian and to my hon. Friend the Minister, but it is a matter of deep regret to me that I must make a journey, mercifully in a railway train, to Eastbourne. I would like to take my hon. Friend the Minister with me, but I apologise to him and to the House for the fact that I will not be able to stay and hear my hon. Friend the Minister's reply. However, I will study the *Official Report* with great care on Monday. I repeat my congratulations to the hon. Member for East Lothian. He knows that we share a common purpose. My only question is whether this legislation is necessary now. Perhaps in future we may decide that it is important to clarify the law. I hope that my hon. Friend the Minister can answer my point and I assure him that no discourtesy is intended for the journey that I must make to Eastbourne.

1.8 pm

Mr. Frank Cook (Stockton, North): I will detain the House only briefly because I had not intended to speak in this debate. However, perhaps there are one or two observations that I can make. I shall not speak for too long because I have an uneasy suspicion that other hon. Members may want to talk out this business and I should not like to spoil their opportunity to prove their prowess in such an ignoble exercise.

I shall make brief reference to my own experience. Until the middle of 1988, I was opposed to such proposals. Then I started to think more deeply and carefully about the issue and realised that I had probably been afraid of offending those of my colleagues who choose to combine drinking and driving. Indeed, I had done it myself. I confess to the House, not in any spirit of frivolity, nor with any wish to flaunt my past record, that on two occasions in the past I have been done for drinking and driving. On the first occasion, I was seeking to retrieve documents from the back seat of my car which was parked in my drive at 3.40 on a Saturday morning. I was apprehended by a police officer who requested me to undergo a breath test and did me for being in charge of a vehicle. I was guilty under the letter of the law. On the second occasion I had no such defence, so I have been convicted twice for that offence.

Perhaps that created a vestige of resentment to any intervention by the police in what I considered to be a fairly impeccable standard of driving. However, on 10 November 1985, for reasons totally unconnected with my medical condition or my driving ability, I decided to forsake the booze and the baccy on the same day.

Mr. Tony Favell (Stockport): Did the hon. Gentleman have all his hair cut off on the same day?

Mr. Cook: I can assure the hon. Gentleman that it was some years before that. I recall vividly that it was 10 November 1985, which was Remembrance Sunday. I was drunk at the time when I made the decision, and I argued with myself for two and a half hours before I convinced myself that the move was necessary. However, the hon. Gentleman has diverted me. I must get back to the thread that I was hanging on to before he intervened.

Mr. Peter Bottomley: The House will be awed by the hon. Gentleman talking about his past. He has made sure that we realise that the problem is an "us" problem rather than a "them" problem and involves people such as politicians, journalists, police officers, doctors, nurses, social workers, parents and drink-driving campaigners. We are looking for a combination of effective enforcement, deterrence and, above all, greater public understanding and the change of attitude which underlies the successful conversion. The hon. Gentleman will agree that we need more recent converts, although I do not know why he gave up tobacco and drinking on the same day.

Mr. Cook: I am grateful to the Minister for his declaration of understanding, which is not uncharacteristic, though it is not frequently directed at me.

To reinforce what the Minister said, on my second conviction my solicitor pointed out that if justice had been done on each and every occasion when the law had been transgressed he would probably have suffered 400 prosecutions in one year—that was his opinion, not a legal judgment.

In the middle of last year, I thought a great deal more clearly about the matter. I know that alcohol addles the brain temporarily, and if it is taken too consistently in too great a quantity it addles the brain permanently. Perhaps it took from 10 November 1985 until the middle of 1988 to clear from my brain completely. Certainly I had consumed sufficient alcohol in previous years to create such problems.

So much crime and law breaking is drink related. I refer not just to driving but to violence, theft, drug abuse, wife beating and child abuse. Probably 95 per cent. of crime is drink related. It was recognition of that influence that drove me to think more carefully, and to draw the conclusion that is clear to me now—I only wonder how it took 52 years for me to realise it. If we allow ourselves to be in control of a weapon as deadly as a vehicle which can move at speeds in excess of 25 mph—I say 25 rather than 125 advisedly—we must place upon ourselves the responsibility for being in full control of our faculties.

Alcohol consumption is designed to blunt our faculties and to obscure their acuity. That is an element in drinking about which people boast the morning after, when they talk of having had a good "bender" or, as they say in the north-east, "I had a black 'un". My realisation of responsibility drove me to adopt my present point of view and to support unreservedly the case put by my hon. Friend the promoter of the Bill. I am not a sponsor of the Bill, but I am a fervent supporter of the move. I shall not detain the House longer, because I wish to see from which direction the filibustering prowess will come which will deny the passage of the Bill at 2.30 pm.

1.16 pm

Sir. Hugh Rossi (Hornsey and Wood Green): I join my hon. Friend the Member for Eastbourne (Mr. Gow) in congratulating the hon. Member for East Lothian (Mr. Home Robertson) on presenting his Bill today. I believe

[Sir. Hugh Rossi]

that my hon. Friend and I are the only two people in the Chamber today who were present when breathalysing was first enacted in 1967. The argument that then ranged right across the House concerned interference in the individual's rights and freedom—whether, in the absence of evidence that an offence had been committed, it was right for a policeman to stop and detain a member of the public and obtain such evidence thereafter.

If my memory serves me right, that question was resolved by the then Minister of Transport Mrs. Barbara Castle, who said that the right to breathalyse could be operated only when the police suspected that a road traffic offence had been committed. It was said that shooting traffic lights, not having lights, indicating that one was turning in the wrong direction, and other actions that might attract a police officer's attention provided sufficient justification to breathalyse the driver. Although the law is by no means clear and has been interpreted differently by different police forces, the general trend has been to follow that practice. However, in recent months there has been something of a departure and some rethinking by the police as to whether or not the law should be more strictly interpreted and enforced.

The great merit of the Bill is not that it seeks to impose a blanket right on the part of the police to stop and breathalyse, but that it seeks to clarify the law and indicate circumstances in which breathalysing is permissible, as well as introducing the deterrent of organised spot checks. Although I generally support any argument in favour of the rights and freedom of the individual, there are times when, and circumstances in which, in the general interests of the community, a measure of restraint or delimitation must be imposed.

What brought that matter to mind is the unhappy case of one of my constituents, a woman who still writes to me today, whose 17-year-old son was killed in a road accident some years ago. He was a passenger in a motor car. He was an outgoing young man of attractive personality and was well beloved, not only by his mother but by all who had contact with him. What a tragic waste of life. For reasons that I have not yet comprehended, the police decided not to prosecute, and the mother had to bring a private prosecution. The driver was found guilty, and the judge expressed his concern that she had been put to the expense of bringing the prosecution and that the public authorities had failed her to that extent.

That story, which comes back to me at regular intervals, has left me with two thoughts. First, until a tragedy occurs—please God that it does not happen—we do not realise the extent of a bereaved parent's grief. One can say, "If something happens to my child, I shall feel terrible about it," but one does not realise the depth of that grief and how long it lasts. It is easy to utter platitudes such as "Time will be a great healer" or "One must learn to forgive". It is almost impossible to eradicate deep bitterness. One would rather not have to contemplate the pain that is seen to be suffered.

Young, hopeful lives are suddenly wasted on our roads every day because of some carelessness or foolishness on the part of a driver who has drunk too much—certainly more than entitles him to be in control of the lethal weapon that a motor car can be.

The other thought was that perhaps we are too lax on drinking and driving and that we should take steps to increase the deterrence within our legal system. Some young people do not need it—they are sensible. When they go to parties, my young but adult children and their group of friends always ensure that one of them has only soft drinks. They take it in turns to have soft drinks. That is a sensible practice, but not every group behaves in that way. Hon. Members should devise ways and means of encouraging young people to adopt that practice. They can enjoy themselves and have a good evening without consistently rendering themselves silly through the consumption of alcohol.

Because of the experience of that one constituent, I hope that the hon. Gentleman's Bill is successful. No doubt, the Minister will rely upon the fact that, through Home Office consultation, the Government are considering the matter and will say that the Bill is premature. But the hon. Gentleman has made a good offer. He is prepared to defer consideration of the Bill until consultations with the Home Office are complete. He is prepared to consider any reasonable amendments that the police authorities consider necessary for practical reason. One does not often hear a fairer offer, and on that ground alone the Bill is entitled to be given a Second Reading.

1.24 pm

Mr. Gary Waller (Keighley): Hon. Members will have listened with care to my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi) and with sadness to the case that he mentioned.

We are all aware of cases in which innocent people have had their lives destroyed through injury and paralysis because of the actions of a driver who should not have been driving because he or she was intoxicated. Relatives of those who have lost their lives have told us that the law should be strengthened to deter drivers from drinking and taking to the roads. We are all sympathetic to that objective, because far too high a proportion of the 4,000 or 5,000 deaths and the even greater number of serious injuries that occur on our roads each year could have been avoided.

We welcome the steps that my hon. Friend the Minister for Roads and Traffic has taken to prevent drinking and driving. He is right to say that there has been a sea change in people's attitudes to this unsociable and unacceptable activity. Much of that success is undoubtedly due to the discussions that he has had with brewers and others to encourage those who frequent pubs and other establishments to drink something else. Many people feel that it is a sign of lack of virility or strange social behaviour if they do not enter into the spirit of things and take alcoholic drink. However, people are increasingly appreciating that one can have a soft or low-alcohol drink without anyone thinking the worse of them. There has been much success in the development of low-alcohol drinks and my hon. Friend should take credit for the encouragement that he has given to speed up that development. We should like it to extend further.

Hon. Members wre impressed by the sincerity and honesty with which the hon. Member for Stockton, North (Mr. Cook) spoke. Few hon. Members would be prepared to speak as he did about their culpability and to say to others, "do not act in the way that I did in the past, which I now regret." We admire him for making those remarks.

Now is not the time to introduce legislation, however, because at the beginning of the month my right hon. Friend the Secretary of State for the Home Department published a consultation document and it would be precipitate to introduce legislation when people are being asked to give their views. If the law is to be changed, the way to gain public acceptability is not by pressing ahead at the very moment when there are consultations and apparently taking little notice of the responses to those consultations.

Mr. Home Robertson: That is a point with which I tried to deal earlier. I welcome the fact that the Home Office has begun to move on the subject, albeit six weeks after the Bill was introduced. I made it clear that I would be prepared to defer further consideration of the Bill until after the end of the consultation process that the Home Secretary has started. I should be happy if the House could give the Bill a Second Reading at the beginning of May and for it to go into Committee after that. That would enable us to make progress with the benefit of the information gleaned by the Home Office in the course of the consultations. There is a prospect of partnership on that basis.

Mr. Waller: I welcome an approach that involves partnership, as the hon. Gentleman said. Nevertheless, I believe that the changes needed—if there are to be changes—are not so simple as he may believe. I would argue that there need to be safeguards which must be thought about carefully. I hope and believe that before long my right hon. Friend the Secretary of State for Transport will introduce legislation to improve the road traffic law. That would be a more suitable opportunity to consider any legislation which may be desirable on this aspect, in the context of other legislation which may be introduced and may be of some relevance, following the Government's response to the North report.

Mr. Home Robertson: That was not in the White Paper.

Mr. Waller: It is correct to say that it did not fall within the ambit of the work of Dr. North to consider the law as it relates to drink driving, but clearly there is a relationship between this and much other traffic law. It is not right to consider drink driving in isolation without taking account of other aspects of road traffic law and also of police powers.

I want to discuss police powers because there is considerable misunderstanding about what they are. At present, the police powers to stop vehicles and to require roadside breath tests are contained in two separate provisions of the Road Traffic Act 1972. Under section 159, a police officer may stop any vehicle at any time. It is not understood that the police have those powers and it is important that the public should appreciate that those powers exist. Of course, the powers are used in different ways by different chief constables and police forces.

Under section 7 of the same Act, breath tests may be required:

"where there is reasonable cause to suspect that the driver has alcohol in his body."

A police officer may be able to assess that simply by moving close to the driver to detect any smell of alcohol that there may be on the driver.

Mr. Home Robertson: The hon. Gentleman seems to be acknowledging the case for the principle of random breath tests and suggesting that they are possible under present legislation. Can he not see that the procedure whereby a motorist must be stopped under the general power in section 163 of the Road Traffic Act 1988 and then the constable has to go through the charade of deciding whether he suspects that the motorist has been drinking, and subsequently administering the breath test under section 6, is tailor made to create confrontation and misunderstanding? Has the hon. Gentleman not already acknowledged that the situation is widely misunderstood and that people do not recognise that they are at risk of being caught? There is a great need at least to clarify the existing law and, I hope, to go beyond targeted breath tests to the general principle of random breath tests.

Mr. Waller: I have already said that there is a misunderstanding, and I, for one, would not be averse to a change in the law to avoid that misunderstanding in future.

Mr. Peter Bottomley: I have been trying to avoid intervening, although I am fascinated by everything that has been said. As some hon. Members may not be present for the whole debate, I should make it clear that many motorists do not regard it as a charade if they are stopped and checked. For example, when the chief constable of Warwickshire made safety checks, he found more fault with the cars than with the drivers. People leaving Twickenham and Henley were stopped by the police, who found that of perhaps 700 people they needed to test about 70 and to arrest only five or seven at Henley and none at Twickenham. Such checks are not a charade, nor are they offensive to many motorists. The evidence does not support that claim.

Mr. Waller: What my hon. Friend says is right. I do not believe that there is enormous public dissatisfaction or outrage at the present law, although many people feel that it could work better. We do not receive daily or even weekly or monthly letters from our constituents saying that the mechanics and operation of the present law are unsatisfactory. Many people would prefer there to be a better deterrent, and many do not appreciate what the present law is.

I was explaining the circumstances in which a police officer may require a breath test. He may require a test if he has reasonable cause to suspect that a driver has alcohol in his body. That is a very wide power indeed, He may also require a breath test where he has reasonable cause to suspect that a driver has committed a moving traffic offence. That, too, is a very wide power. It means that if one of the lights on a car is not working or if a person is driving somewhat abrubtly, a police officer has reasonable cause to administer a breath test.

Mr. Home Robertson: I know that the hon. Gentleman is making a serious point, but does he not acknowledge that it would be infinitely better if we could deter people effectively before they get behind the wheel of a car? It is too late to catch people when they are driving erratically or, as happens in many tragic cases, when they have already killed someone else or injured themselves. One way or another the House should get it across to people that there is a risk of being caught. We should pass the legislation required to deter people from engaging in this vicious, murderous conduct in the first place. We are catching people far too late if we catch them only when they have committed a moving traffic offence.

Mr. Waller: We are all interested in deterrence. This debate is essentially about deterrence, and we are interested in deterring not only the small minority of people who may be detected committing a moving traffic offence, but a much greater number of people than that. However, if more people appreciated what the present law is, they might be deterred. They might also be deterred if they appreciated the wide powers that police officers already have. Of course we are interested in deterrence, but it is a question of assessing how the deterrent effect can be applied most effectively. Many people believe—in my view mistakenly—in the abstract that a random power would be the most effective way of deterring people. As I develop my speech, I hope to show that there are different views as to the most sensible way of deterring people from drinking and driving.

A police officer may also require a breath test if there is reasonable cause to believe that the driver has been involved in an accident. The courts have held that it is lawful for the two powers contained in sections 7 and 159 of the Road Traffic Act 1972 to be used together. The question that we must ask is whether there would be benefits in clarifying the position and in bringing together the two powers in one section. That is one of the options that my right hon. Friend the Home Secretary has laid before the public. I maintain that consolidating the existing powers would be a sensible move forward. By bringing together in one section the separate powers of sections 7 and 159 of the 1972 Act, and by seeking to express parliamentary endorsement of their use in combination, there would be better public understanding of the powers that enable the police to stop and test within clearly stated legislative provisions.

It would not be sensible, however, to introduce unrestricted powers to require a breath test or to give police officers untramelled powers to set up road blocks and to stop every fifth or tenth car and ask the driver to give a breath test. That would not be a sensible use of police resources which, after all, are one of the main problems in achieving better deterrence. The police have many other demands on their time.

At Christmas 1987, when the police tested 37,050 drivers and found that 10 per cent. were over the limit, that was the average of the country as a whole but there were enormous differences from one police force to another. At one extreme, in Norfolk 1,800 people were tested and only 30 were found positive—in other words, 2 per cent. of those tested produced a positive test. In Northumbria, far fewer motorists were tested but out of the 290 who were tested 100 were found positive—that is, 34 per cent. of the total.

Mr. Home Robertson *rose*——

Mr. Waller: I think I know what the hon. Gentleman is going to say. I suspect that he will say that in Norfolk more people were deterred from drinking and driving.

Mr. Home Robertson: Yes.

Mr. Waller: I do not think that the evidence shows that. We can assess the effectiveness of deterrence only by reference to accident, injury and fatality rates. I submit that there is no evidence to show that counties with a much more rigorous approach to this matter—counties which already, in effect, impose random tests—have, for that reason, a much better record of preventing accidents in which people are killed or injured. However, if the evidence were available, it would strengthen the hon. Gentleman's argument.

Mr. Home Robertson: I am grateful to the hon. Gentleman for giving way yet again. He disposed of his earlier point exactly as I would have done, and I am grateful to him for rubbishing his own point.

Does he accept that there is ample evidence from abroad, especially from New South Wales, that as much as a 30 per cent. reduction in fatal and injury accidents can be achieved as a result of applying such a policy? Will he also accept that in New South Wales and Finland the implementation of this type of legislation did not lead to any increase in the requirement for police manpower? It is an efficient power which can work to save lives.

Mr. Waller: I have not studied the New South Wales figures carefully.

Mr. Peter Bottomley *rose*——

Mr. Waller: Before my hon. Friend intervenes, I should like to point out that there is always a temptation to say that because a change of one kind or another has been made, any change in the casualty rate must be the result of that change. Arguments of that kind were used in both directions in our debates on the seat belt legislation. New South Wales and the other Australian states are high on the list of comparisons, but I am suspicious about using statistics in the way that the hon. Gentleman suggests, although I shall be happy to examine any that he may care to provide.

Mr. Bottomley: From 1982 onwards there has been a dramatic reduction in drink driving in New South Wales, but the amount of drink driving in Britain in 1982 was lower than in New South Wales, and it is lower in Britain now than it is in New South Wales. By selecting a particular year, one can prove all sorts of different things, but the key point is that one should not place too many hopes on any comparison. If a person doing research came to Britain from New South Wales, or from Victoria or New Zealand, and asked how Britain compared with what was happening in those places, he would be told that Britain was doing better. The issue that has been raised by the hon. Member for East Lothian (Mr. Home Robertson) and that my hon. Friend the Member for Keighley (Mr. Waller) is addressing is whether Britain can do better than it is doing now. I do not believe that we learn much from comparisons with other places.

Mr. Waller: That was a helpful intervention. I agree entirely with my hon. Friend that those who promote road traffic causes tend to use examples from experience abroad which can sometimes be misleading. One has to examine carefully the circumstances in different countries. In many respects, the position in Britain is different from that in other countries. We must therefore exercise great care when drawing comparisons.

I said earlier that a much higher proportion—34 per cent.—of the tests in Northumbria proved to be positive. Had the police in Norfolk, as happened in Northumbria, limited themselves to stopping people who appeared to be drunk, they would have caught far more people. Road blocks are an ineffective means of catching drunk drivers. While the police are stopping thousands of innocent people at one location, they are not available to patrol

areas where they are far more likely to come across people breaking the law. The police need to target their efforts much more carefully.

Some chief constables interpret the present law in a way that can only be described as allowing random testing ahead of any changes to the law that we might consider. It has been reported that in one area 6,000 tests were administered in the pre-Christmas period, only nine of which were found to be positive. Nationally, the percentage found to be positive has fallen from 43 per cent. in 1976 to 28 per cent. in 1986. That may be because people are drinking less when they drive, which is to be welcomed, but, it may also suggest that chief constables—certainly the chief constable of Norfolk—are operating a random policy. The wholesale stopping of innocent motorists to catch the guilty can be counterproductive and alienate the vast majority of innocent drivers.

It is true that a large number of those who were questioned said that they would not be against the introduction of a random system, even though many of them did not understand the present position. However, among the large minority of people who are against such a change there are many who would be antagonised by the random stopping of motorists. In this country we are fortunate that the overwhelming majority of people have great confidence in the way in which the police carry out their duties. I do not want to see a change in the law, introduced precipitatly, in a way which could damage the relationship between the police and the public. A minority of people would be antagonised by a change which conflicts with the general principles applying to the way in which the police carry out their duties. We have got rid of the sus law and other legislation in which the police could operate their powers arbitrarily. For instance, in public order legislation and the Police and Criminal Evidence Act 1984 we have been careful to ensure that the police cannot stop people at random simply because their face is black, they look scruffy or for some other reason. We do not want to return to circumstances in which the police stop people ar random without having cause to do so. That is why we have to be careful before proceeding in the way suggested by the hon. Member for East Lothian.

There is a good case for improving the law so that there is no doubt about what it means. There is also a good case for consolidating the two separate provisions of the existing road traffic law so that people understand it and so that we have the best possible deterrent powers. Ultimately, we all share the same interest in making the person who is thinking of going out to drive after taking a drink have second thoughts and stay at home or find somebody else to drive. That is the objective of all of us. It is merely a question of how we go about it in an effective way which ensures that the current harmonious relationship between the police and the public continues in the future.

1.52 pm

Mr. Tony Favell (Stockport): It gives me great pleasure to follow the speech made by my hon. Friend the Member for Keighley (Mr. Waller). He is my squash partner——

Mr. Peter Bottomley: Who wins?

Mr. Favell: Perhaps I win a little more often than he does, but I can say that because I am speaking after him.

I am sorry to say that I once again find myself in conflict with my hon. Friend the Member for Keighley. I hit him on the nose last week and he bears a scar to this day. His mother is convinced that I am trying to disfigure her son. On this occasion I do not propose to take my squash racquet to him but hope to win by force of argument.

My hon. Friend said, rightly, that he does not wish to bring the police into conflict with the public and that he fears—it is a fear that he is right to express—that random breath tests could introduce such a conflict. Many people have come to see me in my prosessional capacity as a solicitor and, since becoming a Member of Parliament, to talk about contretemps with the police. I have never heard anybody complain about passing a breath test. Indeed, they have never complained about being given a breath test that they failed. Almost every member of the public understands the reason for breath tests. They are concerned about their safety and the safety of their family. We all know from statistics the effect that drink has on drivers. Therefore, I am confident that the public support the police.

It gives me particular pleasure to support the hon. Member for East Lothian (Mr. Home Robertson). He probably remembers that I was a sponsor of his previous private Member's Bill and that I served on the Standing Committee. It was a sensible Bill also concerned with safety—the safety of children—and it was enacted. This is an equally sensible Bill, concerned with the safety of us all.

I look forward to hearing what my hon. Friend the Minister for Roads and Traffic says. He has done an enormous amount to bring to the notice of the public the dangers of drink driving, and he has done so without fear. Indeed, he has often been criticised in the press and also, occasionally, in the Tea Room for his strong views on what should be done to curb drink driving. I endorse and support all that he does. More strength to his elbow—if that is not an unfortunate phrase—in promoting the cause for which he fights so well.

I support the Bill for three reasons. First, the law as it stands is an obstacle to convicting someone who has been driving while under the influence of drink. When breath tests were first introduced they were a veritable obstacle course. It almost seemed that Parliament had made it virtually impossible for anyone to be convicted. The police had to go through the most extraordinary ritual before they could demand a breath test, and a further ritual had to take place at the police station before a blood test could be administered. If one wrong step was taken in complying with the regulations made under the Road Traffic Act 1972 the defendant in court would, almost undoubtedly, be found not guilty. As a solicitor I have, on many occasions, made use of the regulations to ensure that my clients were found not guilty.

Mr. Bottomley: Shame.

Mr. Favell: It is a shame, but we get paid for it and, as my hon. Friend knows, lawyers are under threat and have to try to eke out a living somehow.

Mr. Bottomley: I thought that my hon. Friend said that he was a solicitor. I thought that it was barristers who felt under threat, not solicitors.

Mr. Favell: We feel that we may be next in line, so we have to be rather careful.

[Mr. Favell]

I have a personal friend from Loughborough called Henry Charles, whose main claim to fame was that he discovered that the breathalyser kit laid down in the original Act had not been approved by the Home Secretary. On those grounds, not only was one of his clients found not guilty but several other people received pardons. Those are the sort of obstacles that existed under the original regulations, and one remaining obstacle, remains.

As we have heard from my hon. Friend the Member for Keighley a policeman now has the right to stop the driver of a car or motor cycle on the road. If he suspects that the driver is under the influence of drink, he can demand that the driver takes a breath test, but he must show that he has reasonable cause. Regardless of whether the driver has been drinking, if the policeman fails to show reasonable cause, the driver may be found not guilty. That seems nonsense.

My first reason for supporting the Bill is that the present regulations are the final obstacle to bringing a drunken driver before the courts. My second reason is that it is still widely believed by the public that random tests —even to stop and breathalyse a driver if he is believed to have been drinking—are not right unless the driver has committed a moving traffic offence. There can be no better reason for supporting the Bill than to make it absolutely clear to the public that people can be stopped—regardless of whether they have committed an offence or whether they were weaving their way along the road—and then, if they have been drinking, given a breath test.

Let us have clarification. Let the people know the position. A recent MORI poll showed that 2 million people still drink and drive regularly. That is far too many. There should be none. Too many people are still drinking and driving because they believe that, if they drive carefully, they will get home without being stopped. Indeed, reference has been made to the Christmas blitzes. In those areas where it is most likely that a driver will be stopped over Christmas, people are not drink-driving. I have heard people say in the pubs and clubs, "You should not go anywhere near Derbyshire. They will be absolutely red hot on drink-driving during Christmas week". Therefore, people avoid drinking and driving in that area during Christmas week. However, the minute the new year begins back they go on to the roads, because the police do not have the right, or are perceived not to have the right, to stop motorists randomly. That is another good reason for clarification.

My third reason for supporting the Bill is that I believe that it will deter and that it will save lives. I cannot conceive of any reason why the public should object to the police having those powers when many believe that they have them already.

A recent newspaper report stated that a coach full of schoolchildren travelling from Dover had been stopped because the police believed that it was overweight because of beer bought in Calais. The coach was delayed for four or five hours while it was weighed. If the police have power to do that and to delay schoolchildren for four or five hours on their way home, how much better is the reason for the police to have a right to stop someone on the offchance that he may have been drinking.

I support the hon. Gentleman's Bill and I hope that it has a Second Reading.

2.3 pm

Ms. Joan Ruddock (Lewisham, Deptford): The Opposition have not taken an official position on the measures in the Bill, but I shall speak briefly about some of the concerns that we share with its presenter. The magnitude of the crime involved is, of course, not doubted by any hon. Members. There are 950 drink-drive deaths per annum and 25,000 casualities in alcohol-related injury accidents. In that enormous number of people who have suffered because of the effects of drink-driving, one half were people who themselves were not drunken drivers when they had their accidents.

Drink driving is a more serious source of death, accident and injury than any other serious crime, such as homicide. It follows from that, therefore, that the police should be expected to make this a priority. It is an area of criminal activity in which the police must properly give much time and attention.

The need for deterrence is clear. As other hon. Members have said, the risk of detection varies enormously throughout the country. It can be as low as one in 4,000 and at its highest it is probably only one in 250. As a consequence, public attitudes are important. In that respect I want to cite a poll which has been published this month that shows that of those who ever drink any alcohol away from home, 77 per cent. of drivers believe that the police should have the power to carry out spot breath tests on any driver. That shows that since 1976 support for such a statement among men has increased from 54 per cent. to 73 per cent., and to no less than 83 per cent. among young men between the ages of 18 and 24. It is that latter group which is of most concern to the police, and which is involved in the highest proportion of the offences.

For all those reasons, we believe that the House should have the opportunity to study in Committee this important Private Member's Bill. I believe that the manner of presentation of the Bill by my hon. Friend the Member for East Lothian (Mr. Home Robertson) shows that he is more than willing to negotiate and to postpone his measure until there has been full consultation. Those are the reasons why I wanted to come to the Dispatch Box to support the opportunity for the Bill to receive its Second Reading today.

2.4 pm

The Minister for Roads and Traffic (Mr. Peter Bottomley): I think that the advice which the hon. Member for Lewisham, Deptford (Ms. Ruddock) gave to her hon. Friend the Member for East Lothian (Mr. Home Robertson) about flexibility may lead to both of them being successful in getting private Member's Bills through. Obviously the time available for this debate is rather shorter than that available for the previous one. The hon. Member for East Lothian and I would want to acknowledge that the hon. Member for Deptford in moving her Bill and my hon. Friend the Minister who responded to her were very kind in not taking up all the time available so that this important subject could be debated, at least in part.

The House will also welcome the way in which the hon. Member for East Lothian said that he would be willing to

put off the conclusion on Second Reading until the Home Office had had time to consider the responses to consultation. That shows that there is a great deal of common interest in this House in seeing how far public opinion has changed since the present powers were laid down in statute.

The hon. Member for East Lothian will want to welcome all the speeches today. The hon. Member for Stockton, North (Mr. Cook) perhaps made the most useful speech. He provided a reminder that there are many of us, especially men, who in the past did drink and drive. We know many still do. The MORI survey for LEX showed a figure of about 1·5 million people who thought that they drove above the legal limit. I suspect that that figure is exaggerated. People gave what they thought were honest answers, but many of them thought that the legal limit was higher than it is. I try not to concentrate on the legal limit because I want no one to try to drink up to it. The only sensible advice from the Department of Transport, from the House, from the medical profession and the brewers is that drinking and driving do not mix. Do not combine the bottle and the throttle. People must make sure that they decide in advance whether they are going to drive or drink.

The House would unite in the belief that there are three messages that we want to convey to people under the umbrella of "Drinking and Driving Wrecks Lives". First, the host has responsibility to provide an attractive range of alcohol-free or very low-alcohol drinks for drivers. That applies to clubs, pubs, hotels, restaurants, office parties and family parties.

The second message was reinforced by the hon. Member for Deptford, who reminded us that nearly half of those who die in drink-related crashes are drivers. Of those who are not drivers, perhaps one in four or five of them are what I call consenting adults. In other words, they are passengers who knew in advance that the driver was going to drink, got into the car knowing that the driver had been drinking and then ended up as half innocent victims. We must also feel the greatest concern for people who might be called the uninvolved fatalities. In other words, I am referring to the driver coming in the opposite direction or the pedestrian on the pavement. Our hearts go out to them, and those are the people for whom we must fight hardest.

I suggest that the campaign against drinking and driving and the Scottish campaign against irresponsible driving, to which I give credit for raising public awareness about this problem, should open their memberships more obviously to the families of the drinking drivers who have died. To try to prevent deaths they should also open their memberships to the families of drinking drivers who are still alive. The deterrent approach matters most.

I am glad that hon. Members have not spent time trying to be heavy-handed. The arguments for clarifying the law and for altering police powers—the two sections of the Bill—are directed at ensuring that fewer people combine alcohol with driving.

I have spoken about the host's responsibility and the passenger's responsibility, but thirdly, and above all, we must consider the driver's responsibility. If I, as a driver, go to a party where most of the drink on offer is alcoholic, and if no alcohol-free drink is available, or if I feel a fool by asking for it, my responsibility is not to go along with the tide and drink alcohol, but to hold back because I am driving. If I am in a pub or a restaurant where the alcohol-free drink is being sold at the same price, a not-sufficiently-reduced price or even a higher price than alcoholic drink, how could I face myself the next morning if I had saved 10p or even £1 but I had ended someone else's life? My hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi) recounted quite graphically the effect upon the family of a person who has died. It is a life sentence for parents if one of their children is killed by a drunken driver, or even if the young person is the drunken driver who has been killed.

No excuses remain for drinking and driving. One of the main reasons for that is the way in which the media have helped to put the subject on the public agenda. I am grateful to Members of Parliament who have helped put the matter on the political agenda. All the old excuses have gone and people now realise that it is not possible to say truthfully that there is no alternative to alcoholic drink.

I pay tribute to the brewers who have developed low-alcohol and alcohol-free lagers and beers, £20 million of which of which were sold in 1986 and about £120 million in 1988—the fastest growing part of the beer market. Low-alcohol beer tastes much better, but I recommend that people keep it in the refrigerator as it does not taste so good warm.

The publicans and the people who work in the not-for-profit clubs, the working men's clubs, the Labour clubs, the Tory clubs and the Liberal clubs—such as the one in Colne Valley, which has a Tory Member of Parliament—and the whole range of working men's institutes have joined publicans in promoting alcohol-free drink and I pay tribute to them. The one group which has made the biggest difference is the people behind the counters who decide what they stock. Derek Dormer for the union representing the working men's clubs has done a great deal and the institute's magazine quotes a great many clubs where a quarter of the beer sold is alcohol-free or very low-alcohol beer. That is tremendous.

When occasionally I am attacked by the media—not that people in the media are terribly interested in this debate, which is taking place at lunch time—I remember that I received a standing ovation once in my 14 years of public service, and that was at the annual dinner of the National Licensed Victuallers Association. If the publicans of this country get to their feet and applaud—or at least get to their feet—things are not that bad. It may have been because I spoke for so long or because I proposed the toast to Her Majesty the Queen, but at least it shows that the publicans are working with Parliament and are concerned.

Some have expressed the fear that I may suffer as my hon. Friend the Member for Ealing, Acton (Sir. G. Young) did when he stopped being a Minister at the Department of Health allegedly because the tobacco interests got cross with him. I may end my ministerial service quite soon, but it will not be because the brewers have got cross. The brewers are contributing to cutting death on the roads and are doing it very well. They spent £15 million last year on promoting drinks that drivers can take and that is tremendous.

I must say to the hon. Member for Stockton, North that if every other person in the community—whether or not they hold a position of responsibility or community representation—were as open as he has been, drink driving would be virtually ended within the next year. If people are

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willing to stand up and be counted and admit, "I have been an imperfect driver", or that they had combined drinking and driving, more people would be aware of the dangers.

Yesterday evening in Huddersfield I said that I had never been to a British Medical Association dinner where, on the menu beside the list of the fine food on one side and the fine wine on the other it said, "Members and guests are reminded that alcohol-free drink is on every table for drivers." One of the reasons why I have not seen such a thing at a BMA dinner is because I have never been invited to one. I did see it done once at a dinner of the County Surveyors' Society, and I hope that that practice will spread to magistrates and others involved in trying to save lives and enforce the law. Perhaps it should be adopted at more parliamentary dinners.

I wish to re-emphasise my comments on stocking alcohol-free drinks. We should consider the kinds of people who may not want to drink alcohol on any given occasion. About 10 per cent. of people are teetotal, and they represent a significant group. Another 10 per cent. —some estimate 20 per cent.—are reforming alcoholics, who ought to be off the booze. They would be helped if the rest of us taking alcohol chose an alcohol-free drink before moving on to alcohol. In that way, the reforming alcoholic or person who acknowledges that they have a drink problem—and many people do not acknowledge that—will see that everyone else is ordering non-alcoholic drinks, and it will be easier for that individual to remain alcohol-free and not feel under any social pressure to take alcohol.

Mr. Home Robertson: While I have enjoyed the 10 minutes of the Minister's speech so far, I have heard a certain amount of it before. One knows of his strong feelings, and one agrees with much of what he says about individual responsibility. However, I eagerly await the Minister's comments about the Bill, which would deter more effectively the evil to which he refers.

I realise that the hon. Gentleman has been left to hold the fort by the Home Office, and that he may have an embarrassing Home Office brief before him. Nevertheless, it will be helpful if before 2.30 pm, the Minister will give an indication of whether he intends to allow the Bill to make progress, or whether he is doing the Home Office's dirty work in talking it out.

Mr. Bottomley: I have an appalling suspicion that the hon. Gentleman must be coming up for reselection. He began his earlier speech cogently and effectively, acknowledging the realities of life and that it will probably be better to conclude the Second Reading debate—or at least make a decison about it—at the end of the consultation period.

The hon. Gentleman may have been momentarily distracted at the beginning of my remarks, but I thought that he had been sensible in agreeing on the best way forward. The hon. Gentleman will recall that I acknowledged how grateful we all are to my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley), and to the hon. Member for Deptford for making it possible to debate this subject. The hon. Gentleman is wrong to suggest that my remarks make no contribution to the avoidance and deterrence of drink driving, and thereby to the avoidance and deterrence of the casualties associated with it, but merely compensate for the quality of my brief. The relationship between my Department and the Home Office is probably better in this field than in any other—not that I suggest that there is difficulty anywhere else in the seamless robe of Government.

I regret that the hon. Gentleman distracted me, because I wished to make further serious points that might help to continue the dramatic reduction in drink driving over the past three years. During the past three years, we have managed to change the attitude of the prime target group —the 18 to 24-year-olds, who previously were described in the General Accident survey as the YOBS, or young, over-the-limit, beer drinkers. Drink driving offences in that group have been cut faster than that of the Dumbos —dangerous, upper middle class business men over the limit, who have been drink-driving for decades. That shows what can be achieved without changing the law, police powers, or sentencing. However much one may believe either in the second part of the Bill, the suggestion that there should be full or mass random breath testing, or that there should be unfettered discretion, is misguided.

Every time that this issue is raised, there are opportunities to persuade another 100,000 people to give up drinking and driving. It is important to continue sending positive messages. The people who will be reading tomorrow's newspaper reports of this debate will not learn only that the hon. Member for East Lothian, is enjoying further success by steering another Bill through Parliament, albeit that the Second Reading decision will probably come after the consultation period. I hope that they will read also in Saturday's and Sunday's papers that drink driving deaths in Britain have been brought down below 1,000 a year for the first time since records began. I am not sure when the figures started to rise or to be calculated.

Drink driving in Britain is at a lower level than in most other countries. It has been coming down persistently over the past 22 years or so. When Barbara Castle introduced the breathalyser laws, she was laughed at, and most men tried to evade their consequences. My hon. Friend the Member for Stockport (Mr. Favell) made a lawyer's confession—he helped people to use technicalities to get off charges. We forgive lawyers many things, but, if they are changing in support of the general idea that 95 per cent. of us regard ourselves as potential victims of drinking drivers and few of us regard ourselves as potential victims of the police, we have made great progress.

The hon. Gentleman's offers, first, to consolidate the law—that is the middle option in the Home Office consultation paper—and, secondly, to provide that, within circumscribed procedures, the police may opt for random breath testing. It has been made plain that the present police powers are not understood by everyone. In legal terms, they are clear. They have been tested in the courts and have not been found wanting. It is possible for any one of us to be stopped and checked by the police without having original cause.

It is possible for the police to require a breath test in one of three circumstances: first, if someone has been involved in an accident; secondly, if someone has committed a moving traffic offence, or has given reasonable grounds to suspect that; or, thirdly, if there are reasonable grounds to suspect that someone has been drinking. Although he did not mention the accident point, my hon. Friend for Eastbourne (Mr. Gow) clearly made those points.

Should those sections of the law be put together? I suspect that the results of the consultation are that they should be and it is possible that that could be put into the road traffic law or an amending Bill. I am grateful to the hon. Member for East Lothian for indicating that he would be prepared to be flexible about the Bill.

The next matter is far broader, and, I suspect, needs more than a two-hour debate. Should, by statute, the powers and operational procedures of the police be directly controlled? Some say yes. Certainly, over 100 hon. Members who signed the early-day motion appear to support that view. Many others say that the police powers should not be circumscribed at all. If the hon. Gentleman had phrased his Bill in another way to state that there should be no restrictions on the power of the police to require an alcohol test of a driver, perhaps 100 or so people would have agreed to that also. The hon. Gentleman may not have put his name at the top of the early-day motion, but that shows how opinions may vary. We should not prejudge hon. Member's reactions.

It is difficult for the House to lay down detailed requirements on how the police carry out the law. I am glad that police officers have discretion in many motoring offences. The point of the Government's approach and response to the North committee and its recommendations is that the trivial mistakes that all of us as motorists make some of the time should not necessarily lead us into court. Serious offences need to be dealt with most effectively, and drink driving is one of them.

I remind the House of the evidence of the pilot random alcohol surveys that the Department carried out last year. At one stage, they appeared to be controversial, but they have generally been accepted as worthwhile. The good news is that, after 10 o'clock on drinking nights—Thursdays, Fridays and Saturdays—four out of five of the cars driving towards us are driven by someone who has not taken alcohol. The bad news is that one in five has. The good news is that 49 out of 50 are not above the legal limit when they have been two to five times more likely to be involved in a crash or a collision. The bad news is that one in 50 is above the legal limit. One in 500 is at twice the legal limit or above.

As the debate has turned mainly on deterrence and perceptions of risk, I remind all drivers that the police catch 1,000 drivers a week at twice the legal limit or above—people up to 20 times more likely to be involved in a crash or collision. That could not happen with random testing, it must come from targeted testing. Many people support what the police are doing. Another 1,000 people are between the legal limit and twice the legal limit. Many of them are caught by random stops, not random testing. I should not want to exaggerate. If anyone wants to see a mild exaggeration, they should look at the *Evening Standard* of 30 June 1988. The article did not make the second edition because the future of Elstree studio was more important than 1,000 people a year dying on the roads.

The police can test anyone, except those who have not been drinking, those who have not had a scrape or those who have not committed a moving traffic offence. In New South Wales last weekend, four out of five people were caught as a result of targeted rather than random testing. To catch 120,000 people a year in this country by random testing would require 23 million breath tests instead of the present total of 400,000, which is rising.

I shall not become involved in the points made by my hon. Friend the Member for Keighley (Mr. Waller) about different statistics from different police services. The police should analyse the comparisons and learn from them rather than my pointing out any obvious or less obvious messages. More and more police services are taking the issue more seriously. The chief constable of Fife said that he was fed up—he did not say that, but it looked as though he were—with accidents involving drinking and driving. He required his officers to take more tests when it was lawful to do so. The number of tests increased, but the number of people over the limit and accidents decreased.

I have read in reports of an appalling publican in Ditchling who said that over Christmas he lost trade because West Sussex police were stopping people and testing them if there were lawful grounds to do so. Any publican relying on the drink-drive trade should switch to running a coffie bar. Some nine out of 10 publicans realise that a change has occurred. The hon. Member for East Lothian reminded me that anyone who continues to drink and drive should carry a kidney donor card because others may find more use for their organs.

The speech made my hon. Friend the Member for Hornsey and Wood Green reminded us that we are not only discussing individuals. There is much pressure for less laxity. There is more pressure for effective enforcement, more effective deterrents and a culture change so that drinking and driving becomes as unlikely as smoking in a church, chapel, mosque or temple.

The biggest changes have come from public understanding. I ask the media to give more coverage not only to arguments for or against random testing, unfettered discretion or considering the existing system, which many have found unsatisfactory, but to why four men still go into a pub, the first buys a pint of beer all round and the other three feel that they must do the same. All four leave the pub over the legal limit. The media might say, especially the local press, why four out of five restaurants—whether they be Indian, Chinese, English or French—do not stock alcohol-free beer. Any restaurant that stocks beer should stock alcohol-free beer, because a third of their customers will be driving shortly afterwards.

Mr. Home Robertson: I acknowledge everything that the Minister is saying. Clearly we shall run out of time and the Chair is not in a position to accept a closure motion. Will the Minister say whether the Government will be prepared to consider making progress on the Bill, following the conclusion of the Home Office's consultation, on 5 May?

Mr. Bottomley: There have already been 2,000 responses to the consultation, and I am sure that the Home Office would welcome more. If it is possible to come to conclusions that might fit in with the Bill, there may be informal discussions to see what can be done. If there were an agreed way forward, the sooner that could be done the better, but whether it would be feasible is too early to judge. My right hon. Friend the Leader of the House and his ministerial alcohol group have a keen interest in seeing how we progress.

The hon. Member for East Lothian is riding with the tide. Many hon. Members have reflected the changing attitude that drinking and driving wrecks lives.

Many of us have misbehaved in the past. I put out a call to everyone concerned with the subject not just to give

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their views on the law, but to make their own contribution. They should provide alcohol-free drinks for drivers and expect them to take them. They should ask, "Are you sure?" if they see a driver drinking. Passengers should plan in advance to have an alcohol-free driver and drivers should remember that they have the prime responsibility to keep death off the roads.

There may be more deaths from sober drivers, but to have 1,000 deaths a year from drink driving means that 20 times a week a police officer knocks on a stranger's door and says that he is very sorry, but a son, a daughter, a husband or wife will not be coming home that night because somebody has been drink-driving. Those are the acts that we are trying to prevent. I ask everyone not to wait for a change in the law, if it comes, but to pack in the drinking and driving now. That is the real way of cutting our casualty rate dramatically.

It being half past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 5 May.

Private Members' Bills

FIRE SAFETY INFORMATION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 March.

CONTROL OF SMOKE POLLUTION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 March.

PUBLIC SAFETY INFORMATION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 March.

LONDON GOVERNMENT BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 March.

AGE OF LEGAL CAPACITY (SCOTLAND) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 March.

SUNDAY SPORTS BILL

Order read for resuming adjourned debate on Second Reading [17 February].

Hon. Members: Object.

Mr. Deputy Speaker (Sir Paul Dean): Second reading, what day? No day named.

HOUSING ASSOCIATIONS (ACCESS TO INFORMATION) BILL

Order for Second reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 March.

BRITISH RACING COMMISSION BILL

Order for Second Reading read.

Hon. Members: Object.

Second reading deferred till Friday 17 March.

PLANNING PERMISSION (DEMOLITION OF HOUSES) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

INTERNATIONAL PARLIAMENTARY ORGANISATIONS (REGISTRATION) BILL

Order for Second Reading read.

Bill read a Second time.

Bill committed to a Committee of the whole House—[Mr. Michael Marshall.]

Committee Friday 7 April.

PLANNING (NOTIFICATION OF DEVELOPMENT PROPOSALS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading, what day? No day named.

FUEL AND ENERGY PROVISION BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 7 April.

COALMINING SUBSIDENCE (DAMAGE, ARBITRATION, PREVENTION AND PUBLIC AWARENESS) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 17 March.

DEFINITIVE MAP MODIFICATION BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred until Friday 3 March.

RIDERS OF EQUINE ANIMALS (WEARING OF PROTECTIVE HEADGEAR) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 3 March.

CERVICAL CANCER (TESTING AND TREATMENT) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 17 March.

JUNIOR HOSPITAL DOCTORS (REGULATION OF HOURS) (No. 2) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 3 March.

COMMON LAND (RECTIFICATION OF REGISTERS) BILL

Order for Second Reading read.

Bill read a Second time.

Bill committed to a Committee of the whole House—[Mr. Favell.]

Committee Friday 7 April.

COMPANY DONATIONS TO POLITICAL PARTIES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Monday 27th February, notwithstanding the provisions of paragraph (1)(b) of Standing Order No. 14 (Exempted business), Mr. Speaker shall at Ten o'clock put any Questions necessary to dispose of the Motion in the name of the Prime Minister relating to Agriculture and of any Amendments thereto which have been selected by him and which may then be moved.

Ordered,

That, at the sitting on Thursday 2nd March, the Motion in the name of the Prime Minister for the Adjournment of the House shall lapse at Seven o'clock, if not previously disposed of.

Ordered,

That, at the sitting on Thursday 2nd March, notwithstanding the provisions of paragraph (1)(b) of Standing Order No. 14 (Exempted business), Mr. Speaker shall at Ten o'clock put any Question necessary to dispose of the Motion in the name of the Prime Minister relating to Court of Auditors and of any Amendments thereto which have been selected by him and which may then be moved.—*[Mr. Tristan Garel-Jones.]*

Reservoirs

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Tristan Garel-Jones.]*

2.35 pm

Ms. Diane Abbott (Hackney, North and Stoke Newington): When this new phenomenon—*[Interruption.]*

Mr. Deputy Speaker (Sir Paul Dean): Order. Will hon. Members who are not staying for the Adjournment debate please leave quietly? Meanwhile, I will give the hon. Lady a bit of injury time.

Ms. Abbott: We have a new phenomenon—a green Prime Minister or "the green goddess" as my hon. Friend the Member for Newham, North-West (Mr. Banks) calls her. Now that we have an environmentally minded Prime Minister and an environmentally conscious Government, I am confident that the case that I wish to make on a crucial environmental issue will be looked upon favourably. In the 29-acre Stoke Newington reservoir and filter beds site in my constituency we have what one might call a secret garden. My consititituency is one of the poorest areas of the country and is in one of the most built up parts of the inner city. Yet right in the middle of it we have a site the size of Regent's Park, which is an oasis—a green lung—for hundreds of thousands of people in Hackney, Haringey and Islington. Above all it serves as a green lung for thousands of my constituents who live on the huge council estate on Woodberry Down.

In addition to two large reservoirs, our secret garden contains four listed buildings, including our own castle—a pumping station built to look like a Scottish castle—and the reservoirs or man-made lakes provide a home for a host of wildlife, including 16 species of birds. Because the reservoirs are large and undisturbed—and because they do not freeze over in winter due to the movement of the water—they provide a unique home for wildlife, including smew and Bewick swans, tufted ducks, gulls and grebes, as well as a host of wild flowers and plants. Thousands of council tenants on the Woodberry Down estate overlook that secret garden and part of the complex—the New river—which goes all the way up to Hertfordshire.

Before I describe the threat to the site—our green lung—I remind the House that that expanse of water and open space is no ordinary site but has royal connections. The New river's royal connections go back to 1610, when the king bought an interest in it. From 1610 to 1954, the royal family received £500 a year from their investment in the New river. They were finally bought out for £8,234. That green space is unique—in its size, in the wildlife for which it provides a home, and in the service and pleasure that it provides for thousands of council tenants.

At this point, I make a plea to the Thames water authority to do more to allow public access to the site. We in Hackney and Islington have problems with access although there is access to the New river in Enfield, as there is in Hertfordshire. I wonder whether we in Hackney are thought so stupid that if we were allowed access to the site we might fall in and poison the water supply.

I have sketched for the benefit of the Minister the importance, significance and uniqueness of the Stoke Newington reservoir and filter bed site. Thames Water wants to destroy for profit that unique and marvellous site—that environmental treasure. Thames Water is poised to make £150 million from the development of the site—to fill in the site and squash into it no fewer than 1,100 houses, many in the form of blocks of flats, for sheer profit. Thames Water wants to destroy the site and drive away the wildlife, and thousands of my constituents will loose an environmental pleasure.

The scheme that Thames Water is bringing forward in conjunction with Countryside Properties plc refers to reserving a few units for community housing, but that community will not be our community. Single-parent mothers and people on the waiting list will not be housed in that community housing. Nobody in Hackney will be able to afford to buy or rent the bulk of the 1,100 units that Countryside Properties plc proposes. There is no question in my mind but that those flats and houses which will fetch £100,000 or £150,000 in the market, will be entirely out of the reach of ordinary people in Hackney.

The wildlife and the water on the site will be swept away. The site will be turned into a yuppie stockade in the middle of my constituency. All the possibilities of the site and all the community access to it will be lost for ever. I leave the social problems inherent in that yuppie stockade to the imagination of the House, but there will also be traffic problems and the divisiveness of creating an extremely expensive development in the middle of a poor area. What is more, the proposed development of the site endangers the New river, which has flowed for so many years.

I shall refer now to the possibilities of the site and to what the local community wants done with the site. Local people do not want it sold off to the highest bidder to make the highest possible profit for property speculators. The local community has campaigned and is campaigning for sporting facilities on the site. It would like the site to be used for angling, sailing, water sports or canoeing. I ask the Minister, with his professed interest in sport for all, to see that the site is used for some sporting purpose. I hope that he will do all that he can.

The local community would like the site to be used for sport, for nature conservation and for education. Local people believe that the site could house a garden centre or start-up workshops for small businesses. The local community has a whole range of ideas, revolving around the notions of making the site accessible to the community and maximising its potential for pleasure and education, and its usefulness. Basically however, local people want to keep it as a green lung. They want to keep the New river flowing and they want the two large reservoirs to continue in existence.

When talking about what could be done with the site, I stress that it is in the middle of a built-up area with special needs. The area in which the Stoke Newington reservoir and filter bed site is situated is one of particularly high density. Few people have back gardens. Many of the local people—as many as one in four— are unemployed. There are many elderly people and many children but a shortage of parks and of play and sporting facilities. Where there is a built-up area with so few gardens and a shortage of open air facilities, it is nothing short of criminal for Thames Water to consider, for sheer greed and profit, redeveloping the area and filling it with housing.

Mr. Jeremy Corbyn (Islington, North): I thank my hon. Friend for giving way as this also concerns my constituency, which is just a few yards away from the New river, the reservoirs and the filter bed site.

The borough of Islington has the smallest amount of open space of any metropolitan district in the country and values dearly the little open space that it has. The people of Islington are horrified to hear that the reservoirs, which have been a source of pleasure for many years, could be lost through a development which would be of no benefit to people on the housing waiting lists in Islington and Hackney. The filter bed site provides a unique opportunity for recreational-type development. We would be horrified if supermarkets and hypermarkets were built on it, or if the reservoirs were filled in for exclusive housing development, to which my hon. Friend has rightly drawn attention.

The people of Islington want more open space. It improves the quality of life of the people who live in a densely-populated urban area. It provides a real opportunity for their children to develop a love and an understanding of wildlife which would otherwise be denied them. We need to keep green lungs such as this.

Ms. Abbott: I thank my hon. Friend for his constructive intervention. In a sense, I am using Parliament as a platform on which to make a plea for several groups of people. I plead with Thames Water, and its successor authority after privatisation, to keep the New river flowing and to provide information that it has so far refused to provide about exactly how much water is needed to keep it flowing, to keep the reservoirs full and to maintain the existing level of wildlife. Although Thames Water pays lip service to keeping the New river flowing, it is not prepared to say how much water needs to flow down it to keep the wildlife there. My constituents fear that the authority will maintain only a derisory trickle of water in the river, which will result in the wildlife disappearing and the reservoirs being drained. The authority will then say, "who needs the site, anyway?" It will then get its way and develop the site for sheer profit. I plead with the authority to allow controlled access to the site. I have walked around the reservoirs. Local people—particularly children and the schools education service—should be able to have controlled access to it.

Hackney council has adopted the excellent policy of preserving the whole area as open space for recreational use, the preservation of wildlife and other environmental purposes. Despite the recent report, which undermines Hackney's wish to preserve the New river and the filter bids for environmental and leisure purposes, I am anxious that the council should stick to its policy and defend the site against greedy developers and Thames Water. The people of Hackney want the council to stick by its policies. They do not want the council to give way to pressure from developers who are not interested in the people of Hackney or Islington but only in making money.

Above all, I ask the Government to recognise the strength of local feeling, particularly the strength of feeling among people who live adjacent to the site—especially on the Woodberry Down estate.

Mr. Corbyn: And on the Highbury estate.

Ms. Abbott: Yes. I ask the Government to respect the wishes of the people who live on estates in Islington, Hackney and Haringey. Because of its size and its environmental value, this is a unique open space in inner London. We are most anxious that the site should be preserved for environmental purposes. It is in response to local feeling that I have asked for the debate.

The site will be redundant to Thames Water's needs in 1990. The opportunity to develop the site for community use and for the benefit of ordinary people will never return if the site is covered with houses to feed the greed of developers. Hackney will lose its secret garden and it will lose the New river which flows through Hackney—our green corridor to the fields of Hertfordshire.

Are the Minister and his colleagues aware of the Thames water authority's responsibility to the New river as set out in the royal charter? There was originally a New River Company, incorporated in 1619 by the royal charter. The charter ordains

"that the said Governor and Company of the New River and their successors at all and every tyme and tymes hereafter shall well and sufficiently maintaine repayre preserve and scoure the said New River and streame and all the Bankes and Bridges of and belonging to the same."

That royal charter is ordained to the governor of the New River Company and its successors. We have established legally that its successor is the Thames water authority. Will the terms of that royal charter apply to any private company? If not, why not? My constituents and the ordinary people around the reservoirs argue that the royal charter puts an obligation on Thames Water to maintain and preserve the river. We want to see that obligation fulfilled by the authority at its own expense and we want the same to be done by any successor authority. I am sorry that I did not give the Minister notice of that question and I appreciate that he may wish to return to it at a later date.

The water privatisation Bill is not about water but about land, particularly in view of what may happen to the Stoke Newington reservoirs and the filter bed site. Is the Minister aware that in London alone Thames Water has sites with a book value of £1,000 million? The privatisation of Thames Water is thus a potential £1 billion bonanza for private property speculators and people who live around Thames Water sites are concerned about that potential bonanza which might occur after privatisation.

There is enormous concern about the site, and if a planning application goes to the Department we hope that the Minister will be aware of that concern. Will the Minister ensure that the obligations enshrined in the royal charter are passed on to successor authorities? We ask him to ensure that the sporting, leisure and environmental needs of the population are maintained and that water privatisation does not simply become a profit-making extraganza for property speculators who care little for the community.

2.52 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Colin Moynihan): I congratulate the hon. Member for Hackney, North and Stoke Newington (Ms. Abbott) on securing time for a debate on the future of the Stoke Newington reservoirs and filter bed and on the admirable way in which she has put her case on the conservation and recreational aspects of the proposed development. I listened with care to the speech. I was unaware of the details of the royal charter obligations with which she enlightened the House, but it is my understanding that those obligations will be passed on to successor authorities. She will no doubt accept that I should like to take further advice on that to establish

[Mr. Colin Moynihan]

whether the general principles that would usually apply in such circumstances apply in this case. I will write to her in due course.

I will draw to the attention of the regional Council for Sport and Recreation the points made by both the hon. Lady and the hon. Member for Islington, North (Mr. Corbyn), with regard to access not just for the enjoyment of sport but bearing in mind the important role it plays, together with councils of all political persuasions, in ensuring that there is good recreational access to open land. Any aspect of development that changes that should be a matter of concern to the regional councils. I will draw the hon. Lady's speech to the council's attention and ask it to respond directly to her.

Mr. Corbyn: I am sure that the Minister is aware that when open reservoir sites are used for recreation, there is often a conflict between the conservation of wildlife and the interests of sports people. This is almost a unique opportunity to separate the two. One of the reservoirs could become a sanctuary for wildlife, particularly wading birds and migratory birds, and the other could be developed as a sports facility, which is sorely needed in that part of north London. It would be welcomed if the Minister can ensure that that can happen. We should use this unique opportunity and that provided by the filter bed sites to think of the recreational and natural needs of people, rather than allow yet another potentially lovely open site to be concreted over in the interests of the developers.

Mr. Moynihan: I shall come to that specific site later, but I wish to answer the general critical point raised by the hon. Gentleman. Regrettably, even between recreation and conservation groups, acrimonious local discussions sometimes result in court action. I can immediately think of the problems that arise between canoeists and anglers.

I can assist the hon. Member for Islington, North on two important points. I have long held the view that the Government should bring forward a code of practice which has teeth to assist on such matters. The Water Bill will provide such a code. I am sure that the hon. Gentleman will welcome—as have hon. Members on both sides of the House—the contents of that code of practice. It is important to ensure that it bites.

In the attempt to reconcile differences among groups, I believe that more use should be made of phasing. Some areas are fortunate enough to have the use of two sites and recreational interests may be met on one and conservation interests on the other. However, in many parts of the country, people do not benefit from two sites and phasing on one site can be helpful in mitigating the problems that would otherwise occur. I am glad that the hon. Gentleman drew that point to the attention of the House.

I shall now turn to the specific points raised by the hon. Member for Hackney, North and Stoke Newington. Over the years, water authorities have, from time to time, found themselves with land holdings which they do not require for carrying out their many functions such as gathering and supplying water and treating and disposing of sewage. That regularly happens when any major industry seeks to keep abreast of technological use. It releases land for sale for development and other purposes. The Government encourage that, and it is right that they should do so.

Where a development is proposed, it is, of course, the planning system which has to reconcile conflicting interests and to ensure that the use to which the land is put is proper and beneficial, and take account of the wider public interest. It is in this context that the proposed development at Stoke Newington must be seen. It is one of five reservoir sites that has been rendered redundant for water service operations as a result of the new London tunnel ring main, with which all London Members are acquainted, and is an important development of great potential benefit to water services in London.

This issue therefore comes for consideration as a natural consequence of the process of technical change in the water industry. The point that I should emphasise is that the site has not come up for development as a consequence of any aspect of our proposals for the restructuring of the water industry.

The hon. Lady has raised a number of points about our proposals for the water industry in the future. If time permits I shall comment on them later but I shall now address myself to the specific issue that she raised.

I must make it clear that I am necessarily constrained in what I say about proposals to develop the land, because I must be careful not to prejudice the considerations of my right hon. Friend the Secretary of State on any planning applications that he may decide to call in or that may come before him on appeal. Similarly, I am constrained from expressing any views on the London borough of Hackney's local plan, which was the subject of a public inquiry last summer.

The hon. Lady referred to the significance of a sizeable area of open land in an urban area and briefly outlined the recent history of the site and the state of play on the local plan. The London borough of Hackney deposited its local plan in June 1987. It included proposals for the Stoke Newington reservoirs and filter beds and the New river and its banks eastwards from the Green Lanes bridge to be defined for metropolitan open land purposes. I gather that the New river was included in order to secure an open space link between the east reservoir and the Finsbury park, which is designated as metropolitan open land in the Islington borough plan. I understand that at the inquiry the Thames water authority objected to the local plan on the grounds that the inclusion of the reservoir and filter beds for metropolitan open land conflicted with its proposals as the hon. Lady ably demonstrated. It had submitted planning applications for residential development of about 1,100 units with water areas, open spaces and landscaping. However the council regards the planning applications as incomplete and has asked the applicants for more information. I understand that meanwhile the council has received from local residents a number of representations about the planning applications, and the points made today back that up.

The inspector who held the public inquiry into the plan reports to Hackney council. It is for the council to consider the inspector's report and to publish it, together with the modifications it considers are appropriate. There will then be a six-week period during which objections may be made. At the end of that period the council may decide to hold an inquiry into those objections.

My right hon. Friend does of course have the power to call-in a local plan. While he may use his power to call-in a plan at any time before its adoption, he would be unlikely to do so until the planning authority has completed its consideration of objections and given firm

notice of its disposition to adopt the plan. He would use this power only in a limited range of circumstances where central Government intervention was clearly justified—for example where a plan raises issues of national or regional importance or where the plan gives rise to substantial controversy. An example would be where a plan extends beyond the area of the plan-making authority.

The hon. Lady has alluded to the question of the planning authority's process, and I hope that that clarifies the position on that specific point. I believe that it is relevant to the point that the hon. Lady made, not least with regard to her argument that this is of wider than local significance in its environmental impact.

The hon. Lady has spoken about the importance of the site for wildlife and the enjoyment that people derive from it. My right hon. Friend's policy is set out in the Department's Circular 27/87. The circular emphasises to all local authorities the importance of wildlife and the need to take it into account when considering development proposals such as this. I was interested to learn whether the Secretary of State had considered the possibility of recognising this site as one of special scientific interest under the Wild Life and Countryside Act 1981. In that respect, he relies on his advisers in the Nature Conservancy Council. The hon. Lady may wish to speak to the Nature Conservancy Council about the important points she has mentioned today. As I understand it, at present the Nature Conservancy Council is not of the view that this site is of sufficient wildlife interest to merit its designation, but, as it is there specifically to consider such matters in detail, it may benefit the hon. Lady to talk to it further.

So much for the particular local planning issue, which I hope I have dealt with as fully as observance of the planning procedures allows at this stage.

I said at the beginning that if I had time I would seek to respond to the more general comments raised by the hon. Member about the development of land and the assets of the water industry. No doubt, the hon. lady will forgive me if I speak rather rapidly in responding to a number of points that she has made.

I said earlier that some water authority land is released from time to time, because it is no longer required for the industry's purpose. That is of course the case and it is important. But the key fact is that, according to the industry's estimates at present, the great majority of land is required for operational purposes and will continue to be required for those purposes.

The extent of disposals may well increase in due course, reflecting technological changes and positive management, but members would be wholly misleading themselves if they assumed that there was scope for the wholesale disposal of water industry land assets.

The fact is that it is now, and will in future be, properly protected land in the public interest. Proper protection is essential. After privatisation the new water companies, like the authorities now, will be subject to the important duties in respect of conservation, providing for public access and putting their rights to land and water to the best use for recreation.

On conservation, the Bill provides that after privatisation the companies will continue to be under a duty of further conservation in the performance of their functions. Indeed, in our water Bill the duties are strengthened by enforcement powers given to the Secretary of State, and by the code of practice which we published in draft recently.

On recreation, the Bill provides that both the private companies and the NRA will inherit the duty of the water authorities to put the water and lands to best use for recreation. That will be particularly important in relation to the companies which will inherit most of the reservoirs and land assets. But it will nevertheless apply to the NRA in respect of locks, weirs, stretches of river beds or other assets it may acquire.

In addition, the Bill places a general duty on the NRA to provide recreation on inland waters. Under this power it could for instance enter arrangements with riparian owners to facilitate recreational use of rivers; or to sponsor and support local bodies which help to manage recreational use of particular stretches of water.

In conclusion, I would like to emphasise three points. First, as I have said, there is no evidence that any great proportion of water authority land is in fact surplus to operational requirements. Secondly, the very fact that the land is released from water uses will mean that the special protective measures related to the effect of water industry operations will no longer be required. Thirdly, and most importantly, ordinary planning and environmental controls will, as I have emphasised, continue to protect the land.

All those are important factors. I have every confidence that they will be considered in detail not just by the House, in Committee on the Water Bill, but in the future, too. I undertake to consider in yet further detail the points made by the hon. Lady and if I can come back with any positive suggestions—while recognising the sensitive position I am in with regard to the Secretary of State's role on planning matters—I will do so.

Question put and agreed to.

Adjourned accordingly at five minutes past Three o'clock.

Written Answers to Questions

Monday 13 February 1989

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Students

Mr. Speller: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to increase the number of students from west Africa who are offered places in further education or higher education in the United Kingdom; what is the present total of such students; and if he has any target figures for future years.

Mr. Eggar: In 1986-87, the latest year for which there are complete figures, there were almost 4,000 students from west African countries studying at universities and public sector institutions of higher and further education in the United Kingdom. Her Majesty's Government gave, under various schemes, financial support to a large proportion of these students. The number of students receiving such support will be nearly 1,700 in the current financial year. We expect this figure to increase in future years.

Rudolf Hess

Sir Michael McNair-Wilson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in full all post mortem reports on the body of Rudolf Hess.

Mrs. Chalker: No. Publication is a matter for Hess's family.

PRIME MINISTER

Meetings

Mr. Wray: To ask the Prime Minister how many times she has met Mr. Rupert Murdoch at 10 Downing street in the last 12 months.

The Prime Minister: As I have told the House before, my normal practice is neither to confirm nor deny whether meetings with private individuals have taken place, even in those cases where no such meeting has occurred.

EDUCATION AND SCIENCE

Top-up Loans

Mr. Batiste: To ask the Secretary of State for Education and Science if he will put his proposals for a student top-up loan scheme out for competitive tendering by banks and building societies.

Mr. Kenneth Baker: I am exploring with a variety of private sector financial institutions and other potential agents the most cost-effective approach to the administration of top-up loans. The scheme offers the financial institutions access to over 2 million graduate accounts: I expect there to be competition for this opportunity.

Creche Service

Ms. Richardson: To ask the Secretary of State for Education and Science what information he has on the number of children of pre-school age in inner London cared for in a creche within an ILEA adult education institute; and what plans have been made to ensure that resources are made available to individual boroughs to maintain and expand this service.

Mrs. Rumbold: The information requested is not available centrally. The provision of creches for adult education students and staff will be a matter for the inner London boroughs to consider, in the light of the overall resources available to them.

National Curriculum (Documents)

Mr. Straw: To ask the Secretary of State for Education and Science what are the standing arrangements for the distribution of documents relating to the national curriculum to *(a)* schools, *(b)* parents and *(c)* others; and whether he has any plans to change those arrangements.

Mr. Kenneth Baker: Arrangements for the distribution of particular documents are made in the light of their nature and status. Circulars, statutory orders and regulations which concern the curriculum responsibilities of head teachers and school governing bodies are sent direct to all schools. Under regulations to be made under section 22 of the Education Reform Act, parents will have access at the school to all such documents. Copies are sent to LEAs and representative bodies, which are also consulted on draft documents; such drafts are available to others on request.

Mr. Straw: To ask the Secretary of State for Education and Science if he will list in the *Official Report* the titles of documents relating to the national curriculum which have been made available to schools; and in respect of each document *(a)* how many have been sent to each school and over what period following publication, *(b)* whether any charge has been made, and *(c)* whether any delays in dispatch have occurred.

Mr. Kenneth Baker: My Department has sent out two final circulars relevant to chapter 1 of the ERA—circular 1/89 on local arrangements for the consideration of complaints, and circular 3/89 on religious education and collective worship. Both were sent free of charge to all maintained schools—two copies to every head teacher and one for each governing body. The full circulation took just over two weeks in each case, because of heavy pressure on the dispatch services. The National Curriculum Council is responsible for the distribution of proposals for statutory attainment targets and programmes of study. It has sent copies of such proposals covering mathematics, science and primary English to all maintained schools.

A number of draft documents and consultation papers relevant to chapter 1 of the ERA have been sent to LEAs and representative organisations, but made available free of charge to schools and others on request. There have been no delays in dispatching these documents, but postal delays may have affected delivery of some.

Grant-Maintained Schools Trust

Mr. McLeish: To ask the Secretary of State for Education and Science if he will list the non-financial assistance being given to the Grant-Maintained Schools Trust.

Mrs. Rumbold: My Department provides information on the Government's grant-maintained schools policies to anyone who seeks it: the Grant-Maintained Schools Trust has from time to time sought and received such information.

Mr. McLeish: To ask the Secretary of State for Education and Science if he has made any representations to the Charity Commission about the application by the Grant-Maintained Schools Trust for charity status.

Mrs. Rumbold: No.

Mr. McLeish: To ask the Secretary of State for Education and Science if he has given any financial support to the Grant-Maintained Schools Trust.

Mrs. Rumbold: No. My right hon. Friend is, however, currently considering an application by the Grant-Maintained Schools Trust for financial support in connection with the provision or proposed provision of educational services in grant-maintained schools.

Examinations

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science if he will list all local education authorities in England in rank order of expenditure per secondary pupil per year, starting with the highest spending authority, together with their position in the table of examination results for school leavers achieving five or more O-levels at grade A to C or CSE grade 1, in the latest year for which figures are available and in which these examinations were sat.

Mrs. Rumbold: The information is as follows

Secondary schools in England—1986-87

	Expenditure per pupil £	*Examination results: Percentage of leavers attaining 5+ higher grades at O-level/CSE*	*Ranking*
Local education authorities			
ILEA	2,345	14·7	88
Waltham Forest	1,915	6·2	96
Brent	1,805	19·6	69
Manchester	1,660	13·6	92
Ealing	1,650	21·3	56
Harrow	1,600	31·0	11
Croydon	1,535	19·6	68
Kingston-upon-Thames	1,530	32·6	6
Newcastle-upon-Tyne	1,530	17·4	78
Hillingdon	1,520	18·3	74
Knowsley	1,515	8·2	95
Barnet	1,510	41·4	2
Havering	1,510	23·7	45
Hounslow	1,505	23·5	47
Sheffield	1,490	17·8	75
Coventry	1,485	20·5	61
Barking	1,470	10·7	94
Redbridge	1,465	28·0	17
Rochdale	1,460	17·5	77
Wigan	1,460	28·5	14
North Tyneside	1,455	24·0	42
Liverpool	1,445	15·9	84
Walsall	1,430	19·3	70
South Tyneside	1,430	15·4	87
Bromley	1,420	33·2	4
Sandwell	1,410	12·5	93
Wolverhampton	1,395	17·1	79
Leicestershire	1,390	24·0	43
Salford	1,385	20·3	62
Enfield	1,380	20·1	64
Bexley	1,370	27·1	23
Nottinghamshire	1,365	21·0	58
Gateshead	1,360	19·8	67
Cleveland	1,355	27·9	8
Dudley	1,350	20·8	59
Hertfordshire	1,350	28·7	13
Oxfordshire	1,350	26·6	26
Birmingham	1,345	15·5	86
St. Helens	1,340	23·1	50
Bury	1,340	32·6	5
Richmond-upon-Thames	1,330	27·1	22
Calderdale	1,330	16·3	81
Barnsley	1,325	16·6	80
Merton	1,325	24·3	41
Tameside	1,325	24·3	40
Doncaster	1,325	19.0	72
Buckinghamshire	1,320	31·8	9

	Expenditure per pupil £	Examination results: Percentage of leavers attaining 5+ higher grades at O-level/CSE	Ranking
Trafford	1,315	32·1	8
Cumbria	1,315	25·9	30
Avon	1,310	24·7	38
Sunderland	1,305	19·3	71
Derbyshire	1,305	20·6	60
Sutton	1,300	42·3	1
Wakefield	1,290	17·7	76
Shropshire	1,285	28·1	16
Wirral	1,280	23·8	44
Solihull	1,280	32·1	7
Berkshire	1,280	27·8	19
Sefton	1,275	24·7	39
Stockport	1,270	25·1	33
Humberside	1,270	21·9	53
Gloucestershire	1,260	27·6	20
Surrey	1,260	36·5	3
Essex	1,255	23·6	46
Oldham	1,255	14·4	89
Staffordshire	1,255	23·0	51
Lancashire	1,255	23·1	49
Kirklees	1,250	23·4	48
Northamptonshire	1,250	18·4	73
Bedfordshire	1,250	26·0	29
North Yorkshire	1,240	30·4	12
Bradford	1,235	16·1	83
Cheshire	1,235	26·7	25
East Sussex	1,235	24·7	37
Leeds	1,230	19·9	66
Norfolk	1,230	20·3	63
Rotherham	1,230	15·7	85
Bolton	1,230	25·2	32
Wiltshire	1,230	20·0	65
Northumberland	1,230	28·4	15
Devon	1,225	22·9	52
Durham	1,225	21·0	57
Hampshire	1,220	27·4	21
Warwickshire	1,220	24·8	36
West Sussex	1,220	31·5	10
Cambridgeshire	1,205	24·9	35
Somerset	1,195	21·9	54
Dorset	1,190	26·5	27
Lincolnshire	1,185	26·2	28
Hereford and Worcester	1,180	26·7	24
Cornwall	1,175	25·0	34
Suffolk	1,165	21·4	55
Isle of Wight	1,150	16·2	82
Kent	1,145	25·8	31
Haringey	n/a	13·7	91
Newham	n/a	14·0	90

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science (1) if he will list the number of children sitting *(a)* CSE exams, *(b)* O-level exams, and *(c)* A-level exams in each local education authority in England as a percentage of the total number in the relevant year groups in each authority for the latest available year in which their examinations were sat;

(2) if he will list by each local education authority in England the total number of children achieving *(a)* CSE grades 2-5, *(b)* O-level grades A-C and CSE grade 1, and *(c)* A-level grades A to E as a percentage of the total number of pupils in the relevant year group in each authority, for the latest available year in which these examinations were sat.

Mrs. Rumbold: The information is not available.

WALES

Hospital Waiting Lists

Mr. Rowlands: To ask the Secretary of State for Wales whether he will list the average waiting times for the following operations at each of the district general hospitals in Wales *(a)* hip and knee replacements, *(b)* hernias, *(c)* cataracts, *(d)* ear, nose and throat and *(e)* varicose veins.

Mr. Grist: Information is not available for patients currently on waiting lists. The average waiting times given in the table relate to patients admitted on waiting list and booked or planned cases, and discharged during 1987. Information is given for each of the main general acute hospitals and each of the teaching hospitals in Wales.

	Average waiting time (days)				
	Hip or Knee replacements	*Hernias*[1]	*Cataracts*	*Ear, Nose and Throat*	*Varicose Veins*
Ysbyty Glan Clwyd	[2]	83	—	154	—
Maelor General	110	122	121	144	284
Bronglais	129	98	[2]	50	[2]
West Wales General	267	85	53	112	92
Nevill Hall	156	178	—	[2]	[2]
Royal Gwent/St. Woolos	355	112	179	110	194
Ysbyty Gwynedd	139	65	105	102	96
Princess of Wales	54	78	[2]	[2]	84
East Glamorgan	[2]	109	—	212	227
Prince Charles	[2]	209	88	220	254
Morriston	186	96	—	[2]	[2]
Singleton	—	72	228	106	250
Neath General	[2]	[2]	—	[2]	[2]
Withybush	[2]	209	[2]	147	464
University Hospital of Wales	274	129	131	124	501
Cardiff Royal Infirmary	—	48	—	[2]	[2]
Llandough	—	120	—	[2]	242

[1] Includes inguinal and femoral hernias, abdominal operations on diaphragmatic hernias, abdominal hernias and secondary repairs.
[2] Average waiting times have not been calculated for hospitals with less than 50 cases.

Surplus Food

Dr. Thomas: To ask the Secretary of State for Wales if he will publish in the *Official Report* details of the localities and the numbers of each qualifying group which obtained free butter and beef under the European Community free food scheme in each year during which the scheme was operated.

Mr. Peter Walker: The EC surplus food scheme has operated for one year and a list of the organisations designated to operate the scheme was placed in the Library of the House on 21 April 1988 by the then Minister of State, Ministry of Agriculture, Fisheries and Food, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer). The information on numbers of each qualifying group is not available.

Dr. Thomas: To ask the Secretary of State for Wales what was the allocation to Wales of free butter and beef under the European Community free food scheme in each of the years during which the scheme operated.

Mr. Peter Walker: In Wales 176 tonnes of butter and 332 tonnes of beef were allocated to and distributed by designated organisations under the EC surplus food scheme in 1988.

Dr. Thomas: To ask the Secretary of State for Wales if he will list in the *Official Report* the names and locations of charitable organisations who applied for free butter and beef under the European Community free food scheme in each year during which the scheme was operated and those who were designated to operate the scheme.

Mr. Peter Walker: Charitable and non-profit-making organisations were invited to apply to operate the EC surplus free food scheme in 1988 and 1989. The list of designated organisations has been placed in the House. As organisations and individuals submitted applications on a confidential basis it is not possible to release details of those who were unsuccessful.

Examinations Expenditure

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list all local education authorities in Wales in rank order of expenditure per secondary pupil per year, starting with the highest spending authority, together with their position in the table of examination results for school leavers achieving five or more O-levels at grades A to C or CSE grade 1 in the latest available year for which figures are available and in which these examinations were sat.

Mr. Wyn Roberts: The information requested is available for the 1986-87 financial and academic years and is as follows:

	Expenditure per secondary school pupil (£)	*Examination result position*[1]
West Glamorgan	1,507	4
Gwent	1,363	6
Powys	1,332	1
Gwynedd	1,296	7
Dyfed	1,283	2
Clwyd	1,282	5
Mid Glamorgan	1,268	8
South Glamorgan	1,268	3

[1] Ranked in order of the percentage of school leavers with five or more O levels at grade A to C or CSE grade 1.

Urban Investment Grant

Mr. Raffan: To ask the Secretary of State for Wales if he will make an announcement about his plans to introduce a new urban investment grant in Wales.

Mr. Peter Walker: The consultation exercise which we conducted recently prompted a positive response from the public and private sectors alike. With very few exceptions, the proposal to simplify the grant regime aimed at stimulating private sector investment in rundown sites in all deprived urban areas of Wales was welcomed. As a result of the views expressed I have decided that the threshold for the new grant will be set at the lower level of £150,000 when the grant is introduced in April of this year. Detailed guidance notes setting out arrangements for the new scheme are now available. Copies of the notes have today been sent to all those who responded to the consultation.

OVERSEAS DEVELOPMENT

North Africa (Desertification)

75. **Mr. Alex Carlile:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's contribution to the combating of desertification in north Africa.

Mr. Chris Patten: We contribute to the fight against desertification through our participation in the work of a number of multilateral institutions. We also support measures to combat desertification in countries bordering the Sahara through our contribution to the European development fund; our share of projects that have been approved so far under the sixth EDF amounts to some £24 million.

Zambia (Ministerial Visit)

77. **Mr. Franks:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether, during the recent ministerial visit to Zambia, he held discussions regarding British aid.

Mr. Chris Patten: During her recent visit my right hon. Friend the Minister of State for Foreign and Commonwealth Affairs held discussions which included reference to present and future British aid.

Pest Control

78. **Mr. Spearing:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure co-operation between the Overseas Development Natural Resources Institute and national institutions concerned with pest control.

Mr. Chris Patten: The ODNRI has a long history of collaboration with centres of pest expertise in Britain and abroad. The role of such links is carefully considered when customer divisions in the ODA commission work from the institute. The £7 million special programme to support pest control in Africa, on which I instructed the institute to embark in 1987, is an excellent example. Under it the ODNRI is collaborating with eight institutions in Britain and 12 in developing countries.

Somalia

79. **Mr. Michael:** To ask the Secretary of State for Foreign and Commonwealth Affairs what practical steps are being taken by the Department to offer an aid package to help resettlement of refugees and economic recovery in northern Somalia in the light of Government moves to encourage an end to internal hostilities in Somalia.

Mr. Chris Patten: We have given some £275,000 in support of the relief activities of British voluntary agencies in the wake of the civil conflict in northern Somalia. We stand ready to give prompt and sympathetic consideration to further requests from such organisations for humanitarian assistance.

IMF and World Bank

80. **Miss Lestor:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet the managing director of the International Monetary Fund and the president of the World Bank; and what matters they propose to discuss.

Mr. Chris Patten: Relations with the International Monetary Fund are a matter for my right hon. Friend the Chancellor of the Exchequer. As regards a meeting with the president of the World Bank, I can add nothing to the reply which I gave to the hon. Lady on 23 January, at column *370*.

Caribbean Countries

81. **Mr. Jack:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British aid to the Caribbean countries.

Mr. Chris Patten: In the most recent year for which figures are available (1987), British bilateral aid to the Caribbean amounted to £29·06 million. I recently visited several countries in the Caribbean and heard for myself the appreciation with which our aid programme is received.

Bangladesh

82. **Mr. David Evans:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current level of official development assistance to Bangladesh.

Mr. Chris Patten: Net official development assistance from the United Kindom to Bangladesh in 1987—the latest year for which figures are available—was £34·8 million. I anticipate that in the current financial year total expenditure will be about £50 million.

International Fund for Agricultural Development

83. **Mr. Win Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current United Kingdom contribution to the international fund for agriculture development, and on current negotiations on future funding.

Mr. Chris Patten: Since its establishment in 1977, the United Kingdom has committed some £47 million to IFAD, including £7 million to its special programme for sub-Saharan African countries affected by drought and desertification. Disbursements against these pledges total roughly £28 million to date. Negotiations for the third replenishment of IFAD's resources are in progress. A statement is awaited from OPEC donors on their intended level of support.

Malawi

84. **Dr. Michael Clark:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will indicate the assistance offered to Malawi during the last three years and how it was used.

85. **Mr. Couchman:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British aid to Malawi.

Mr. Chris Patten: British bilateral aid to Malawi in the latest three years for which figures are available was as follows:

£'000

	1985	*1986*	*1987*
Total	14,008	15,019	24,868
Projects	3,134	3,168	2,342
Aid and Trade Provision	143	87	1,657

	1985	1986	1987
Programme Aid and Debt Relief	3,153	2,657	7,573
Commonwealth Development Corporation	1,092	1,976	5,478
Technical Cooperation	6,486	7,131	7,807
Disaster Relief	—	—	11

Southern Africa Development Co-ordination Conference

86. **Mr. Hind:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the annual meeting of the Southern Africa Development Co-ordination Conference.

Mr. Chris Patten: I attended the annual consultative conference of the Southern Africa Development Co-ordination Conference (SADCC) in Luanda on 2 and 3 February. As my right hon. Friend the Minister of State, Foreign and Commonwealth Affairs, informed the House on 2 February, at column 333, I was able to announce continued British support for SADCC. Both SADCC member states and donor representatives considered the conference a success.

Overseas Development Administration (Relocation)

87. **Mr. Ingram:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he is considering the relocation of further London-based posts with the Overseas Development Administration to the administration's offices in East Kilbride.

Mr. Chris Patten: I have recently decided that 15½ posts concerned with personnel issues and the engagement of consultants should be relocated from London to East Kilbride. I have at present no plans for the relocation of further London based posts, although the position will be kept under review.

The Overseas Development Administration already has over 40 per cent. of its headquarters staff in East Kilbride and by the end of 1990 will have nearly 60 per cent. of its total staff outside London.

Lomé IV

88. **Mr. Tom Clarke:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current progress on the Lomé IV negotiations.

Mr. Chris Patten: Negotiations on a successor to the third Lomé convention, which expires in February 1990, were opened formally in October last year. The first EC-ACP ministerial negotiating meeting, which I shall be attending, is in Brazzaville later this week.

Tropical Rain Forests

89. **Mr. Jacques Arnold:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further assistance he is giving to efforts to preserve the tropical rain forest in Brazil.

Mr. Chris Patten: We are supporting research in forest regeneration through the Maraca rain forest project. As I told the hon. Member for Glasgow, Provan (Mr. Wray) on 19 January, we also support the efforts of the World Bank and other international organisations to strengthen the application of environmental considerations in Brazil.

Colombia (Rural Development)

90. **Sir Russell Johnston:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he plans to meet representatives of the Colombian Government to discuss rural development programmes involving alternative crops for areas where narcotics are grown.

Mr. Chris Patten: I have no plans to do so. My hon. Friend the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs discussed the problem of drug control with Colombian Ministers and officials during his visit to Colombia last August. Her Majesty's Government are already assisting Colombia in the control of drugs.

Aid Projects (Assessment)

91. **Mr. Patrick Thompson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the field tests of the new manual to help project managers decide how much environmental assessment is required in the case of each aid project.

Mr. Chris Patten: The draft manual was field tested by Overseas Development Administration staff on visits to a number of countries and was found to be a useful tool for helping to assess environmental concerns. Comments and suggestions for improvements in substance and format, from staff and from over 50 international bodies and non-governmental organisations, are being incorporated in the final version.

Tanzania (Aid)

92. **Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met Ministers of the Tanzanian Government to discuss future aid projects in that country; and what projects were discussed.

Mr. Chris Patten: My right hon. and learned Friend visited Tanzania last September. He discussed a number of potential aid projects in the transport and natural resources sectors. He also signed an agreement for a further £6 million of project aid. He stressed the importance of Tanzania's economic reform programme in support of which Britain has pledged over £80 million in the last two years.

Development Assistance

93. **Ms. Armstrong:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to announce the 1988 level of United Kingdom official development assistance as a proportion of gross national product.

Mr. Chris Patten: I hope to be able to provide this information before the end of June.

Crown Agents

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Crown Agents holding and realisation board last met, and what was discussed.

Mr. Chris Patten: The Crown Agents holding and realisation board last met on 27 April 1988. At that

meeting, members noted a report on the status of CAHRB loans and investments and approved the annual accounts for 1987.

Conservation

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration he gives, when allocating aid, to projects which safeguard and provide for the development of natural resources.

Mr. Chris Patten: Helping to develop natural resources has long been an important part of our aid programme, the prime aims of which are poverty alleviation and sustainable development. We are currently pursuing an initiative to commit more of our resources to forestry.

ODA

Voluntary Agencies (Funding)

Mr. Hayward: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to increase the financial support available to voluntary agencies for their long-term development work.

Mr. Christ Patten: Subject to parliamentary approval, I propose to make a total of £16 million available to British voluntary agencies in 1989-90 under our joint funding scheme. This represents an increase of 43 per cent. on this year's allocation of £11·2 million. Our total support for the voluntary agencies last year came to more than £42 million, approximately half of which was spent on long-term development work. The increases I am announcing today are in recognition of the important role that many voluntary agencies play in promoting economic and social development at a grassroots level amongst some of the poorest communities in developing countries.

AIDS

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs what research his Department has commissioned into the socio-economic impact of AIDS on developing countries.

Mr. Christ Patten: My Department has commissioned three research projects into the socio-economic impact of AIDS in developing countries: "A review of sources on sexual behaviour"; "Traditional Health practitioners and the spread of the HIV virus"; and "Community coping mechanisms in circumstances of exceptional demographic change". In addition, we are funding a major research project on the demographic and economic impact of AIDS in developing countries.

EMPLOYMENT

Restart

Mr. Sillars: To ask the Secretary of State for Employment why the restart interview form in section 7 dealing with qualifications ignores Scottish educational qualifications.

Mr. Lee: Question 7 of the restart interview form contains a space in which details can be inserted of qualifications held which are not included on the form. Scottish educational qualifications can be shown in this box. The hon. Member's point about Scottish educational qualifications will be considered when the form is reviewed.

Adjudication Officers

Mr. Cousins: To ask the Secretary of State for Employment what number of adjudication officers were in post at the end of each reporting year since 1983; and what proportion of such officers had over 12 months' experience of adjudication work.

Mr. Lee: Three annual reports of the chief adjudication officer have been published, covering the years 1984-85, 1985-86 and 1986-87. The information given in these reports is as follows:

Year	*Adjudication officers in post*
1984-85	334
1985-86	345
1986-87	505

I refer the hon. Member to the answer given to him on 26 January 1988 at column *159*, showing 524 adjudication officers in post at that time.

Information about the levels of experience amongst adjudication officers is not routinely collected.

Child Employees

Mr. Archer: To ask the Secretary of State for Employment if he proposes to ratify International Labour Organisation convention No. 138 on the minimum age for the employment of children.

Mr. Nicholls: No. The Government have no intention of introducing legislation to effect the changes that ratification of this convention would require.

Benefit Office (Durham)

Ms. Armstrong: To ask the Secretary of State for Employment how many people use the unemployment benefit office in Langley park, Durham, and with what frequency.

Mr. Lee: There are 245 people registered as unemployed at Langley park part-time unemployment benefit office, of whom 185 attend fortnightly and 60 attend quarterly.

International Labour Organisation

Mrs. Fyfe: To ask the Secretary of State for Employment, pursuant to his answer to the hon. Member for Glasgow, Maryhill of 3 February, what considerations of policy led to the conclusion that the amendments to legislation required to give further effect to the provisions of the International Labour Organisation convention No. 111 are unnecessary and undesirable.

Mr. Nicholls: The main consideration is the difference between United Kingdom law and the terms of the convention concerning the Civil Service and armed forces. Nationality rules for these two groups are specifically excluded from the scope of the Race Relations Act 1976.

The Government consider the maintenance of these rules essential to ensure the close identification of the personnel concerned with the United Kingdom.

HOME DEPARTMENT

Lindholme Prison

Mr. Redmond: To ask the Secretary of State for the Home Department what is the present establishment figure for prisoners at Lindholme prison; what are the actual figures for prisoners held at the latest available date; and if he will make a statement.

Mr. Douglas Hogg: The certified normal accommodation at Her Majesty's prison Lindholme is 1,001. Two hundred and fifty of these places have been taken out of use for refurbishment and upgrading of physical security standards. The establishment's population on Tuesday 7 February was 723.

North Yorkshire (Police)

Mr. Kirkwood: To ask the Secretary of State for the Home Department if he will list in the *Official Report* the village and main police stations in the Richmond division of the North Yorkshire police area in the latest year for which figures are available; and which have opened and closed since 1979.

Mr. Douglas Hogg: The current list of main and village police stations is as follows:

North Yorkshire Police—Richmond Division

Main Police Stations	*Village Police Stations*		
	Northallerton Sub-Division	*Richmond Sub-Division*	*Ripton Sub-Division*
Bedale	Borrowby	Askrigg	Bagby
Catterick Garrison	Brompton	Aysgarth	Coxwood
Legburn	Crakehall	Barton	Dishforth
Northallerton	Great Broughton	Catterick Village	Kirkbymalzeard
Richmond Divisional Headquarters	Great Smeaton	Colburn	Kirklington
Richmond Sub-Divisional Headquarters	Hutton Rudby	Eppleby	Masham
Ripon	Leeming	Gilling West	North Stainley
Scorton	Norton on Swale	Hawes	Thornton le Moor
Stokesley	Osmotherley	Hunton	Topcliffe
Thirsk	Swainby	Middleham	Wath
		Middleton Tyas	
		Redmire	
		Reeth	

Details of the police stations which have opened and closed since 1979 are as follows:

(i) In 1986, the police station at Great Ayton was closed and replaced with a police office;

(ii) In 1988, the police house and office at Crathorne was closed and replaced with one at Hutton-Rudby;

(iii) In the same year, the police station at Racecourse Lane, Northallerton was closed and replaced with one in Northallerton High Street; and a police office was opened at North Stainley.

Mr. Kirkwood: To ask the Secretary of State for the Home Department if he will list in the *Official Report* the number of police employed to cover the Richmond division of the North Yorkshire police area annually from 1979 to the latest available date.

Mr. Douglas Hogg: The information is as follows:

Year	*Police strength at 31 December*
1979	209
1980	190
1981	193
1982	193
1983	203
1984	205
1985	220
1986	215
1987	230
1988	226

Immigration

Mr. Darling: To ask the Secretary of State for the Home Department what advice or training his Department offers to airlines on United Kingdom immigration legislation and rules; and if he will encourage airlines to ensure that their staff at ports outwith the United Kingdom are made aware of current legislation and rules.

Mr. Renton: Advice and training is provided to airlines, on request, in the context of the Immigration (Carriers' Liability) Act 1987. Our policy is to encourage carriers to take advantage of such advice and training which, subject to the payment of travelling and subsistence costs by the airline, extends to their staff outside the United Kingdom.

Mr. Darling: To ask the Secretary of State for the Home Department (1) if he will list for every week of 1988 the number of *(a)* notices served, *(b)* representations made, *(c)* cases where discretion was exercised, *(d)* demands made, *(e)* payments made and *(f)* payments waived under the Immigration (Carriers' Liability) Act 1987;

(2) if he will list for each week in 1988 the number of persons and their nationality refused entry on arrival at *(a)* Heathrow, *(b)* Gatwick and *(c)* Dover.

Mr. Renton: I will write to the hon. Member.

Mr. Darling: To ask the Secretary of State for the Home Department if he will list for every week in 1988 the average occupancy and the number of nights that accommodation was full at *(a)* Harmondsworth, *(b)* Annexe (building JA), *(c)* Queen's building, *(d)* Beehive and *(e)* Latchmere.

Mr. Renton: The available information is as follows:

Average occupancy figures with numbers of nights that accommodation was full in parenthesis

Week ending	(a) Harmondsworth		(b) Annex (building JA)		(c) Queen's building		(d) Beehive		(e) Latchmere	
9 January 1988	61·0	(1)	26.0	(0)	10·5	(4)	8·0	(0)	96	(1)
16 January 1988	57·0	(0)	23·0	(0)	10·0	(4)	6·7	(0)	97	(1)
23 January 1988	59·5	(0)	28·1	(0)	10·5	(4)	9·7	(0)	97	(4)
30 January 1988	62·0	(1)	29·0	(3)	—		8·4	(0)	97	(3)
6 February 1988	60	(0)	29	(1)	—		10·0	(1)	96	(2)
13 February 1988	62	(0)	29	(6)	—		14·0	(7)	97	(5)
20 February 1988	62	(0)	29	(4)	—		8·0	(1)	98	(7)
27 February 1988	61	(0)	30	(7)	—		10	(4)	98	(7)
5 March 1988	61	(0)	29	(2)	—		12	(0)	93	(0)
12 March 1988	57·4	(1)	28·7	(2)	—		7·9	(2)	98	(7)
19 March 1988	60·7	(2)	27·8	(2)	—		10.4	(3)	97	(6)
26 March 1988	57·8	(4)	29·4	(5)	—		11	(2)	98	(7)
2 April 1988	65	(7)	29·2	(4)	—		11	(2)	98	(7)
9 April 1988	63·5	(2)	30	(6)	—		13	(4)	98	(7)
16 April 1988	64·5	(3)	28·5	(4)	—		14	(7)	96	(1)
23 April 1988	64·5	(3)	28·5	(4)	—		8	(1)	94	(1)
30 April 1988	62	(1)	26	(1)	—		8	(1)	98	(7)
7 May 1988	61·7	(1)	15·8	(0)	—		11	(2)	97	(1)
14 May 1988	55·8	(0)	25·8	(2)	—		11	(2)	96	(2)
21 May 1988	56	(0)	26	(2)	—		9	(1)	97	(3)
28 May 1988	49	(0)	21	(0)	—		7	(1)	95	(1)
4 June 1988	55	(0)	27	(1)	—		8	(2)	95	(0)
11 June 1988	65	(0)	25	(0)	—		12	(5)	93	(0)
18 June 1988	63·1	(1)	26·8	(0)	—		11	(2)	89	(0)
25 June 1988	63	(0)	28	(1)	—		13	(5)	93	(0)
2 July 1988	59	(0)	27	(1)	—		13	(3)	97	(5)
9 July 1988	49	(0)	25	(0)	14	(4)	12	(3)	95	(1)
16 July 1988	56	(1)	27	(0)	13	(2)	10	(1)	96	(2)
23 July 1988	62	(0)	26	(1)	15	(4)	10	(2)	96	(2)
30 July 1988	59	(0)	24	(0)	12	(3)	11	(2)	94	(1)
6 August 1988	62	(1)	26	(0)	15	(6)	8	(0)	90	(0)
13 August 1988	58	(1)	31	(3)	14	(5)	12	(2)	71	(0)
20 August 1988	61	(1)	28	(4)	14	(5)	7	(0)	60	(0)
27 August 1988	56·3	(0)	25·7	(1)	12	(2)	23	(7)	63	(0)
3 September 1988	60	(1)	26	(0)	12	(1)	11	(2)	84	(0)
10 September 1988	58	(0)	25	(1)	14	(4)	13	(4)	89	(0)
17 September 1988	58	(0)	27	(1)	13	(4)	14	(6)	92	(1)
24 September 1988	63·5	(2)	28	(3)	14·5	(5)	14	(7)	90	(0)
1 October 1988	59	(0)	25	(1)	14	(5)	14	(5)	96	(4)
8 October 1988	62	(3)	28	(1)	14·5	(5)	13	(5)	97	(3)
15 October 1988	61	(1)	27	(2)	15	(5)	12	(4)	91	(0)
22 October 1988	52	(0)	28	(1)	14	(5)	12	(3)	90	(0)
29 October 1988	60	(0)	25	(0)	14	(4)	7	(1)	86	(0)
5 November 1988	59	(0)	25	(0)	14	(2)	11	(2)	91	(0)
12 November 1988	60	(1)	29	(3)	15	(5)	12	(5)	91	(0)
19 November 1988	60	(1)	29	(3)	13	(5)	11	(2)	91	(0)
26 November 1988	62	(1)	27	(3)	11	(2)	11	(3)	93	(1)
3 December 1988	53	(1)	28	(2)	11	(3)	13	(5)	90	(0)
10 December 1988	61	(1)	26	(0)	15	(6)	13	(5)	90	(0)
17 December 1988	61·0	(2)	33·0	(0)	14·0	(6)	14·0	(6)	93	(0)
24 December 1988	65·0	(4)	30·0	(7)	15·0	(5)	17·0	(7)	94	(0)
31 December 1988	65·0	(7)	30·0	(7)	15·0	(7)	17·0	(7)	94	(3)

Note:—The Queen's Building detention accommodation was closed for refurbishment from 19 January 1988 until June 1988.

Mr. Darling: To ask the Secretary of State for the Home Department (1) what record is maintained of applications made by persons arriving at *(a)* Heathrow, *(b)* Gatwick and *(c)* Dover claiming political asylum; what records are maintained as to the action taken on each request; whether records are maintained as to the initial destination of persons removed from the United Kingdom at the time of seeking asylum; and if such information is made available to (i) any other Government or agency within the European Economic Community and (ii) any other Government; and if he will make a statement;

(2) if he will list for each week in 1988 *(a)* the number of persons arriving at (i) Heathrow, (ii) Gatwick and (iii) Dover and claiming asylum, *(b)* of which countries they were nationals and *(c)* how many were (1) refused leave to enter and removed, (2) refused leave to enter and were detained, (3) refused leave to enter and granted temporary admission and (4) granted temporary admission pending a decision;

(3) what information on persons seeking asylum in the United Kingdom is made available to Governments and agencies of *(a)* countries within the European Economic Community and *(b)* other countries; and if he will make a statement;

(4) what information on persons or groups of persons seeking *(a)* leave to enter the United Kingdom and *(b)* asylum in the United Kingdom is made available to Governments within the Trevi group; and if he will make a statement;

(5) what information is held on immediate action taken on persons seeking asylum within the United Kingdom; and to whom it is made available.

Mr. Renton: Some information on applications for asylum is collected at Heathrow, Gatwick and Dover for inclusion in a weekly return providing management information for internal use. I will write to the hon. Member giving the numbers and nationalities of persons arriving at these ports and claiming asylum in each week in 1988.

The limited information on outcomes of cases contained in the weekly returns is accurate only for the time at which the returns are compiled. It is not updated to take account of subsequent action and is not aggregated, since it would not give a meaningful picture. Information from the weekly returns is not made available systematically to any other Government or agency.

Comprehensive published statistics on asylum applications and on outcomes are derived from the refugee index computer which is maintained centrally and includes details of all asylum applications made at ports, from within the United Kingdom and from abroad; however, full details of detention, temporary admission and removals are held only on individual files.

In advance of the published statistics, provisional information on applications received and decisions taken is made available quarterly to the United Nations High Commissioner for Refugees. These returns are produced from the refugee index. Copies are placed in the Library. Similar information is given quarterly to the European Community working group on immigration. Information is not sent to Governments within the Trevi group as such or to other countries or agencies.

Mr. Darling: To ask the Secretary of State for the Home Department if he will list for each week in 1988 the number of passengers and of which country they were nationals arriving and claiming United Kingdom citizenship and who were refused entry or who were requested to submit to further examination at *(a)* Heathrow, *(b)* Gatwick and *(c)* Dover, in each case showing the action taken in respect of the passengers.

Mr. Renton: Information in the form requested has not been collected centrally since September 1988. Between 1 January and 3 September 1988, a total of 129 passengers claiming British citizenship on arrival were either refused entry or were required to submit to further examination.

Catholic Marriage Advisory Council

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department what Government funds are currently allocated to the Catholic Marriage Advisory Council; and upon what conditions those funds are made available.

Mr. John Patten: Home Office grant in aid to the Catholic Marriage Advisory Council in 1988-89 is £121,910. One condition of the grant in aid is that it be used in support of the headquarters unit of the organisation in order to encourage voluntary work. The other conditions are standard for Government grants and seek to ensure probity and the effective, efficient and economic use of resources.

Marion Gaima

Mr. Wallace: To ask the Secretary of State for the Home Department how many representations he received with regard to the case of Marion Gaima; and how many replies or acknowledgements were sent.

Mr. Renton: Just over 1,000 letters, plus a small number of petitions, have been received about this case. Replies have been sent to 85 Members of Parliament, Members of the House of Lords, and Members of the European Parliament; two letters from Members of Parliament, which were received recently, have not yet received replies. Some of the correspondence from members of the public registering support for Miss Gaima did not call for a specific reply. One hundred and fifty-three acknowledgements and 131 replies to other official correspondence have been sent so far. We hope to reach a decision on the case shortly, and at that stage replies will be sent to the remaining letters as necessary.

Broadcasting (Deaf and Hard of Hearing People)

Mr. Wallace: To ask the Secretary of State for the Home Department (1) whether he has received any representations on the White Paper, "Broadcasting in the '90s", regarding the provision of broadcasting services to Scottish viewers who are deaf or hard of hearing; and if he will make a statement;

(2) what discussions have taken place between Her Majesty's Government and representatives of deaf and hard of hearing people with regard to the White Paper, "Broadcasting in the '90s"; and if he will make a statement.

Mr. Renton: We have received a number of representations in connection with our broadcasting proposals from hon. Members on behalf of constituents who are deaf or hard of hearing. Careful account will be taken of these comments and we would welcome any further comments during the consultation period which ends on 28 February.

London Fire Brigade

Mr. Evennett: To ask the Secretary of State for the Home Department what information he has regarding the steps taken by the London fire brigade to implement recommendations 30 and 31 of the Fennell report.

Mr. John Patten: I am informed by London fire brigade that it has reviewed and strengthened its instructions and training arrangements for command and control on the fireground at both junior and senior officer level. The brigade has also completed its review of protective clothing. As a result, a new fire tunic is currently being introduced; provision of the new tunic should be completed by the end of June. In addition, new improved gloves are being purchased, the delivery of which is expected before the end of March.

Mr. Abdullah Hassan Yousef

Mr. Parry: To ask the Secretary of State for the Home Department what action he proposes to take in the case of Mr. Abdullah Hassan Yousef following the ruling of the European Court of Human Rights in the case of Mr. Berrehab.

Mr. Renton: I wrote to the hon. Member on 8 February and I have subsequently arranged to meet him on 15 February.

Prisons

Ms. Mowlam: To ask the Secretary of State for the Home Department how many people are currently being

held in each prison in England and Wales, and in total, and how many prison officers are currently in each prison in England and Wales, and in total.

Mr. Douglas Hogg *[holding answer 6 February 1989]*: The latest available information is given in the table.

Population of and prison officers in post in Prison Service establishments in England and Wales: by establishement

	Total population on 31 December 1988	*Total grade VI-VIII officers[1] on 1 January 1989*
Acklington	425	155
Albany	384	321
Aldington	119	47
Ashford	202	116
Ashwell	365	84
Askham Grange	109	39
Aylesbury	280	154
Bedford	316	172
Birmingham	1,013	408
Blantyre House	78	42
Blundeston	410	134
Bristol	566	252
Brixton	1,048	717
Brockhill	237	110
Buckley Hall	73	42
Bullwood Hall	147	64
Camp Hill	494	157
Campsfield House	58	37
Canterbury	328	171
Cardiff	465	201
Castington	233	116
Channings Wood	522	131
Chelmsford	399	206
Coldingley	297	156
Cookham Wood	121	52
Dartmoor	626	217
Deerbolt	383	134
Dorchester	180	92
Dover	183	95
Drake Hall	209	64
Durham Male	1,027	354
Durham Female	36	26
East Sutton Park	84	24
Eastwood Park	75	41
Erlestoke	211	85
Everthorpe	358	104
Exeter	387	199
Featherstone	538	119
Feltham	666	354
Ford	493	72
Foston Hall/Sudbury	496	81
Frankland	395	384
Full Sutton	256	370
Garth	336	190
Gartree	309	287
Glen Parva	604	275
Gloucester	247	128
Grendon/Spring Hill	429	165
Guys Marsh	108	69
Haslar	49	39
Hatfield	170	58
Haverigg	275	98
Hewell Grange	116	43
Highpoint	794	187
Hindley	342	140
Hollesley Bay	385	183
Holloway	467	286
Hull	651	266
Huntercombe/Finnamore Wood	268	84
Kirkham	537	69
Kirklevington	90	42
Lancaster	258	86
Latchmere House	166	69
Leeds	1,212	384
Leicester	383	216
Lewes	559	197
Leyhill	370	70
Lincoln	620	246
Lindholme	702	225
Littlehey	441	130
Liverpool	1,323	388
Long Lartin	401	323
Lowdham Grange	222	65
Low Newton Male	184	88
Low Newton Female	30	25
Maidstone	540	175
Manchester	1,652	514
Morton Hall	155	27
The Mount	324	156
New Hall	92	84
Northallerton	164	74
Northeye	223	70
North Sea Camp	89	36
Norwich	588	232
Nottingham	295	119
Onley	402	137
Oxford	206	108
Parkhurst	235	320
Pentonville	897	277
Portland	480	145
Portsmouth	143	61
Preston	575	159
Pucklechurch Male	103	75
Pucklechurch Female	42	42
Ranby	344	100
Reading	257	143
Risley Male	553	392
Risley Female	110	110
Rochester	325	175
Rudgate	306	54
Send	102	44
Shepton Mallet	239	73
Shrewsbury	290	114
Stafford	798	210
Standford Hill	387	87
Stocken	294	104
Stoke Heath	409	119
Styal	268	110
Swaleside	392	168
Swansea	286	144
Swinfen Hall	143	93
Thorn Cross	198	77
Thorp Arch	155	59
Usk/Prescoed	129	67
The Verne	594	133
Wakefield	729	421
Wandsworth	1,506	440
Wayland	475	123
Wellingborough	326	110
Werrington	93	42
Wetherby	139	65
Whatton	164	67
Winchester	596	277
Wormwood Scrubs	1,083	502
Wymott	726	195
Total	47,961	19,649

[1]Including all discipline and specialist Grade VI-VIII prison officers.

TRADE AND INDUSTRY

International Organisations

Mr. Galbraith: To ask the Chancellor of the Duchy of Lancaster if he will list those international organisations on which his Department is represented and the total cost of these commitments.

Mr. Alan Clark: The Department is represented on a large number of international organisations and associated committees, and no central register of such bodies is maintained. Some of these give rise to identifiable membership costs, and the forecast total for these membership costs for 1988-89 is some £9 million. Nearly half of this total arises from membership of two organisations: these are the International Telecommunications Union and the General Agreement on Tariffs and Trade.

Freight Forwarders

Mr. Ashby: To ask the Chancellor of the Duchy of Lancaster how many foreign-controlled freight forwarders were being used in 1988 by all Government Departments; and how many British ones were used.

Mr. Atkins: This information is not held centrally. My Department does not have co-ordinated arrangements for employing freight forwarders and is not a substantial user of their services.

Post Offices

Mr. Kirkwood: To ask the Chancellor of the Duchy of Lancaster if he will list in the *Official Report (a)* the main post offices and *(b)* the sub-post offices in the Hambleton and Richmondshire areas, and in North Yorkshire as a whole in the latest year for which figures are available; and which have opened or closed since 1979.

Mr. Forth: I have consulted the Post Office, which has supplied the following information. There are currently 18 main and sub-post offices in the Hambleton and Richmondshire areas, and 527 in North Yorkshire as a whole. There has been no change in the provision of main post offices in these areas since 1979. During the same period, two sub-offices have opened in North Yorkshire and 38 have closed. These sub-offices are as follows:

Hambleton
Opened—0
Closed—3
- Chopgate
- Danby Wiske
- Londonderry

Richmondshire
Opened—0
Closed—5
- Patrick Brompton
- Keid
- Harwood
- Thwaith
- Moulton

North Yorkshire
Opened—2
- Blight street
- Nether Poppleton

Closed—30
- Fewston
- Kettlesing
- Cromer street
- Heslington road, York
- Lawrence road, York
- Lineman road, York
- Popleton road, York
- Barlby road, Selby
- Askham Bryan
- Ellerton
- Hutton le Hole
- Poppleton
- Skipton Bridge
- Thornton-Le-Street
- Upsall
- East Cottingwith
- Thormanby
- Acklam
- Appleton-Le-Street
- Butlin's Holiday Camp (Filey)
- Scagglethorp
- Scampston
- West Lutton
- Wretton
- Yedingham
- Egton Bridge
- Fearby
- Appletreewick
- Conistone
- Burnside

National Girobank

Mr. Kirkwood: To ask the Chancellor of the Duchy of Lancaster when his Department expects to announce a buyer for National Girobank.

Mr. Forth: Discussions with potential purchasers are continuing and we have set no timetable for completing the sale.

Shipbuilding

Dr. Godman: To ask the Chancellor of the Duchy of Lancaster how many merchant vessels of more that 500 gross registered tonnage were built outwith the United Kingdom for United Kingdom shipping firms in each of the past 10 years; what types they were; and in which countries they were built.

Mr. Atkins: The information available, which relates to vessels built overseas for United Kingdom registration, is shown in the table.

Merchanted vessels built overseas for United Kingdom registration
By type of vessel

Number

Year	*Tanker*	*Bulk carrier*	*Cargo*	*Supply vessels*	*Container ship*	*Other*	*Total*
1979	6	1	13	6	2	6	34
1980	12	—	7	5	1	5	30
1981	4	10	2	—	1	3	20
1982	4	5	5	3	1	4	22
1983	—	1	2	2	1	5	11
1984	—	3	2	2	1	3	11
1985	2	—	1	3	—	2	8
1986	—	—	1	3	—	3	7
1987	—	—	—	1	—	5	6
[1]1988	—	—	—	—	—	1	1

[1] First nine months.

By country of build

Number

Year	*Japan*	*Denmark*	*Netherlands*	*Poland*	*Germany*	*Other*	*Total*
1979	17	3	—	2	2	10	34
1980	11	6	4	—	4	5	30
1981	6	—	5	3	—	6	20
1982	4	2	4	2	1	9	22
1983	1	2	—	—	1	7	11
1984	2	—	1	—	1	7	11
1985	1	2	1	—	—	4	8
1986	—	4	3	—	—	—	7
1987	1	—	—	—	3	2	6
[1]1988	—	—	—	—	—	1	1

[1] First nine months.

Note:

Only vessels of over 500 gross tonnes are included.

Mr. McCrindle: To ask the Chancellor of the Duchy of Lancaster if he will press for international action to eliminate excessive shipbuilding credit arrangements and for the rationalisation of the world shipping industry; and if he will make a statement.

Mr. Atkins: The Government's objective is to achieve a reduction in subsidies across the range of officially supported export credits on a multilateral basis. Any consequent reduction in shipbuilding credits should contribute to the rationalisation of world shipping.

Fur and Fur Products

Mr. Ron Davies: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer to the hon. Member for Caerphilly, *Official Report*, 12 January, column *733 (a)* what were the species whence the fur and fur products were derived, and *(b)* what were the quantities of red fox pelts involved.

Mr. Alan Clark: The species were:—

mink
rabbits and hares
Persian, Astrakhan, Caracul and similar lambs
Indian, Chinese, Mongolian and Tibetan lambs
sea-lions, fur seals and other seals
sea otters, nutria and beaver
musk-rats and marmots
wild felines
sheep
other animals.

The quantities of red fox pelts are not identified separately in the "Statistics of Overseas Trade".

Post Office Board (Bonuses)

Mr. Barry Field: To ask the Chancellor of the Duchy of Lancaster how much has been paid as profit-related bonuses to the chairman and members of the Post Office Board; and if he will list such payments.

Mr. Forth: In 1987-88 performance-related bonuses were paid to the chairman and members of the Post Office Board against a range of targets including profit. Profit-related payments amounted to £11,240.

UK Goods

Mr. Amess: To ask the Chancellor of the Duchy of Lancaster what steps he has taken to encourage people to purchase goods made in the United Kingdom.

Mr. Alan Clark: Ministers repeatedly point out the advantages of buying United Kingdom goods where they are well designed, of good quality and competitively priced. My Department's policies are geared to helping businesses achieve this.

NORTHERN IRELAND

Industrial Development (Grants)

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list the terms of the package of grant assistance promoted by the Industrial Development Board, Northern Ireland, available to investors in Northern Ireland and the investment grants available in all other regions of the United Kingdom.

Mr. Viggers: A wide range of support is available to companies and individual investors in Northern Ireland including:

Accommodation:—Stocks of land and industrial premises for purchase or lease.

Capital Grants:—Up to 50 per cent., depending on location within Northern Ireland, of the cost of new buildings, machinery and equipment whether purchased or leased.

Employment Grants:—Paid on a per capita basis over, typically, 3-5 years.

Rent Grants:—Paid for up to five years towards the cost of renting privately-owned industrial premises or property leased on commercial terms from the IDB.

Interest Relief Grants:—In respect of loans obtained from the private sector.

Loans:—Against approved security.

Share Capital:—Through ordinary or preference shares, often with a buy-back option or redemption terms.

Management Incentive Grants:—Paid to help companies overcome exceptional management recruitment problems.

All of the above assistance is subject to certain limits and to constraints applied by the European Commission.

In addition, eligible companies can apply for the following assistance:

R and D Grants:—Up to 50 per cent. of expenditure on approved projects for research and development work related to new products or processes for manufacture or application in Northern Ireland.

Marketing Development Grants:—Grant can amount to 40 per cent. of eligible marketing costs incurred in implementation of a marketing plan, up to a maximum of £60,000 in one year.

Alternatively, companies may receive 40 per cent. of eligible identifiable costs, up to a maximum of £30,000, to help develop a strategic approach to their marketing planning and implementation.

Grants available to industry in Great Britain are the responsibility of my right hon. Friends the Secretaries of State for Trade and Industry, Wales and Scotland.

St. Vincent de Paul Society

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland whether he will raise the subject of support by the Republic of Ireland Government for the St. Vincent de Paul Society in Northern Ireland at the next meeting of the Anglo-Irish Conference.

Mr. Ian Stewart: No. I do not regard this as a matter which falls within the scope of the Anglo-Irish Agreement.

Water Courses

Mr. Beggs: To ask the Secretary of State for Northern Ireland under what circumstances a designated water course is de-designated; and in what state of maintenance such water courses are handed over to those landowners with riparian rights.

Mr. Viggers: Water courses are de-designated by the Northern Ireland Drainage Council in circumstances where their maintenance at public expense is no longer justified. Such water courses become the responsibility of the riparian landowners in their existing condition.

ENVIRONMENT

Local Authority Finance

Mr. Pike: To ask the Secretary of State for the Environment if he will list those local authorities which have received allocations under the Estate Action funding scheme for 1988-89 and the proposals for 1989-90; and if he will indicate the figures in each case.

Mr. Trippier: At 23 January 1989, the following local authorities in the regions indicated had received allocations of extra resources under the Department's Estate Action programme for 1988-89.

For 1989-90, local authorities are currently working up their detailed proposals and allocations have not yet been made.

	Figures
North-West	
Allerdale	451,000
Barrow-in-Furness	1,920,000
Blackburn	1,460,000
Blackpool	270,000
Bolton	17,000
Bury	100,000
Chorley	200,000
Copeland	387,000
Hyndburn	750,000
Lancaster	1,558,000
Manchester	3,816,000
Oldham	1,802,000
Pendle	1,001,000
Preston	1,919,855
Rochdale	5,634,000
Rossendale	1,671,000
Salford	4,716,932
Stockport	2,470,000
Trafford	264,000
Vale Royal	750,000
Warrington	751,701
West Lancashire	1,264,000
Wigan	3,586,042
London	
Brent	289,000
Camden	632,000
Enfield	790,000
Greenwich	4,490,690
Hammersmith	141,000
Haringey	1,585,000
Islington	850,000
Kensington	1,228,000
Lewisham	1,985,379
Newham	3,712,545
Southwark	3,257,500
Tower Hamlets	4,073,000
Waltham Forest	1,460,000
Wandsworth	781,000
Westminster	61,530
East Midlands	
Bassetlaw	193,581
Chesterfield	175,000
Derby	2,478,909
High Peak	152,000
Leicester	2,236,769
Mansfield	1,347,027
Nottingham	962,688
South Holland	422,000
South Kesteven	641,269
West Midlands	
Birmingham	690,000
Bromsgrove	200,000
Cannock	881,000
Coventry	2,856,890
Dudley	1,733,500
East Staffordshire	433,000
Redditch	554,500
Solihull	644,560
Stoke	1,076,000
Walsall	1,292,000
Wolverhampton	714,000
Worcester	528,000
Wyre Forest	825,133
Northern	
Chester-le-Street	277,550
Derwentside	446,333
Easington	433,318
Gateshead	2,307,343
Hartlepool	1,446,107
Langbaurgh	474,000
Middlesborough	810,177
Newcastle	2,144,547
North Tyneside	569,723
South Tyneside	744,650
Stockton	472,000
Sunderland	1,224,654
Yorkshire and Humberside	
Barnsley	927,358
Bradford	2,595,632
Calderdale	76,500
Hull	1,307,227
Kirklees	840,000
Leeds	820,825
Sheffield	5,780,357
Wakefield	730,161
Merseyside	
Halton	1,162,245
Knowsley	3,201,411
Sefton	617,048
St. Helens	1,330,633
Wirral	3,052,400
South East	
Brighton	343,000
Spelthorne	1,772,000
Eastern	
Harlow	222,000
Milton Keynes	430,000

	Figures
South West	
Salisbury	264,000

Geomorphological Surveys

Mr. Barry Field: To ask the Secretary of State for the Environment when he expects to receive the geomorphological surveys for *(a)* Ventnor and *(b)* Luccombe; and whether he intends to publish the findings.

Mr. Chope: I expect to receive a report of geomorphological studies for Luccombe in mid-March and for Ventnor in January 1990. The results will be published as soon as possible thereafter.

Chief Officers

Mr. Allen: To ask the Secretary of State for the Environment what guidance he gives to local authorities on the extent to which more than one chief officer post should be held by the same individual.

Mrs. Virginia Bottomley: Subject to a few statutory exceptions, local authorities are free to appoint such officers as they think necessary for the proper discharge of their functions. The Government propose in the Local Government and Housing Bill to require each council to appoint a head of its paid service, who will be responsible for advising the council on the organisation, appointment and proper management of the council's staff.

Chandeliers

Mr. Allen: To ask the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Nottingham, North of 1 February, *Official Report*, column *212* regarding chandeliers, when he anticipates *(a)* completing the research necessary and *(b)* forwarding his advice to the Select Committee.

Mr. Chope: I expect that the results will be available by Easter.

Warrington and Runcorn New Town

Mr. Butler: To ask the Secretary of State for the Environment whether details of changes in the cost-floor calculations have been made available for Warrington and Runcorn new town development corporation.

Mr. Trippier: No changes have yet been made. Section 122 of the Housing Act 1988 is to be brought into effect shortly.

Brodsworth Hall

Mr. Redmond: To ask the Secretary of State for the Environment if he will list his full day's itinerary during his recent visit to Brodsworth hall, near Doncaster, in South Yorkshire; and if he will make a statement.

Mr. Ridley: I paid a private visit to Brodsworth hall on 4 January when passing through the area.

Council House Sales (Torbay)

Mr. Redmond: To ask the Secretary of State for the Environment if he will introduce legislation in respect of the sale of council housing stock, in the light of Torbay council's decision to reject his advice to hold another ballot.

Mr. Trippier: We have no plans to do so.

Yorkshire Water Authority (Chairman)

Mr. Redmond: To ask the Secretary of State for the Environment if he will make a statement as to what performance targets the chairman of the Yorkshire water authority achieved to receive a bonus for the year 1987-88; if he will list for the four previous years the annual bonus the chairman received; and if he will list by year for the past five years his basic salary.

Mr. Moynihan: In response to the first and second parts of the hon. Member's question I refer him to the answer I gave to his earlier question on 7 February at column *598*.

The basic salary of the chairman of the Yorkshire water authority in each of the past five years has been as follows:

Year	*Salary (£)*
1 July-30 June	
1984-85	26,093
1985-86	35,424
1986-87	37,548
1987-88	41,724
1988-89 (up to 30 September 1988)	45,900
1988-89 (from 1 October 1988)	51,000

The chairman increased his time input on 1 July 1985 and has served on a full-time basis since 1 October 1988.

Archaeology

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the current archaeological funding being paid to archaeological societies in the three counties of Yorkshire; what was the comparable figure *(a)* five and *(b)* 10 years ago; and if he will make a statement.

Mrs. Virginia Bottomley: This is a matter for English Heritage.

Mr. Tony Banks: To ask the Secretary of State for the Environment what representations he has received concerning the level of funding provided to English Heritage for rescue archaeology; if he has any proposals to increase funding; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 9 February 1989]:* I am aware of no recent specific representations concerning the level of funding to English Heritage for rescue archaeology. It is for English Heritage to determine priorities within its overall resources.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make it his policy to introduce legislation to enable him to serve an order prohibiting development on sites of archaeological significance.

Mrs. Virginia Bottomley *[holding answer 9 February 1989]:* Provision already exists, under the Ancient Monuments and Archaeological Areas Act 1979, for my right hon. Friend the Secretary of State to schedule any monument which appears to him to be of national importance. The provisions of that Act also control

development by making it an offence for any person to execute or cause to execute specified works to a scheduled ancient monument without the written consent of the Secretary of State.

Mr. Redmond: To ask the Secretary of State for the Environment what archaeological mapping vertical aerial photographs have been taken in the three counties of Yorkshire; where these are stored; and what facilities are available for members of the public and students of archaeology to study them.

Mrs. Virginia Bottomley *[holding answer 9 February 1989]:* An extensive collection of archaeological aerial photography material is held by the Royal Commission on historical monuments of England and is available for public consultation at the commission's London headquarters. I have asked the secretary to the commission to write to the hon. Member to explain what material is available on Yorkshire.

Football Clubs (Membership Scheme)

Mr. Kirkwood: To ask the Secretary of State for the Environment what representations his Department has received from *(a)* Darlington football club, *(b)* Leeds United football club, *(c)* Middlesbrough football club and *(d)* York City football club concerning the proposed football identity card scheme.

Mr. Moynihan: I have not received any direct written representation from these football clubs. However, a letter from the chairman of Darlington football club to the Football League expressing concern about the proposed national membership scheme for football spectators was brought to my attention by my hon. Friend the Member for Darlington (Mr. Fallon). I have replied to him. The chairmen of Darlington, Leeds United and York City attended a meeting which the Secretary of State for the Environment and I held with Football League club chairmen in the House on 17 January.

Water Pollution (North Yorkshire)

Mr. Kirkwood: To ask the Secretary of State for the Environment if he will list in the *Official Report* the location and ownership of all boreholes on agricultural land in North Yorkshire that have been shut by his Department as a result of excess nitrates in the water supply.

Mr. Moynihan: I understand from the Yorkshire water authority that the only public water supply boreholes which it has closed on the grounds of high nitrate concentrations are Kirby Hill borehole, Boroughbridge, in 1985; Baldersby-St-James borehole, Baldersby, early in 1988.

Use Classes Order

Sir Neil Macfarlane: To ask the Secretary of State for the Environment if he will review the workings of the Use Classes Order between his Department and planning authorities; and if he will make a statement on any callings currently before his Department.

Mr. Howard: We propose to commission research later this year on the impact of the Use Classes Order 1987, and I am interested to receive any relevant information about its effects. I cannot comment on individual planning applications called in for my right hon. Friend's decision; applications are normally called in only if they raise planning issues of more than local importance.

Disconnections

Mr. Madden: To ask the Secretary of State for the Environment what representations he has received about disconnections from households with persons of pensionable age and young children.

Mr. Moynihan: The National Association of Citizens Advice Bureaux has made representations on how customers, particularly the elderly and those with young children, could be further protected from any risk of disconnection of water supply for non-payment of bills. Since then the water industry has announced important additional customer safeguards in its proposed revised code of practice on disconnections, to which my hon. Friend the Minister for Water and Planning referred in his parliamentary answer of 9 February at columns *772-73*.

Private Sewers

Mr. Butler: To ask the Secretary of State for the Environment whether he has made any assessment of the potential costs to water authorities of being obliged to adopt private sewers connected to a public main in cases where the private sewers have proved to be defective, and no liability can be exercised upon the original construction.

Mr. Moynihan: No precise estimate of these costs would be practicable, but the results of a sample survey of private sewers in one water authority area suggest that if water authorities were required to adopt all private sewers, they would incur annual renewal costs, excluding normal maintenance, in the region of £75 million.

67 Tufton Street

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what was the increase in the weekly rent paid by the Property Services Agency to Bourne Association Ltd. for the lease of 67 Tufton street, Westminster, which resulted from the new letting agreement, reached during August 1979, that the Property Services Agency should pay an increased rent of £10 per sq ft per week.

Mr. Chope: The rental charges paid by the PSA on leasehold buildings are determined on a strictly commercial, and therefore confidential, basis.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what was the unexpired term of the leasehold agreement made between the Property Services Agency and Bourne Association Ltd. for the rent of 67 Tufton street, Westminster, in August 1979 before new terms were negotiated.

Mr. Chope: There was no unexpired term of the leasehold agreement in August 1979. At that time, negotiations were in progress about the renewal of the previous lease which had expired in June that year.

Homelessness

Sir Antony Buck: To ask the Secretary of State for the Environment when Birmingham university research report on local authority policy and practice on homelessness will be published; and if he will make a statement.

Mr. Trippier: Copies of the report have been placed in the Library today. It highlights the variation between authorities, both in how they interpret the legislation and in the efficiency and procedures they adopt in providing assistance to the homeless.

The research shows that people applying to local authorities for help find the system bewildering and often feel they are kept in the dark about what is happening. Some authorities take an excessive time to process applications, which sometimes become entangled in long-drawn-out and complicated checking processes. Others deal with applicants quickly, thus reducing the time that families spend in temporary accommodation.

In some cases, staff have genuine difficulties in interpreting the legislation. This can lead to uneven treatment, so that households with similar problems may be dealt with in a completely different way in one part of the country compared with another.

There is also room for improvement in the allocation of permanent housing. Systems for allocating homes for homeless people are not always properly integrated into general allocation and waiting list systems, meaning that people in the greatest housing need sometimes have to wait longer in temporary accommodation. Nor is best use made of housing association properties, and there are problems in fitting in with their allocation systems.

The report identifies a number of key areas in which local authorities could improve their performance to provide a more consistent and efficient service to the homeless. The research findings provide a valuable input into our current review of the homelessness legislation.

New Housing (North-West)

Mr. Thurnham: To ask the Secretary of State for the Environment what was the average cost of building a new two-bedroom two-storey house in the north-west during 1987, and estimated for 1988 by *(a)* local authorities and *(b)* housing associations; and if he will make a statement.

Mr. Trippier *[holding answer 3 February 1989]:* Information provided by those local authorities in the north-west region which have so far made returns to the Department show that the average of tenders accepted for the building of new two-storey two-bedroom houses, including all works but excluding professional fees and land, was £17,546 in the financial year 1987-88 and £20,816 in the first half of the financial year 1988-89.

Comparable information for housing associations is not available.

Water

Mr. Goodlad: To ask the Secretary of State for the Environment (1) under what arrangements and for what purpose the Southern water authority has purchased shares in the Folkestone water company;

(2) under what arrangements and for what purpose the Southern water authority has purchased shares in the Eastbourne water company;

(3) under what arrangements and for what purpose the Southern water authority has purchased shares in the West Kent water company;

(4) under what arrangements and for what purpose the Southern water authority has purchased shares in the Mid Sussex water company.

Mr. Moynihan *[holding answer 3 February 1989]:* Southern water authority purchased shares in these companies under the powers available to it under the Water Act 1973. I understand that Southern hopes to use its shareholding to promote co-operation with the companies to reduce costs.

Legionella

Mr. Butler: To ask the Secretary of State for the Environment if he will give details of the findings for the last time that the water systems of the Houses of Parliament were tested for legionella.

Mr. Chope *[holding answer 9 February 1989]:* The cooling towers for the air conditioning system and the standby generator serving the underground car park are dosed regularly to minimise microbiological contamination, and the water quality is bacteriologically tested every month by an approved specialist contractor. The most recent sample, taken on 9 January 1989, was satisfactory. No separate routine testing is undertaken specifically for legionella alone.

Landfill

Mr. Hoyle: To ask the Secretary of State for the Environment if he will revoke the licences of Colliers Industrial Waste in the light of evidence of unauthorised dumping of unsuitable waste at landfill sites.

Mrs. Virginia Bottomley *[holding answer 9 February 1989]:* Revocation of any disposal licence is a matter for a waste disposal authority to decide under section 7(4) of the Control of Pollution Act 1974.

Mr. Butler: To ask the Secretary of State for the Environment what monitoring arrangements are in place to regulate the disposal of clinical wastes in private sector landfill.

Mrs. Virginia Bottomley *[holding answer 9 February 1989]:* Monitoring arrangements for the disposal of controlled waste, including clinical waste, are matters for waste disposal authorities under part I of the Control of Pollution Act 1974, with advice and guidance from Her Majesty's inspectorate of pollution.

Water Charges

Mr. Madden: To ask the Secretary of State for the Environment, what representations he has received about arrangements for rebate of water charges and standing charges for those on low incomes.

Mr. Colin Moynihan: We have had no recent formal representations from consumer groups about rebates on water charges for people on low incomes.

Football Grounds (Minister's Visits)

Mr. Wareing: To ask the Secretary of State for the Environment if he will list *(a)* the Football League

grounds, and *(b)* the Football League matches visited by the Parliamentary Under-Secretary of State since his appointment in his capacity as the Minister with responsibility for sport.

Mr. Moynihan *[holding answer 19 January 1989]:* I have attended the following Football League matches since my appointment as Minister for Sport:

Charlton Athletic *v.* Arsenal—3 October 1987
Tottenham Hotspur *v.* Wimbledon—31 October 1987
Charlton Athletic *v.* Chelsea—20 December 1987
Manchester United *v.* Charlton—1 January 1988
Luton Town *v.* Derby County—16 January 1988
Charlton Athletic *v.* Liverpool—23 January 1988
Hartlepool United *v.* Crewe Alexandra—27 February 1988
Derby County *v.* Arsenal—26 March 1988
Charlton Athletic *v.* Newcastle United—23 April 1988
Millwall *v.* Newcastle United—19 November 1988
Charlton Athletic *v.* Luton Town—14 January 1989

I have also attended international matches and a number of matches between league clubs in other competitions.

In addition I have visited the grounds of Reading FC, Liverpool FC and Aston Villa FC on non-match days.

ENERGY

Wind Energy

Dr. Thomas: To ask the Secretary of State for Energy what progress has been made at the experimental wind turbine sites at *(a)* Langdon common, *(b)* Capel Cynon and *(c)* Cold Northcott.

Mr. Michael Spicer: At the proposed experimental wind turbine site at Capel Cynon, developments are proceeding and an anemometry mast is expected to be erected on the site before the end of this month. Negotiations are also proceeding between the CEGB and the landowners and it is expected that section 2 consent under the Electric Lighting Act 1909 will be sought later this year.

At the Langdon common and Cold Northcott sites, negotiations are continuing between the CEGB, local landowners and other interested parties, in relation to planning permission.

Uranium

Dr. Thomas: To ask the Secretary of State for Energy if he will set out his policy towards the flag-swapping and origin-swapping of uranium, with regard to the application of international safeguards; and if he is satisfied with the interpretation of flag and origin-swapping made by *(a)* the Euratom supply agency in Brussels and *(b)* the Euratom safeguards divison in Luxembourg.

Mr. Michael Spicer: We follow internationally accepted practices of accounting for nuclear material. These reflect the fact that conversion and fabrication of uranium oxide is a continuous process in which materials of different origin are routinely blended and lose their identity and that it is not therefore feasible to trace the origin of any particular batch of nuclear material. Moreover, exchanges of safeguards obligations (flag-swapping) do not affect the origin of nuclear material.

The Euratom supply agency and the Euratom safeguards office do not accept origin swaps but accept that the established practice of exchanging safeguards obligations in respect of nuclear material is compatible with proper safeguards. The Government share this view.

Wave Energy

Mr. Home Robertson: To ask the Secretary of State for Energy how many navigation lights and radar reflectors could be mounted on an offshore wave device.

Mr. Michael Spicer: The number of navigation lights and radar reflectors which could be mounted on an offshore wave energy device would depend upon the size of the device.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will make a statement on the impact of the reported increase in Atlantic wave amplitudes on the economics of wave energy.

Mr. Michael Spicer: Any established trend in changes to Atlantic wave amplitudes would need to be taken into account when assessing the economics of wave energy. Wave conditions affect both device productivity and capital cost.

Mr. Home Robertson: To ask the Secretary of State for Energy (1) if he will list those contracts on wave energy research in which final signatures of the papers by the United Kingdom Atomic Energy Authority officials was more than six months after the start of the contract and if he will give the length of delay in each instance;

(2) if he will list the number and amounts of payments for work on wave energy in which the settlement of the invoice by the United Kingdom Atomic Energy Authority was more than six months after the submission of the invoice; and if he will give the length of delay in each case.

Mr. Michael Spicer: This information can be provided only at disproportionate cost.

Mr. Home Robertson: To ask the Secretary of State for Energy (1) if he will explain his Department's concern about the risks which could be posed to shipping by offshore wave power devices;

(2) if he will make a statement on the environmental problems associated with offshore wave devices on water of 100 m depth off the west coast of Scotland; and whether such devices would be visible from the shore.

Mr. Michael Spicer: The possible risks to shipping and environmental aspects including visual amenity of offshore wave energy devices were discussed in section 13 of the report on wave energy by the energy technology support unit, ETSU R26. This report was published in 1985 and copies were placed in the Library of the House.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will compensate wave energy researchers for the consequences of any inaccurate comments by his officials concerning their work.

Mr. Michael Spicer: The wave energy programme was redirected as part of the Department of Energy's continuing assessment of the priorities for renewable research and development and no question of compensation arises.

Mr. Home Robertson: To ask the Secretary of State for Energy what length would be required of the most productive type of offshore wave device, as identified by his Department's consultants in their report of June 1983 and by subsequent analysis of reliability by Dr. Taylor at ETSU, to generate electricity output equivalent to that of Sizewell B on the basis of *(a)* peak output and *(b)* mean annual output, on the assumption that Sizewell B will operate on a capacity factor equivalent to that of existing Central Electricity Generating Board nuclear plant.

Mr. Michael Spicer: If such an offshore wave device could be developed and if such a comparison were meaningful the approximate lengths would be:

(a) 25 km.
(b) 50 km.

Mr. Home Robertson: To ask the Secretary of State for Energy, pursuant to his reply to the hon. Member for East Lothian, 20 January, *Official Report*, column *343*, if he will publish the recent correspondence between the manager of his Department's wave programme, Mr. Peter Davies, and Professor Salter, relating to the circulation of papers to the wave energy steering committee.

Mr. Michael Spicer: My Department is not aware of any recent correspondence between Mr. Peter Davies and Professor Salter.

North Sea Oil

Mr. Redmond: To ask the Secretary of State for Energy at what date he expects the North sea oil industry to be back to full production; what efforts he is taking to overcome the loss of output due to recent accidents; what measures he is taking to encourage the economic replacement of this lost production; what has been the cost to date to the Exchequer; what is the estimated total cost; and if he will make a statement.

Mr. Peter Morrison: The Government have created the conditions which encourage the exploration and development of our North sea. Despite low oil prices, commitment to new investment is at its highest level for more than four years, and exploration activity is currently at a record level. Up to the end of January production of some 9·5 million tonnes, worth some £670 million at today's prices, has been deferred as a result of the recent accidents. It is too early to say when all this production will be resumed and hence to estimate the final cost.

CEGB (South Yorkshire)

Mr. Redmond: To ask the Secretary of State for Energy if he will ask the Central Electricity Generating Board to list by location and type its total landholdings in the county of South Yorkshire to date.

Mr. Michael Spicer: I refer to the answer that I gave to the hon. Member on 3 February at column *424*.

Hinkley Point

Mr. Flynn: To ask the Secretary of State for Energy, what policy considerations underlay his decision not to present evidence to the Hinkley Point C public inquiry on *(a)* plutonium production and end use, *(b)* radioactive waste management and *(c)* safeguarding of nuclear materials arising from Hinkley Point C, if built.

Mr. Michael Spicer: My right hon. Friend made an official witness available to the Hinkley Point C inquiry to provide any necessary clarification of Government policy as set out in his answer of 17 December 1987 to my hon. Friend the Member for Wells (Mr. Heathcoat-Amory) and in the White Paper "Privatising Electricity" (Cm. 322), in particular paragraphs 44-49. Such clarification therefore formed the basis of the departmental witness's proof of evidence.

At the inquiry and in correspondence arising from his appearance, the departmental witness answered questions on a wide range of issues including on matters raised at *(a)* and *(c)* in the question.

Radioactive waste management is a matter for my right hon. Friend the Secretary of State for Environment on whose behalf evidence is being separately presented to the inquiry by an official witness from the Department of the Environment.

Greenhouse Effect

Mr. Redmond: To ask the Secretary of State for Energy, if he will obtain a copy of the report by Bill Keepin and Gregory Kats entitled "Greenhouse Warning: A Rationale for Nuclear Power", for his Department's library; and if he will make a statement.

Mr. Parkinson: The Department's library has made arrangements to obtain a copy of the report.

Electricity Prices

Mr. Hunter: To ask the Secretary of State for Energy (1) what were electricity prices for consumers of 40 MW/8,000 hours supply, 10 MW/6,000 hours supply and 4 MW/4,000 hours supply, expressed in pence/kWh, in each European Community country in each quarter of 1988;

(2) if he will make a statement on the competitive position of United Kingdom electricity consumers of 40 MW/8,000 hours supply and 10 MW/6,000 hours supply, in relation to similar consumers in other European Community countries;

(3) what is his policy with regard to future electricity price increases affecting United Kingdom consumers of 40 MW/8,000 hours supply and 10 MW/6,000 hours supply and the effect on the United Kingdom's competitive position.

Mr. Michael Spicer: The Department does not collate information in the form requested. The following table shows industrial electricity prices in the European Community for a range of consumption patterns. It shows that industrial electricity prices in England and Wales are in the mid-range of prices in the European Community. After privatisation large industrial consumers will be able to take advantage of the new competitive environment to purchase electricity from the cheapest available source.

	Prices in pence/kWh as at 1 July 1988		
Maximum demand	*2·5MW*	*10MW*	
Load factor	*40 per cent.*	*60 per cent.*	*80 per cent.*
Belgium	4·07	3·09	2·59
Denmark	2·38	2·00	1·71
France	3·72	2·85	2·57
Germany	6·23	4·90	4·34
Greece	4·46	3·89	3·42
Ireland	4·23	3·47	3·22
Italy	4·57	3·23	2·61
Luxembourg	3·96	3·27	2·90
Netherlands	3·14	2·84	2·55
Portugal	4·78	4·02	3·76
Spain	4·76	4·35	3·86
England and Wales	4·20	3·61	3·37

Source: International Electricity Prices Quarterly, Electricity Council, October 1988.

Open University

Dr. Thomas: To ask the Secretary of State for Energy when his Department obtained the two Open university documents which he agreed to procure in his reply to the hon. Member for Meirionnydd Nant Conwy, *Official Report*, 12 February 1988, column 394; and what cost was incurred by his Department in their procurement.

Mr. Parkinson: The Department's library acquired a copy of Open university research group report, "Reflections on Britain's Nuclear History, A conversation with Lord Minton" by David Lowry, in February 1988 at a cost of £9. Dr. Lowry's thesis, "Nuclear Powers—An Assessment of Nuclear Decision Making, 1932-1979, with Special Reference to the Anglo-American Atomic Relationship", is not commercially published. It is available on loan from the Open university and was borrowed by the Department's library in March 1988.

ATTORNEY-GENERAL

Legal Profession (Green Paper)

66. **Mr. Favell:** To ask the Attorney-General if he will make a statement on the response to the Green Papers on the legal profession.

The Attorney-General: No. The papers are discussion documents, on which comments have been invited by 2 May 1989. These responses will be considered once the consultation period has elapsed.

George Blake (Escape)

69. **Mr. Bowis:** To ask the Attorney-General what discussions he has had with the Director of Public Prosecutions regarding the escape from prison of George Blake and the subsequent confessions by named individuals.

The Attorney-General: The matter is under investigation by the police at the request of the director, who is keeping me informed.

SCOTLAND

Crossroad Attendant Schemes

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total number of crossroad attendant schemes payments and plans available in *(a)* August 1988, *(b)* January 1989 and *(c)* estimated for March 1989 or on similar dates for which information is readily available.

Mr. Lang: Comprehensive information on payments to crossroads care attendant schemes is not available. Some crossroads schemes participate in employment training as sub-contractors. Some previously participated in the community programme on the same basis. The Training Agency is not directly involved in funding arrangements between training managers and sub-contractors. However, under the community programme payments totalling £77,615 were made in August 1988 to nine crossroads schemes directly contracted to the Training Agency.

Health boards and local authorities have powers to make grants to voluntary organisations such as crossroads but no records are held centrally of the sums paid by them to individual recipients.

Employment Training

Mr. McLeish: To ask the Secretary of State for Scotland if he will list the organisations which have made representations about the impact of employment training on voluntary sector projects.

Mr. Lang: The organisations which have made representations about the implications of employment training for voluntary sector projects are set out below:

Aberdeen District Council
Aberdeen Youth Information Centre
Age Concern Scotland
A & M Projects
Apex Trust, Glasgow
Bearsden and Milngavie District Council
Beith Pre-School Nurseries
Bonhill Community Organisation
Brechin Day Centre
Castlemilk Family Support Group
Central Edinburgh Resource Team
Charities Experiment and Church Action with the Unemployed
Convention of Scottish Local Authorities
Crossroads Care Attendant Schemes
Dalmuir Day Centre
Disablement Income Group
Dumfries and District Women's Aid
Dundee Association for Social Services
Dundee District Council
Dundee Liaison Committee on Homelessnes
East Irvine Nursery Action Group
Edinburgh Chamber of Commerce
Edinburgh District Council
Educational Institute of Scotland
Erskine Community Council
Forfar Day Centre
George Inn Lane Centre
Gingerbread
Girvan Community Council
Glasgow Council for Voluntary Services
Glasgow District Council
Glencryan Resource Centre, Cumbernauld
Gourock Community Organisation
Gourock Day Centre
Hamilton Organisation Platform for the Elderly
Heatsave
Heatwise
Heckling Shop, Irvine
Inverurie Advice and Information Centre
Kilbirnie Pre-School Nurseries
Kilmacolm Day Centre
Kinross Day Centres
Kirriemuir Day Centre
Liberton Area Handicapped Association
Lochaber District Council
Montrose Day Centre
Murray Community Transport, East Kilbride
National Association of Local Government Officers
National Schizophrenia Fellowship
Old Kilpatrick Community Council
Open Door Club Lodging House, Glasgow
Possilpark Anti Vandalism Project
Renfrew District Council
Renfrew District Disability Council
Royston Youth Action Committee, Glasgow
Scottish Association for Mental Health
Scottish Council for Voluntary Organisations
Scottish Trades Union Congress
Springburn Single Parent Association
Standing Forum on Special Employment Measures
Strathclyde Elderly Forum
Strathclyde Regional Council
Tayside Services Liaison Committee on Alcohol
Tidy Britain Group
Training Services Ayrshire Ltd
Transport and General Workers Union
Wester Hailes Representative Council
Whiteinch Day Centre
Wintercare Scheme, Inverclyde
Wishart Centre, Dundee

Labour Statistics

Mr. Wilson: To ask the Secretary of State for Scotland if he will provide a breakdown of the unemployment statistics for Cunninghame, North constituency by local electoral division, or on another convenient basis.

Mr. Lang: On 8 December 1988 (the latest date for which information is available) the number of unemployed claimants in each electoral ward of the Cunninghame, North parliamentary constituency was as shown in the table below.

Ward	Unemployed claimants
Ardrossan North	315
Ardrossan South	416
Arran	240
Beith	215
Dalry	217
Fairlie, Skelmorlie and Cumbrae	197
Garnock East	192
Kilbirnie North	229
Kilbirnie South	256
Largs North	239
Largs South	124
Saltcoats East	281
Saltcoats North	306
South Beach	352
West Kilbride	198
Constituency Total	3,777

This information is available in the Library.

Education Survey

Mr. Dewar: To ask the Secretary of State for Scotland if he will give the terms of reference for the survey of parents' views on school education being carried out by the MVA consultancy; when it is expected to report; whether that report will be published in full; and what is the total cost of the operation to the Scottish Office.

Mr. Rifkind: The terms of reference for the market research survey of parents' views on school education in Scotland are to carry out a survey of parents' attitudes towards, and perceptions of, school education; and to ascertain parents' experience of, and opinions on, the education provided by the schools their children attend.

The MVA consultancy is due to report in June 1989 and I envisage that the main findings would be made public.

The cost of the survey is £121,715.

Child Care Workers

Ms. Richardson: To ask the Secretary of State for Scotland what proportion of his Department's appropriate grant aid budget has been allocated to the training of child care workers over the last five years to date.

Mr. Michael Forsyth: Provision of social work services in Scotland is primarily a responsibility of local authorities. Information is not available on the level of expenditure incurred by local authorities in training child care workers.

Over the last five years the Scottish Office has paid to voluntary social work agencies in the child care sector, training grants under section 9 of the Social Work (Scotland) Act 1968 totalling approximately £0·5 million and representing some 30 per cent. of the grant scheme budget. Section 9 expenditure in 1988-89 also includes the initial instalment of a grant of £60,000 annually for three years in the first instance awarded to the university of Dundee for the setting up of a programme of training for social workers handling child abuse cases.

Caravan Sites

Dr. Thomas: To ask the Secretary of State for Scotland what is the number of caravan sites not licensed by local authorities operated under the auspices of voluntary organisations in Scotland.

Lord James Douglas-Hamilton: Thirty-eight sites are operated in Scotland by organisations holding certificates of exemption from the Secretary of State issued under paragraph 12 of the first schedule to the Caravan Sites and Control of Development Act 1960.

Dr. Thomas: To ask the Secretary of State for Scotland what is the total number of caravan sites licensed under the Caravan Sites and Control of Development Act 1960 by local authorities in Scotland.

Lord James Douglas-Hamilton: The information requested is not available centrally.

Health Boards (Press Releases)

Mr. Galbraith: To ask the Secretary of State for Scotland whether health boards must clear their press releases with his Department before release to the press.

Mr. Michael Forsyth: No.

Inverclyde Royal Hospital

Dr. Godman: To ask the Secretary of State for Scotland if he will list the average waiting times at the Inverclyde royal hospital over the past five years for *(a)* hip and knee operations, *(b)* hernia operations, *(c)* cataract operations, *(d)* ear, nose and throat operations, *(e)* gynaecological operations and *(f)* varicose veins operations.

Mr. Michael Forsyth: The table sets out the information requested for patients discharged from the hospital during the calendar years listed.

Inverclyde Royal Hospital
Mean Waiting Time in Days

Specialty or Operation	1983	1984	1985	1986	1987
(a) Hip and knee operations	315·2	295·6	296·5	170·8	174·0
(b) Hernia	193·7	274·1	221·1	334·5	328·3
(c) Cataract	177·5	211·1	228·2	220·4	180·3
(d) ENT	117·3	115·5	108·5	92·0	105·9
(e) Gynaecology	100·5	71·3	53·1	49·4	57·6
(f) varicose Veins	480·9	572·0	692·7	918·1	1,003·0

Consultants

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the total number of consultants employed by the National Health Service in Scotland who also undertake private work in the specialties of ear, nose and throat, orthopaedics and obstetrics and gynaecology.

Mr. Michael Forsyth: The information requested is not available centrally.

Hospital Building

Mr. Ingram: To ask the Secretary of State for Scotland if he will give the building costs estimated and actual for hospitals started since 1979.

Mr. Michael Forsyth: Details of all hospital developments are not held centrally as minor capital projects are delegated to health boards and the Department only keeps records of all projects over £1 million.

The relevant information is detailed below:

Projects started since 1979

	£ million	
	Total tender cost	*Total cost*[1]
Argyll and Clyde		
Dunoon and District General Hospital	0·9	1·0
Ayrshire and Arran		
Biggart Hospital	1·2	1·2
Borders		
Hay Lodge, Peebles	2·3	2·4
Borders General, Huntlyburn	23·7	30·5
Dumfries and Galloway		
Annan Hospital	1·1	1·1
Fife		
Whytemans Brae, Kirkcaldy	3·6	5·6
West Fife District General Hospital	8·7	10·5
Forth Valley		
Bonnybridge	3·3	3·3
Royal Scottish National Hospital	2·4	2·5
Sauchie Hospital	1·0	1·2
Falkirk Royal Infirmary	7·9	8·5
Stirling Royal Infirmary	11·4	18·1
Greater Glasgow		
Stobhill Hospital, Glasgow	1·5	1·6
Gartloch Hospital, Glasgow	2·0	2·2
Leverndale Phase I	4·6	4·5
Lennox Castle	2·4	2·6
Highland		
Raigmore Hospital, Inverness	17·2	31·0
Caithness Phase II	7·3	9·1
Lanarkshire		
Kirklands Residential, Bothwell	1·1	1·0
Kirklands Phase I	1·9	2·4
Kirklands Phase I	1·8	2·3
Lothian		
Astley Ainslie Hospital, Edinburgh	1·6	2·0
Hermanflat Hospital, Haddington	2·4	2·7
Royal Victoria Hospital, Edinburgh	5·9	7·0
Western General Phase II	7·4	7·7
Shetland		
Montfield Hospital	2·3	2·6
Tayside		
Murray Royal, Perth	0·9	1·2
Perth Royal Infirmary, geriatric assessment	0·9	1·4
Royal Liff, Dundee	1·0	1·0

[1] The total column represents the most up-to-date information available. Building contracts lasting more than 2 years are subject to variation of price clauses; costs therefore increase in line with inflation in the building industry.

Department of Registers

Mr. Strang: To ask the Secretary of State for Scotland whether there has been any change in his policy with respect to the conversion of the department of the registers for Scotland into an agency; and whether a date has been set for the establishment of such an agency.

Mr. Rifkind: The possibility that the department of the registers of Scotland might become a next steps agency remains under consideration. No date for its establishment as an agency has therefore been fixed.

Labour Statistics

Mr. McLeish: To ask the Secretary of State for Scotland if he will give an estimate of the number of people in Scotland with more than one job for 1975, 1979, 1983, 1986 and 1988.

Mr. Lang: The information available from the labour force surveys is given below.

Persons in employment with second jobs

Scotland	*Thousands*
1979	33
1983	52
1986	47
1987	54

These estimates are based on samples of some 5-6,000 private households in Scotland and are subject to substantial sampling error.

The results of the 1988 survey are not yet available.

Mr. McLeish: To ask the Secretary of State for Scotland if he will provide figures for each parliamentary constituency giving the retrospective estimates for unemployment for the second quarter of 1979, 1983 and 1986 calculated on a comparable basis to the current unemployment claimant count.

Mr. Lang: This information is not available.

Mr. McLeish: To ask the Secretary of State for Scotland if he will give figures on *(a)* the estimated or projected size of the civilian labour force in Scotland, males and females aged 16 years or above, on a quarterly basis between mid-1985 and mid-1989 and *(b)* the recorded size of the civilian work force in Scotland, employees in employment, self-employed, participants in Government work-related trading schemes without contracts of employment, unemployed, on a quarterly basis between mid-1985 to the most recent date for which the information is available.

Mr. Lang: Estimates and projections of the civilian labour force in Scotland are available only at mid-year. Subject to this qualification information on *(a)* is set out in table 1 and on *(b)* in table 2. Considerable uncertainty surrounds estimates of labour force and employment growth, particularly at regional level. Revised estimates of employment growth await the results of the 1987 census of employment and the 1988 labour force survey later this year.

Table 1: Estimates and projections of the Scottish civilian labour force 1985-89[1,2]

thousands

	Mid-1985	*Mid-1986*	*Mid-1987*	*Mid-1988*	*Mid-1989*
16 years and over					
Males	1,419	1,403	1,418	1,436	1,435
Females	1,015	1,008	1,021	1,044	1,049
Total	2,434	2,411	2,439	2,481	2,484

[1] The figures for 1985-1987 are estimates, and for 1988 and 1989 are projections by Department of Employment.

[2] Estimates of the civilian labour force at the end of June each year are produced by combining activity rate estimates and projections with mid-year estimates and projections of the resident population of Scotland produced by the general register office. Activity rate estimates and projections are based on sample estimates from the annual labour force surveys. All estimates are subject to sampling and other errors and although estimates are given to the nearest thousand, they are not accurate to this degree. Estimates for individual years must be treated with extreme caution.

Table 2: Scottish civilian workforce and its constituent parts June 1985 to September 1988 (unadjusted for seasonal variation)

thousands

	June 1985	*September 1985*	*December 1985*	*March 1986*	*June 1986*	*September 1986*	*December 1986*	*March 1987*	*June 1987*	*September 1987*	*December 1987*	*March 1988*	*June 1988*	*September 1988*
Employees in employment[1]	1,904	1,912	1,897	1,875	1,887	1,886	1,874	1,862	1,886	1,879	1,877	1,868	1,888	1,884
Self employed[2]	200	201	203	204	205	202	200	197	194	196	198	200	202	203
Work-related Government training programmes	21	24	21	22	24	28	27	30	34	40	37	40	41	45
Civilian workforce in employment	2,125	2,137	2,121	2,100	2,117	2,116	2,101	2,089	2,113	2,115	2,113	2,108	2,131	2,132
Unemployed[3]	346	356	353	359	351	363	365	364	340	333	324	316	289	285
Civilian workforce	2,471	2,493	2,474	2,459	2,468	2,479	2,466	2,453	2,453	2,448	2,437	2,424	2,420	2,417

[1] Recent Department of Employment quarterly estimates of employees in employment are based upon the results of the 1984 Census of Employment and include an allowance based on the annual Labour Force Surveys to compensate for persistent undercounting in the regular quarterly sample surveys of employers. Individuals with two jobs as employees of different employers are counted twice. These estimates are subject to revision when subsequent information from the 1987 Census of Employment becomes available later this year.

[2] Estimates of the self-employed up to mid-1987 are based on the 1981 Census of Population and the results of the 1981, 1983, 1984, 1986 and 1987 Labour Force Surveys. The provisional estimates from September 1987 are based on the assumption that the average rate of increase between 1981 and 1987 has continued subsequently. The Scottish sample from the Labour Force Survey is small and results are subject to relatively large sampling errors. Estimates for recent quarters are subject to revision when information from the 1988 Labour Force Survey becomes available later this year.

[3] The unemployment figures are not adjusted for seasonal variation and do not allow for changes in the coverage of the unemployment statistics over the period.

Water Supplies

Mr. Graham: To ask the Secretary of State for Scotland (1) what action he intends to take to bring up to the standard required by the European Community the drinking water of Strathclyde regional council; and if he will will make a statement;

(2) what action he intends to take to bring up to the European Community standard the public water supplies which are at present above the European Community recommended limits for aluminium, manganese, iron and lead;

(3) what action he intends to take to reduce the aluminium content in the water supplied to consumers in Gourock/Linwool, and surrounding areas of Renfrew.

Lord James Douglas-Hamilton: Responsibility for the quality of public drinking water supplies lies with the water supply authorities, the regional and islands councils. Improvement works covering public water supplies which do not yet comply fully with the relevant EC directive (80/778/EEC) are in progress in Strathclyde region and elsewhere and programmes are reviewed regularly by the Scottish Development Department. Supply areas where the aluminium or lead standards may be exceeded are included in such programmes. The directive allows derogation for naturally occurring iron or manganese but in such cases water authorities make improvements whenever possible. Reduction of the aluminium content of supplies in the areas mentioned will be achieved by the introduction of new treatment works and refurbishment of others over the next few years. Water authorities were recently asked to provide updated programmes, with costs, of works required to bring all supplies up to EC standards.

Mr. Graham: To ask the Secretary of State for Scotland (1) if he will name the water reservoirs which supply drinking water in Scotland which at present cannot meet European Community standards;

(2) if he will name the water reservoirs in Scotland which supply drinking water and have received additional time to bring their water up to European Community required standards.

Lord James Douglas-Hamilton: All public water supply reservoirs in Scotland meet the requirements of the European Community directive (75/440/EEC) on the quality required of surface water intended for the abstraction of drinking water. For details of water supplies which are the subject of derogation from, or delay in, compliance with the directive (80/778/EEC) relating to the quality of water intended for human consumption, I refer the hon. Member to the answer which I gave to the hon. Member for Gateshead, East (Ms. Quinn) on 7 February 1989, columns *555-59*.

Mr. Graham: To ask the Secretary of State for Scotland what action he intends to take in response to the report submitted to Strathclyde regional council water and sewerage committee on 24 January on the capital expenditure required to overcome the deficiencies regarding the aluminium parameters in accordance with the requirements of the European Community directive and the possibility of completing the necessary works within the requisite time scale of the present level of capital spending.

Lord James Douglas-Hamilton: The Scottish Development Department wrote on 31 January to all regional councils asking them to submit up-to-date programmes, with costs for individual schemes, of works to bring all supplies up to the standard required. Aluminium features prominently in these plans.

The need for improvements is taken into account in setting the capital expenditure allocations for authorities each year. On 12 December 1988 I announced a 14 per cent. increase in the planned provision for capital expenditure on water and sewerage services in 1989-90. The allocations shortly to be announced will enable faster progress to be made.

Pupil Numbers

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total number of pupils in independent/non-maintained schools in each of the years 1979-80 to 1987-88, identifying separately those granted aid school pupils before 1984-85.

Mr. Michael Forsyth: The numbers of pupils at September each year in independent and in grant aided schools are set out in the table below.

	Independent	*Grant aided*
1979	16,364	18,931
1980	16,044	18,652
1981	15,831	18,186
1982	15,160	17,901
1983	14,977	17,850
1984	15,396	17,882
1985	31,899	1,506
1986	32,218	1,484
1987	32,510	1,470

Block grant under the Grant-Aided Secondary Schools Regulations ceased in 1985 when the schools concerned became independent.

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the number of pupils in independent/non-maintained schools who obtained *(a)* six or more higher, *(b)* three or more higher and *(c)* one or more highers, and as a percentage of S4, S5, S6 in that section for each of the years 1982-83 to 1987-88 inclusive.

Mr. Michael Forsyth: Information relating to the number of pupils in each stage in independent schools is not available. Readily available information relating to the number and percentage of all school leavers from independent and grant-aided schools who obtained highers is shown in the table below.

	1-2 Highers		*3-4 Highers*		*5+ Highers*	
	Number	*per cent.*	*Number*	*per cent.*	*Number*	*per cent.*
1982-83	600	17	900	24	1,400	38
1983-84	600	18	800	24	1,300	38
1984-85	600	17	800	23	1,400	38
1985-86	600	16	800	22	1,300	37
1986-87	600	16	800	20	1,500	38

Departmental Offices (Public Meetings)

Mr. Doran: To ask the Secretary of State for Scotland (1) what guidelines exist concerning the use of public offices owned or occupied by his Department for the purposes of political meetings;

(2) whether he authorised the meeting of Scottish Conservatives which took place at Dover house on Wednesday 8 February;

(3) whether an account for the let of the building will be submitted to the Scottish Conservative party in respect of the meeting of Scottish Conservatives held at Dover house on Wednesday 8 February; and how much the let will cost.

Mr. Rifkind: I invited a number of Members of Parliament and Members of the European Parliament together with several others to meet my ministerial colleagues and myself on 8 February in Dover house. No departmental accommodation was made available to anyone and the question of a let does not arise.

Lurcher's Gully

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on his latest inquiry into Lurcher's Gully.

Lord James Douglas-Hamilton: The last public local inquiry into proposals to expand skiing facilities at Cairngorm, including development at Lurcher's Gully, was held in 1982. Planning permission was subsequently refused. Highland regional council has published a consultative draft of a proposed new structure plan, which contains a proposed policy on development at Lurcher's Gully, but there is no proposal for such development before my right hon. and learned Friend at present.

Employment Training

Mr. McLeish: To ask the Secretary of State for Scotland if he will give the total number of community programme support projects which have *(a)* closed down as being unsuitable for transfer to employment training, *(b)* been transferred to employment training, *(c)* will close down at the end of the project life on 31 March because of their unsuitability for employment training and the total number of places involved in each category for the most recent date for which figures are available.

Mr. Lang *[holding answer 7 February 1989]:* The Government do not accept that former community programme projects were unsuitable for transfer to employment training. A number of community programme sponsors chose not to participate in employment training: no count was made of the number of projects and places affected. Nor was a count made of the number of former community programme projects that joined employment training or the places they offered. A count now could be made only at disproportionate cost. However, by the end of March 1989, 21 community programme projects which did not transfer to employment training and which have contracts which are not yet completed will close down. These projects currently provide 260 places.

DEFENCE

Nuclear Weapons (Transport)

Dr. Thomas: To ask the Secretary of State for Defence, if he will list details of all accidents on roads in Scotland involving a transporter vehicle carrying *(a)* nuclear warheads, *(b)* defence nuclear materials or *(c)* rocket or missile delivery vehicles.

Mr. Archie Hamilton: There have been no incidents during the movement of nuclear warheads or defence nuclear materials in the United Kingdom which have given rise to a radiological risk to members of the public. For security reasons, however, I cannot comment on whether

nuclear weapons or defence nuclear materials are present in particular vehicles at particular times, and therefore I cannot comment on whether there have been any road accidents involving such vehicles. The Ministry of Defence has no record of any road accidents in Scotland involving transporter vehicles carring unarmed nuclear delivery vehicles.

Low Flying

Mr. Kirkwood: To ask the Secretary of State for Defence if he has any plans to monitor the effects of noise from low-flying jets on expectant mothers.

Mr. Neubert: No. I refer the hon. Member to the answer that I gave the hon. Member for East Kilbride (Mr. Ingram) on 23 January 1989 at column *450*.

Mr. Kirkwood: To ask the Secretary of State for Defence if he has any plans to reduce the number of low-flying jets over north Yorkshire.

Mr. Neubert: No.

Aircraft Noise

Mr. Kirkwood: To ask the Secretary of State for Defence if he will extend the area around RAF Leeming within which residents are able to claim compensation for aircraft noise.

Mr. Neubert: Later this year when two squadrons of Tornado aircraft are operational and the level of flying is representative of the eventual total station activity, a further full noise survey will be undertaken. If the results of this show that the occupants of additional homes in the vicinity of RAF Leeming are subject to the qualifying level of noise, arrangements will be made to extend the area of entitlement to noise insulation grants.

Lockerbie Air Disaster

Mr. Kirkwood: To ask the Secretary of State for Defence what was the involvement of service personnel stationed at Catterick garrison in the clear-up operation in the wake of the Lockerbie air disaster.

Mr. Archie Hamilton: Assistance from the Catterick garrison was provided by 29 Royal Army Medical Corps personnel from the Duchess of Kent military hospital, who deployed on 21 December 1988 and returned on 22 December, and by 70 personnel from the 1st Battalion, the Prince of Wales' Own Regiment, who deployed on 11 January to help with aircraft salvage and returned on 17 January.

NHS Endurance

Mr. Boyes: To ask the Secretary of State for Defence if he will make a statement on the collision on 7 February between HMS Endurance and an iceberg, and the subsequent holing of that ship.

Mr. Archie Hamilton: At 16.10 GMT on 6 February 1989 HMS Endurance struck an iceberg while manoeuvring at low speed in very confined waters near Cape Scrymgeour in Antarctica. The ship suffered damage below the waterline which was quickly contained by temporary repairs carried out by the crew. There were no casualties and no pollution resulted from the accident. Subsequent examination has revealed that the damage may be more serious than initially thought. The ship is currently carrying out limited operations from Hope bay and will shortly be returned to the Falkland Islands for further examination and repair.

Deployment (Europe)

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average number of *(a)* British land forces, *(b)* British main battle tanks, *(c)* British armoured personnel carriers, *(d)* British anti-tank guided missile systems and *(e)* British tracked surface-to-air missile systems stationed on the mainland of Europe in each year since 1980.

Mr. Archie Hamilton: For numbers of land force personnel stationed on the mainland of Europe, I refer the hon. Member to page 24 of the "Statement on the Defence Estimates 1988, Part 2" (Cm. 344-II) which details the totals of European theatre ground forces in BAOR and Berlin since 1982. The balance of strengths to 1980 can be found on page 24 of the "Statement on the Defence Estimates 1986 Part 2" (Cmnd. 9763-I). For numbers of equipments in use on 1 January 1988, I refer the hon. Member to pages 6, 10, 14 and 16 of the NATO publication "Conventional Forces in Europe: The Facts", a copy of which is in the Library of the House. This document was first published on 25 November 1988 and comparable figures for earlier years could be obtained only at disproportionate cost.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the effective strength of British land forces on the continent of Europe in 1987.

Mr. Archie Hamilton: I refer the hon. Member to the answer I gave him on 17 January 1989 at column *130*.

BAOR (Training)

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average amount of time spent by each British Army of the Rhine infantry battalion on *(a)* battalion level training and *(b)* company level training in each year since 1980.

Mr. Archie Hamilton: I refer the hon. Member to the reply I gave to him on 17 January 1989, at columns *131-32*. It is not possible to provide the detailed information requested for years prior to 1987 except at disproportionate cost. Such figures are, however, unlikely to differ significantly from those for 1987.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average amount of time spent by each British Army of the Rhine armoured regiment on *(a)* regimental training and *(b)* squadron/troop training in each year since 1980.

Mr. Archie Hamilton: I refer the hon. Member to the reply that I gave to him on 17 January 1989, at column *132*. It is not possible to provide the detailed information requested for years prior to 1987 except at disproportionate cost. Such figures however, are unlikely to differ significantly from those for 1987.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average number of miles travelled annually by each British Army of the Rhine vehicle during training in each year since 1979.

Mr. Archie Hamilton: It is not possible to derive the information requested from existing records.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average amount of fuel consumed annually by each British Army of the Rhine vehicle during training in each year since 1979.

Mr. Archie Hamilton: It is not possible to identify fuel consumed specifically during training. The figures detailing the total British Army of the Rhine fuel consumption for all types of vehicles by financial year are as follows:

Financial year	*Cubic metres*
1979-80	70,213
1980-81	64,422
1981-82	64,674
1982-83	68,839
1983-84	69,169
1984-85	[1]75,735
1985-86	68,400
1986-87	66,768
1987-88	67,720

[1] The major reinforcement exercise, Exercise Lionheart, was held during this financial year.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the average amount of training ammunition used annually by *(a)* British Army of the Rhine infantry battalions and *(b)* British Army of the Rhine armoured regiments in each year since 1979.

Mr. Archie Hamilton: The information requested is not held centrally and could be provided only at disproportionate cost.

Armoured Personnel Carriers

Mr. Sean Hughes: To ask the Secretary of State for Defence, pursuant to his reply of 17 January to the hon. Member for Knowsley, South, *Official Report*, column 130, what percentage of British armoured personnel carriers stationed on the mainland of Europe in 1987 were non-troop carrying vehicles.

Mr. Archie Hamilton: Around one quarter of British armoured personnel carriers stationed on the mainland of Europe in 1987 were defined as non-troop carrying.

Courts Martial

Mr. Sean Hughes: To ask the Secretary of State for Defence how many British Army personnel were convicted by courts martial for offences of *(a)* absent without leave, *(b)* desertion, *(c)* assaults on superior officers, *(d)* possession of drugs and *(e)* disorderly behaviour within the last year for which figures are available.

Mr Neubert: During 1988 the following convictions from courts martial were recorded;

	Soldiers	*Officers*
Absent without leave	137	1
Desertion	31	0
Assaults	13	0
Possession of Drugs	65	0
Disorderly	3	0

Notes: A soldier convicted at a court-martial of more than one of the same category of offence would only count as one conviction. In the case of a soldier who faced court martial on more than one occasion for the same offence then each conviction would count. For a soldier convicted at a court-martial of more than one of the offences listed above, each offence would count. "Superior Officers" are taken to be those of superior rank to their assailant.

Warstocks

Mr. Sean Hughes: To ask the Secretary of State for Defence whether the Army meets the North Atlantic Treaty Organisation requirements for the maintenance of warstocks.

Mr. Archie Hamilton: I have nothing to add to the answer that I gave to the hon. Member for Cunninghame, North (Mr. Wilson) on 22 December 1988 at column *371*.

Firing Ranges

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the annual expenditure on clearing *(a)* the Okehampton range and *(b)* all Army firing ranges of ammunition after firing practice in each year since 1980.

Mr. Neubert: The clearance of ammunition from ranges is the responsibility of the units using the facilities together with the range commandant, who has overall responsibility for range safety. When necessary an explosive ordnance disposal unit will be called in to deal with specific items of live ammunition. Costs specific to range clearance are not separately recorded.

Helicopters

Mr. Sean Hughes: To ask the Secretary of State for Defence how many *(a)* anti-tank helicopters and *(b)* troop-carrying helicopters are permanently assigned to 24 Infantry brigade.

Mr. Archie Hamilton: It is not our practice to give details of the number of operational aircraft in specific units or formations.

Married Quarters (Woolwich)

Mr. Cartwright: To ask the Secretary of State for Defence what progress he has made in the disposal of surplus married quarters in the Woolwich area; and if he will make a statement.

Mr. Neubert: We are currently negotiating the sale of 27 surplus married quarters in the Woolwich area to the London borough of Greenwich, and a further 67 quarters and civilian houses are expected to be offered for sale on the open market over the next 15 months. In addition, two civilian houses will be offered for sale to sitting tenants.

Wormhoudt Massacre

Mr. Rooker: To ask the Secretary of State for Defence if he will make a statement setting out actions taken by his Department since April 1988 in respect of the Wormhoudt massacre, giving details of how many civil servants are working on the matter.

Mr. Neubert: I have nothing to add to previous statements on the actions of my Department. A number of officials from different branches are working on this matter and we are giving full co-operation to the German authorities who have jurisdiction in the case.

Mr. Rooker: To ask the Secretary of State for Defence if any officials from the Federal Republic of Germany have visited his Department in respect of the inquiries into the Wormhoudt massacre.

Mr. Neubert: A formal invitation has been issued to the public prosecutor in Lubeck to visit this country and his reply is awaited.

SOCIAL SECURITY

One-parent Families

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list the number and proportion of one-parent families in receipt of family income supplement in April 1987 headed by (i) a female and (ii) a male head of household; and if he will give the equivalent data for the family credit, at the end of November 1988.

Mr. Peter Lloyd: The information for one-parent families in receipt of family income supplement is as follows:

	Number	*Percentage*
i. Female head of household	88,000	96·0
ii. Male head of household	4,000	4·0

The equivalent information for family credit is not available.

Redundancy (Benefit Appeals)

Mr. Frank Field: To ask the Secretary of State for Social Security what steps he proposes to take following the number of successful appeals by ex-shipyard workers who had been denied benefit for 13 weeks after being made redundant, in respect of workers in other trades who have been made redundant in similar circumstances; and if he will make a statement.

Mr. Peter Lloyd: The decision of the independent adjudication authority in relation to a redundant shipyard worker relates specifically to that particular worker and his terms of redundancy. This decision has implications for other British Shipbuilders workers whose circumstances were identical, and we have taken steps to bring this to their attention.

The decision has no direct effect on workers made redundant in other industries.

Industrial Deafness

Mr. Harry Barnes: To ask the Secretary of State for Social Security if he will list, for each year from 1979, the numbers of appeals from residents in Derbyshire concerning industrial deafness that have been considered by medical appeals tribunals, and the annual success rates of such appeals.

Mr. Scott: I regret that this information is not readily available and could be obtained only at disproportionate cost.

Cold Weather Payments

Mr. George Howarth: To ask the Secretary of State for Social Security how many claimants in the north-west of England and each of the metropolitan boroughs inside the north-west were paid under the cold weather payments scheme for the last five years; how much benefit has been paid in each of the last five years; and how many claims were refused.

Mr. Peter Lloyd: Information is not collected separately for metropolitan boroughs. The table shows the information for each local office in the Department's north-west region for the winters of 1985-86 and 1986-87.

No cold weather payments were made by those offices in the winters of 1984-85 and 1987-88 nor has the trigger temperature (an average of 0 deg. C. over a seven-day period) been reached in the north-west so far this winter.

Department of Social Security local offices	*1985-86*[1] *Number of claimants*	*Amount paid* £	*Number of £5 payments made*	*1986-87*[2] *Amount paid* £	*Number of claims refused*	*1988-89*[3] *Number of claims refused*
Accrington	429	8,535·56	2,406	12,030	502	3
Ashton under Lyne	677	18,037·14	4,749	23,745	467	—
Barrow	262	5,657·95	3,340	16,700	735	2
Birkenhead North	1,750	56,685·65	7,098	35,490	1,028	—
Birkenhead South	867	20,056·83	4,007	20,035	657	1
Blackburn	1,098	36,890·45	4,579	22,895	703	—
Bolton	1,248	35,672·03	5,702	28,510	1,645	—
Burnley	1,072	27,332·81	6,709	33,545	1,093	—
Bury	463	11,536·25	7,256	36,280	619	—
Buxton	102	2,089·93	1,343	6,715	267	—
Carlisle	277	5,651·64	2,743	13,715	679	—
Chester	763	19,199·82	3,414	17,070	723	1
Crewe	1,012	25,260·35	4,603	23,015	1,052	—
Ellesmere Port	967	27,277·75	2,234	11,170	440	—
Farnworth	323	9,097·51	5,125	25,625	902	1
Fylde North	1,090	27,106·06	5,861	29,305	492	3
Fylde South	382	9,715·83	2,251	11,255	289	—
Hyde	765	19,987·69	5,281	26,405	799	—
Kendal	64	1,462·82	968	4,840	127	—
Lancaster	598	15,809·26	3,583	17,915	633	1
Leigh	665	17,430·85	4,486	22,430	740	12
Liverpool:						

Department of Social Security local offices	1985-86[1] Number of claimants	1985-86[1] Amount paid £	1986-87[2] Number of £5 payments made	1986-87[2] Amount paid £	1986-87[2] Number of claims refused	1988-89[3] Number of claims refused
Belle Vale	1,359	31,527·53	6,135	30,675	619	—
Bootle	958	26,190·26	6,556	32,780	825	1
Breckfield	1,242	37,904·06	5,796	28,980	1,090	—
City	862	22,668·39	4,109	20,545	324	—
Crosby	773	24,339·32	4,732	23,660	661	—
Garston	537	17,200·37	3,714	18,570	534	—
Huyton	1,129	36,292·10	7,560	37,800	865	5
Kirkby	2,801	85,462·72	8,470	42,350	1,336	—
Norris Green	1,043	35,251·65	2,784	13,920	761	—
Toxteth	1,225	30,022·44	9,276	46,380	674	—
Edgehill	410	10,655·45	2,926	14,630	687	—
West Derby	950	33,159·44	3,814	19,070	580	—
Macclesfield	241	6,975·00	1,569	7,845	277	—
Manchester:						
Central	241	8,093·77	1,700	8,500	350	—
Cheetham	695	24,330·33	4,749	23,745	1,192	—
Chorlton	413	18,257·00	2,224	11,120	323	1
Failsworth	1,015	31,247·75	5,642	28,210	1,245	—
Longsight	422	13,118·85	3,715	18,575	751	—
Middleton	917	26,263·70	3,395	16,975	1,020	—
Openshaw	377	9,204·40	4,671	23,355	719	3
Rusholme	355	3,911·83	3,362	16,810	446	—
Sale	1,188	36,707·47	5,072	25,360	1,169	1
Wythenshawe	1,471	63,054·91	7,154	35,770	1,587	—
Northwich	640	18,655·60	2,626	13,130	618	—
Oldham	618	21,020·26	5,569	27,845	1,479	—
Penrith	136	3,646·92	654	3,270	94	1
Preston North	544	11,958·55	4,222	21,110	487	—
Preston South	364	10,273·30	3,533	17,665	430	—
Rochdale	1,106	25,078·26	4,960	24,800	1,074	—
Rossendale	257	7,300·41	2,022	10,110	401	—
Salford North	727	24,699·78	6,358	31,790	1,932	6
Salford South	532	15,253·97	3,944	19,720	759	—
Skelmersdale	355	9,081·44	3,110	15,550	428	—
Southport	371	7,841·02	2,517	12,585	420	—
St. Helens	2,290	49,553·00	7,557	37,785	1,600	—
Stockport North	844	27,663·24	4,023	20,115	841	—
Stockport South	883	32,426·03	3,677	18,385	536	—
Wallasey	1,341	46,500·00	5,423	27,115	834	2
Warrington	1,362	32,315·81	8,951	44,755	1,141	—
Whitehaven	913	25,080·00	2,360	11,800	536	—
Widnes	1,891	49,040·36	6,117	30,585	1,210	8
Wigan	1,375	26,766·00	8,389	41,945	1,489	2
Wilmslow	352	8,001·13	1,000	5,000	245	1
Workington	240	6,317·68	2,817	14,085	353	—
Total	52,639	1,490,805·68	286,692	1,433,460	49,534	55

[1] The number of claims refused is not known.
[2] It is estimated that 143,000 claimants received payment.
[3] Details of the number of claims refused in 1984-85 and 1987-88 are not available.

Benefit Payments (South Yorkshire)

Mr. Redmond: To ask the Secretary of State for Social Security if he will list for each benefit office in South Yorkshire the number of people in receipt of unemployment benefit for *(a)* less than two weeks, *(b)* between two weeks and six months and *(c)* for over six months, at the latest available date; and what are the comparable figures for 1979 as a percentage of *(a)*, *(b)* and *(c)*.

Mr. Peter Lloyd: The information requested is not available for individual benefit offices.

War Pensioners (Housing Benefit)

Mr. Gow: To ask the Secretary of State for Social Security how many district and borough councils operate a disregard in excess of £5 a week for war pensioners when calculating entitlement to housing benefit; and what rate of weekly disregard is applied by each of those councils.

Mr. Peter Lloyd: Local schemes for disregarding war pensions in excess of the statutory £5 are entirely at the discretion of individual authorities.

The following authorities operate such schemes, but I regret that information on the extent to which individual schemes enhance the statutory disregard is not available.

Local authorities operating a local scheme

Aberdeen
Adur
Amber Valley
Angus
Annandale and Eskdale
Argyll-Bute
Ashfield
Aylesbury Vale
Badenoch
Banff and Buchan
Barking
Barnet
Basingstoke
Bearsden and Milngavie
Berwickshire

Bexley
Birmingham
Blaby
Blackburn
Blackpool
Borders
Boston
Bournemouth
Bracknell
Bradford
Braintree
Breckland
Brent
Brentwood
Brighton
Bromley
Broxbourne
Broxtowe
Burnley
Bury
Caithness
Calderdale
Cambridge
Camden
Canterbury
Cardiff
Carlisle
Castle Point
Central
Ceredigion
Charnwood
Chelmsford
Cheltenham
Chester
Chesterfield
Chiltern
Chorley
Christchurch
Clackmannan
Clydebank
Clydesdale
Congleton
Corby
Coventry
Craven
Crawley
Crawley New Town
Crewe and Nantwich
Cumbernauld
Cumbernauld Development Corporation
Cumnock and Doon
Cunninghame
Dacorum
Darlington
Dartford
Daventry
Delyn
Derby
Doncaster
Dover
Dudley
Dumbarton
Dundee
Dunfermline
Durham
Dwyfor
Ealing
East Cambridgeshire
East Devon
East Hampshire
East Hertfordshire
East Kilbride
East Kilbride Development Corporation
East Lothian
East Staffordshire
Eastleigh
Eastwood
Edinburgh
Ellesmere Port
Elmbridge
Enfield
Epsom and Ewell
Ettrick and Lauderdale
Exeter
Falkirk
Fareham
Fenland
Fife
Forest of Dean
Gedling
Glanford
Glasgow
Glenrothes
Gloucester
Gordon
Gosport
Great Yarmouth
Guildford
Hackney
Hambleton
Hamilton
Hammersmith
Harborough
Haringey
Harlow
Harrow
Hart
Hartlepool
Havant
Havering
Hereford
Hertsmere
High Peak
Highland
Hillingdon
Hinckley and Bosworth
Horsham
Hounslow
Huntingdon
Inverclyde
Islington
Kennet
Kilmarnock
Kingston-upon-Thames
Kingswood
Kirkcaldy
Kirklees
Knowsley
Kyle and Carrick
Lambeth
Lancaster
Langbaurgh
Leeds
Leicester
Lewes
Lewisham
Lincoln
Livingston
Lliw Valley
Lochaber
Lothian
Luton
Macclesfield
Maidstone
Maldon
Medina
Meirionnydd
Mendip
Merton
Mid Bedfordshire
Middlesbrough
Midlothian
Milton Keynes
Mole Valley
Monklands
Montgomery
Moray
Motherwell
Nairn
Neath

New Forest
Newark
Newbury
Newham
Newport
Nithsdale
North Bedfordshire
North Cornwall
North Dorset
North East Fife
North Hertfordshire
North Kesteven
North Shropshire
North Tyneside
North West Leicester
North Wiltshire
Northampton
Nottingham
Oadby and Wigston
Ogwr
Oldham
Orkney
Penwith
Perth and Kinross
Peterborough
Peterborough Development Corporation
Plymouth
Poole
Port Talbot
Portsmouth
Radnor
Redditch
Reigate and Banstead
Renfrew
Rhondda
Rhuddlan
Ribble Valley
Richmond-upon-Thames
Richmondshire
Ross and Cromarty
Rossendale
Rother
Roxburgh
Rugby
Runnymede
Rushcliffe
Ryedale
Salford
Sandwell
Scarborough
Scottish Special Housing Association
Sedgefield
Sefton
Selby
Shepway
Shetland
Skye and Lochalsh
Slough
Solihull
South Bedfordshire
South Buckinghamshire
South Cambridgeshire
South Holland
South Lakeland
South Norfolk
South Northampton
South Ribble
South Staffordshire
South Tyneside
South Wight
Southampton
Southend on Sea
Southwark
Spelthorne
St. Helens
Staffordshire Moorlands
Stevenage
Stewartry
Stirling
Stockton on Tees
Stratford-on-Avon
Strathclyde
Strathkelvin
Stroud
Surrey Heath
Sutherland
Sutton
Swale
Swansea
Tameside
Tandridge
Tayside
Tendring
Test Valley
Tewkesbury
Three Rivers
Thurrock
Tonbridge and Malling
Tower Hamlets
Tunbridge Wells
Tweeddale
Vale of Glamorgan
Vale of White Horse
Vale Royal
Wakefield
Walsall
Waltham Forest
Wandsworth
Watford
Waverley
Wealdon
Welwyn Hatfield
West Derbyshire
West Lothian
West Norfolk
West Somerset
West Wiltshire
Western Isles
Westminster
Weymouth and Portland
Wigan
Wigtown
Wimborne
Winchester
Windsor and Maidenhead
Wirral
Woking
Wokingham
Wolverhampton
Woodspring
Worthing
Wycombe
York
Total: 308

Source: Based on 1988 returns provided by 474 of the 483 local authorities in Great Britain.

Mr. Nellist: To ask the Secretary of State for Social Security whether those in receipt of a war pension which prior to the April 1988 social security changes was disregarded in the calculation of housing benefit *(a)* were, and *(b)* are entitled to transitional protection; what rights of appeal are open to those pensioners so affected; and if he will make a statement.

Mr. Peter Lloyd: The housing benefit transitional payments scheme is intended to provide help to vulnerable groups of claimants who experienced reductions in their housing benefit as a result of changes introduced by the Government in April 1988. Those in receipt of a war pension are eligible to receive help in the same way as all other applicants except that transitional payments do not cover losses of housing benefit incurred as a result of a local authority limiting the scope of its discretionary scheme in April 1988.

The statutory disregard on war pensions in the housing benefit scheme was increased at the time of the April

reforms from £4 to £5 a week and also local authorities retained the right to provide additional help for war pension recipients should they wish to do so. War pension recipients are able to request reviews of their awards of transitional protection by a more senior officer in the same way as all other applicants.

Adjudication Officers

Mr. Cousins: To ask the Secretary of State for Social Security how many adjudication officers were in post at the end of each reporting year since 1983; and what proportion of such officers had over 12 months' experience of such work.

Mr. Peter Lloyd: Statistics are not collected on the information requested. It is regretted therefore that the information could be supplied only at disproportionate cost.

Mobility Allowance

Mr. Ken Hargreaves: To ask the Secretary of State for Social Security if he has any plans to review the procedure for assessing the eligibility of children to mobility allowance; and will he make a statement.

Mr. Scott: We shall be considering the whole structure of the mobility allowance scheme in the context of the findings of the OPCS disability surveys.

Mr. Barron: To ask the Secretary of State for Social Security (1) if he has any plans to increase the age limit of below 66 years for people claiming mobility allowance;

(2) if he has any plans to increase the mobility allowance age ceiling of 75 years.

Mr. Scott: We shall be considering the age limits for mobility allowance in the context of the findings of the OPCS disability surveys, but, as an interim measure, we are proposing the extension of the upper age limit from 75 to 80 in the Social Security Bill currently before the House.

Social Fund

Dr. Godman: To ask the Secretary of State for Social Security how many people in *(a)* Greenock and Port Glasgow and *(b)* Strathclyde have (i) claimed and (ii) received a crisis loan from the social fund.

Mr. Peter Lloyd: Such information is available in the Library.

Pensions

Ms. Richardson: To ask the Secretary of State for Social Security what is his policy on the extent to which employers should offer their staff an occupational pension scheme or a suitable alternative.

Mr. Peter Lloyd: It is our policy to encourage employers to set up occupational pension schemes so that their employees will have the widest possible range of options from which to choose the most appropriate means of providing for their retirement. The changes brought about last year as a result of the Social Security Act 1986 made it easier for employers to use their occupational pension schemes for contracting out of the state earnings-related pension scheme (SERPS).

Young People in Care

Mr. Hinchliffe: To ask the Secretary of State for Social Security what representations he has received regarding the situation of young persons leaving care during the period since the April 1988 changes in social security provisions.

Mr. Peter Lloyd: We have received a number of representations on this subject. Most recently my right hon. Friend met with my noble Friend the Baroness Faithfull and representatives of various organisations involved with young people. In addition I have met with representatives of the Church of England Children's Society and officials have met with representatives of the Association of County Councils and the Confederation of Scottish Local Authorities.

Income-related Benefits

Mr. Clay: To ask the Secretary of State for Social Security when he expects to publish the new take-up figures for income-related benefits.

Mr. Peter Lloyd: I refer the hon. Member to my reply to my right hon. Friend the Member for Chesham and Amersham (Sir I. Gilmour) on 8 February at column *713*.

Child Benefit

Mr. Battle: To ask the Secretary of State for Social Security what percentage of potential recipients of child benefit earn more than the average wage; and if he will provide the statistical details on which his calculation is arrived.

Mr. Peter Lloyd: Among those families who stand to gain from an increase in child benefit (because they do not receive any income-related benefit) around 70 per cent. have incomes above average earnings. I am writing to the hon. Member giving details of the calculation.

War Widows

Mr. Nicholas Winterton: To ask the Secretary of State for Social Security if he will estimate the annual cost of making an ex gratia weekly payment of *(a)* £10, *(b)* £20, *(c)* £30, *(d)* £40 and *(e)* £50 to pre-1973 war widows; and what that cost would be at current values in each of the next 10 years assuming an annual increase of 10 per cent. in the current annual death rate of such widows.

Mr. Peter Lloyd: Based on the latest information available about the number and projected numbers of pre-1973 war widows, which is subject to considerable uncertainty, the estimated gross costs (excluding reductions in entitlement to income-related benefits) rounded to the nearest £1 million are as follows:

£ million

	Ex-gratia weekly payment of				
	£10	*£20*	*£30*	*£40*	*£50*
1989	28	57	85	113	141
1990	26	52	78	104	129
1991	25	49	74	98	123
1992	24	47	71	94	118
1993	22	45	67	89	111
1994	21	42	64	85	106
1995	20	40	60	80	100
1996	19	38	57	76	95

	Ex-gratia weekly payment of				
	£10	£20	£30	£40	£50
1997	18	36	54	72	90
1998	17	34	51	68	84
1999	16	32	48	63	79

The estimated projected number of widows on which the costs are based takes into account the mortality rates of war widows.

HEALTH

Emergency Provision

Mr. Redmond: To ask the Secretary of State for Health (1) what is the current projected National Health Service bed requirement for armed forces casualties arising from future war in Europe;

(2) what recent steps he has taken to assess the adequacy of existing arrangements for the reception by the National Health Service of armed forces casualties arising from any future war in Europe.

Mr. Freeman: The projected workload for the National Health Service in the event of war in Europe is the subject of continuing joint civil/military medical planning between officials of the Department, the Minister of Defence and Health Service emergency planning staff. Details of military casualty estimates are classified.

Mr. Redmond: To ask the Secretary of State for Health if he will place a copy of his guidance to the National Health Service on stockpiling medical supplies for emergencies and war in the Library.

Mr. Freeman: As indicated at paragraph 3.14 of health circular HC(88)31, "Emergency Planning in the NHS: Health Service Responsibilities in Civil Defence," possible arrangements for stockpiling against emergencies—in addition to existing holdings—taking account of shelf life, location and transport are currently being examined with a view to rationalisation and the issue of further guidance. Officials will report when details have been fully worked out.

Trent Regional Health Authority (Nurses)

Mr. Redmond: To ask the Secretary of State for Health if he will list for each of the last five years for each hospital in each area health authority in the Trent regional health authority, the number of nurses engaged in educational medicine and the care of children.

Mr. Freeman: The information requested is not held centrally. I therefore suggest that the hon. Member contact the chairman of Trent regional health authority for an answer to his question.

Military Exercises

Mr. Redmond: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Don Valley of 20 June 1988, *Official Report*, column *415*, if he will provide details and costs of the National Health Service participation in the military home defence exercises Eastern Shield, Capital Guard, Drake's Drum, Autumn Tiger, Northern Crusade, Western Encounter, Triple Crown and Strong Link.

Mr. Freeman: Certain NHS authorities participated to a limited extent and on a voluntary basis in some of these exercises, Participation mainly involved ambulance services, some hospital accident and emergency departments and emergency planning staff. The costs were contained within NHS budgets. The exercises provided health authorities with useful insight into NHS civil defence planning problems as well as valuable major accident practice.

Legionnaire's Disease

Ms. Walley: To ask the Secretary of State for Health what plans he has to include Legionnaire's disease as a notifiable infectious disease.

Mr. Freeman: There is already an adequate surveillance programme organised by the communicable disease surveillance centre whereby cases of legionnaire's disease are reported to them.

The list of notifiable diseases is kept actively under review.

Control of Diseases Act

Ms. Walley: To ask the Secretary of State for Health how many outstanding applications there are by local authorities under section 16 of the Control of Diseases Act awaiting his approval.

Mr. Freeman: One, from Lambeth borough council in respect of legionnaire's disease, which is being considered.

Aluminium

Mr. Harry Barnes: To ask the Secretary of State for Health if he will make a statement on the effect on babies of water supplies containing levels of aluminium above the level provided for in EEC directives.

Mr. Freeman: No disease is known to be caused in babies by aluminium present in the public water supply in the United Kingdom from natural sources or as a result of the normal use of aluminium compounds in water treatment. Gross contamination of water with aluminium sulphate renders the water unpalatable and would cause milk feeds prepared with this water to coagulate. Such water, if drunk, would be expected to cause vomiting and diarrhoea.

Hampstead and Haringey Health Authorities

Mr. Dobson: To ask the Secretary of State for Health if he will place in the Library a copy of the initial paper on the consultation into the merger of Hampstead and Haringey health authorities produced within the department of community medicine at North East Thames regional health authority and the paper presented to the regional health authority members by the regional health authority management.

Mr. Freeman: Copies of the following documents have been placed in the Library:

1. "Proposals for the amalgamation of Hampstead and Haringey Health Authorities"—paper presented to the July 1988 meeting of North East Thames regional health authority;
2. "The proposed amalgamation of Hampstead and Haringey Health Authorities"—North East Thames regional health authority consultation document issued in August 1988;

3. "The proposed amalgamation of Hampstead and Haringey Health Authorities"—North East Thames regional health authority information leaflet issued in August 1988;
4. "Results of consultation on the proposed amalgamation of Hampstead and Haringey Health Authorities"—paper presented to the January 1989 meeting of North East Thames regional health authority;
5. "Proposed amalgamation of Hampstead and Haringey Health Authorities: responses to consultation"—Appendix to (4) above.

Radiation

Mr. Cousins: To ask the Secretary of State for Health (1) what additional or revised guidance was issued on the use of radiation medicines on patients in the National Health Service between 1972 and 1988; and if he will provide an estimate of the number of radiation medicines in use in each of those years;

(2) which of the recent recommendations of the International Committee on Radiological Protection on the use of radiation physics medicines he proposes to accept and which he does not.

Mr. Freeman: The Medicines (Administration of Radioactive Substances) Regulations 1978 regulate the administration of radioactive substances to patients or volunteers (which I assume to be what is meant by the term radiation physics medicines) used by the hon. Member. The Administration of Radioactive Substances Advisory Committee (ARSAC) was established in 1980 to advise Health Ministers on the granting of authorisations for the use of such substances.

ARSAC produce "Notes for Guidance on the Administration of Radioactive Substances to Persons for Purposes of Diagnosis, Treatment or Research", first published in 1980, and subsequently revised in 1984 and 1988. A copy is issued to each applicant.

The most recent publications of the International Commission on Radiological Protection (ICRP) dealing with radioactive medicinal products were ICRP publication 52 "Protection of the Patient in Nuclear Medicine" (1987) and ICRP publication 53 "Radiation Dose to Patients from Radiopharmaceuticals" (1988). Both these documents were taken into account when the 1988 revision of the "Notes for Guidance" was produced. This publication gives details of effective dose equivalents which are in line with those recommended by the ICRP. Exceptionally on the advice of ARSAC the Secretary of State may authorise procedures resulting in higher effective dose equivalents.

Additional guidance on the use of radioactive medicinal products was given in the "Code of Practice for the Protection of Persons against Ionizing Radiations arising from Medical and Dental Use" (1972), and is included in the "Guidance Notes for the Protection of Persons Against Ionising Radiation arising from Medical and Dental Use" (1988).

Some aspects of the administration of radioactive medicinal products are also subject to the Ionising Radiations (Protection of Persons undergoing Medical Examinations or Treatment) Regulations 1988, issued to all health authorities under cover of health circular HC(88)29.

Information is not held centrally as to the number of radioactive medicinal products in use prior to 1980. While a breakdown cannot be given of the radioactive medicinal products in use in any given year since the establishment of ARSAC in 1980, authority has been given for the use of 876 different radioactive medicinal products at various times in the eight years since its inception.

Mr. Cousins: To ask the Secretary of State for Health how many new courses of treatment using radiation physics medicines within the National Health Service were begun in each year since 1983; and what was the total caseload in each year.

Mr. Freeman: I have taken the term "radiaction physics medicines" to mean radioactive medicinal products. I regret that information about the number of treatments using radioactive medicinal products, and the total caseloads for each year, is not held centrally.

Mr. Cousins: To ask the Secretary of State for Health how many medical physicists were working in radiotherapy in the National Health Service in each of the last five years; and how many of those were on the basic grade.

Mr. Freeman: I regret we do not collect this information centrally.

Placental Tissue

Mr. Alton: To ask the Secretary of State for Health if health authorities sell placental tissue without the consent of the woman concerned.

Mr. Freeman: We do not collect information about the arrangements made by individual health authorities although we should expect them to respect any views expressed by patients on this matter.

Mr. Alton: To ask the Secretary of State for Health whether there are regulations governing the fate of the placental tissue after *(a)* an abortion and *(b)* a normal delivery of a child; and if he will make a statement.

Mr. Freeman: There are no such regulations.

Mr. Alton: To ask the Secretary of State for Health what information he has on the sale of placental tissue to the Institut Merieux by British health authorities.

Mr. Freeman: There is a long-standing arrangement under which health authorities can make available placenta to the Institut Merieux. I understand this is used for therapeutic purpose (for example the manufacture of albumen and gamma globulin) and that a small handling charge is paid to the participating health authorities to cover storage costs. We understand from the Institut Merieux that it does not collect from National Health Service hospitals placenta which becomes available as a result of abortions.

Mr. Alton: To ask the Secretary of State for Health how much money passed between Liverpool health authority and the Institut Merieux in France in the last financial year for which figures are available.

Mr. Freeman: I regret this information is not held centrally. I would advise the hon. Member to write directly to the chairman of Liverpool health authority if he wishes to pursue this matter.

Office of Population Censuses and Surveys

Ms. Richardson: To ask the Secretary of State for Health whether he will list the grades of civil servants employed by the Office of Population Censuses and Surveys.

Mr. Freeman: The Office of Population Censuses and Surveys employs civil servants of the following grades:

Grade 2 (Deputy Secretary)
Grade 3 (Under Secretary)
Senior Medical Officer
Grade 5 (Assistant Secretary, Chief Statistician, Chief Social Survey Officer 'A')
Grade 6 (Senior Principal, Chief Social Survey Officer 'B')
Grade 7 (Principal, Statistician, Principal Social Survey Officer, Principal Research Officer, Principal Information Officer)
Senior Executive Officer
Senior Social Survey Officer (departmental grade)
Senior Information Officer
Higher Executive Officer
Social Survey Officer (departmental grade)
Senior Assistant Statistician
Librarian
Executive Officer
Assistant Social Survey Officer (departmental grade)
Assistant Statistician
Assistant Librarian
Administrative Officer
Administrative Assistant
Senior Personal Secretary
Typing Manager
Personal Secretary
Typist
Support Manager 2
Support Manager 3
Support Grade Band 1
Support Grade Band 2
Museum Technician 3
Porter/Cleaner
Counsellor
Patrolman

Grading

Mr. Barron: To ask the Secretary of State for Health when he expects the appeals procedure to be completed within the Rotherham area health authority on the current National Health Service regrading structure.

Mr. Freeman: We do not hold this information centrally.

Trent Regional Health Authority

Mr. Meale: To ask the Secretary of State for Health if he will list the closure of all National Health Service hospitals and other National Health Service properties in the Trent regional health authority area since 1979.

Mr. Freeman: It is important to note that closures are very often balanced by openings or other reprovision elsewhere. The hospitals or units approved for total or partial closure from 1979 to end 1987 in the Trent regional health authority are in the table.

Hospital and District	*Partial or total closure*
1979	
Nightingale, Derbyshire	tc
Wales Court, Sheffield	tc
1980	
Newstead, Nottinghamshire	pc
Middlewood, Sheffield	pc
Adbolton Hall, Nottinghamshire	tc
1981	
Skegness and District, Lincolnshire	pc
Highbury, Nottinghamshire	pc
Smedley Memorial, Derbyshire	tc
Parwich, Derbyshire	tc
Tuxford Hostel, Nottingham, Lincolnshire	tc
Firs Maternity, Nottinghamshire	tc
Nottingham Womens, Nottinghamshire	tc
Thornbury, Sheffield	tc
St. Josephs, Sheffield	tc
Hallwood Isolation, Sheffield	tc
1982	
Markfield, Leicestershire	tc
Chesterfield and North Derbyshire Royal Hospital, North Derbyshire	tc
Alexandra Woodhall Spa, North Lincolnshire	tc
Foxby Hill, Gainsborough, North Lincolnshire	tc
1983	
Walton, North Derbyshire	pc
Ellen Towle, Leicestershire	pc
Leicestershire Royal Infirmary, Leicestershire	pc
Groby Road, Leicestershire	pc
Zachary Merton Recovery Home, Leicester	tc
Ashgate Maternity Home, North Derbyshire	tc
Ashgate Annexe E, North Derbyshire	tc
Blakely, South Derbyshire	tc
Morton, North Derbyshire	tc
Draycott, South Derbyshire	tc
The Retreat Hostel, South Derbyshire	tc
Boston General, North Lincolnshire	tc
1984	
Forest, Central Nottinghamshire	pc
Victoria, Central Nottinghamshire	pc
Debdak Hall Recovery Home, Central Nottinghamshire	tc
Lawn Hospital, North Lincolnshire	tc
Swallownest, Doncaster	tc
Darley Hall Maternity, North Derbyshire	tc
Corbar Hall Maternity, North Derbyshire	tc
Coppice Hospital, Nottingham	tc
Aughton Court Hospital, Rotherham	tc
Scott Road and Commonside Hostels, Sheffield	tc
Derwent Hospital, South Derbyshire	tc
1985	
Carey House, South Lincolnshire	tc
1986	
Pastures Hospital, The Grange Childrens Unit, Southern Derbyshire	pc
Pastures Hospital, Beech House, Southern Derbyshire	pc
Pastures Hospital, Masson Ward, Southern Derbyshire	pc
Market Harborough and District, Leicestershire	pc
Rutland Memorial Leicestershire	pc
St. Marys Hospital, Melton Mowbray, Leicestershire	pc
Ashby de la Zouch and District, Leicestershire	pc
Ridgeway, North Derbyshire	tc
Moorfield, North Derbyshire	tc
Rykneld Hospital, South Derbyshire	tc
Queen Mary Maternity House, South Derbyshire	tc
Etwall Hospital, South Derbyshire	tc
Glengate, Leicestershire	tc
Kibworth Hall, Leicestershire	tc
1987	
Buxton Cottage, North Derbyshire	pc
Manor, Southern Derbyshire	tc
Makeney, Southern Derbyshire	tc

Hospital and District	Partial or total closure
Bosworth Park Infirmary, Leicestershire	tc
Chest Clinic, Leicestershire	tc

Foetal Tissue

Mr. Nicholas Winterton: To ask the Secretary of State for Health when he intends to publish the report of his Department's inquiry into the use of foetal tissue for transplant operations.

Mr. Freeman: We expect to receive the report in the next few months.

Elderly Persons

Mr. Hinchliffe: To ask the Secretary of State for Health what action he is taking as a result of the recommendations concerning the discharge of elderly persons from hospital contained in the recent joint statement published by the Association of Directors of Social Services and the British Geriatrics Society, a copy of which he has been sent.

Mr. Freeman: The Department plans to issue, in the next few weeks, a booklet entitled "The Discharge of Patients From Hospital", which covers discharge arrangements for all patients, including elderly persons. This booklet will be circulated to all health authorities under a health notice. The statement the hon. Gentleman refers to will be included in the list of further reading on questions of good practice which is to be given as an appendix to the booklet.

Care in the Community

Mr. Hinchliffe: To ask the Secretary of State for Health what is his latest estimate of the annual saving to the Government as a result of informal carers looking after the sick, elderly and handicapped in the community.

Mr. Freeman: The Government recognise the valuable contribution made by informal carers looking after sick, elderly and handicapped people in the community. There is no reliable basis on which to quantify that contribution.

London Ambulance Service

Mr. Evennett: To ask the Secretary of State for Health what information he has regarding the steps being taken by the London ambulance service to implement recommendations 32, 33, and 34 of the Fennell report.

Mr. Freeman: The information is as follows:

Recommendation 32: The LAS has brought forward to the current year (1988-89) the purchase of equipment which will improve its ability to monitor the position and timing of front line ambulances.

Recommendation 33: The LAS has revised its major accident plan which will ensure that the emergency control vehicle will be mobilised immediately whenever four or more ambulances are sent to an incident.

Recommendation 34: An on-call roster for senior officers will be introduced in place of the present voluntary arrangement.

The LAS is also discussing with the London emergency services liaison panel what further action is necessary to strengthen the links between all emergency services.

Psychiatric Nurses

Mr. Fearn: To ask the Secretary of State for Health whether he will list by region the numbers of qualified first and second-level psychiatric nurses, and the number of qualified learners.

Mr. Freeman *[holding answer 31 January 1989]:* Information on the numbers of nurses employed in the mental illness area of work in each region at 30 September 1987 is shown in the table.

Nursing Staff in Post[1,2] *in Mental Illness Area of Work—England by Regional Health Authority—at 30 September 1987*

Wholetime equivalents[5]

Region	Qualified Nurses[3]		Learners[4]	
	Registered (First Level)	Enrolled (Second Level)	Students	Pupils
Northern	1,470	920	460	100
Yorkshire	1,740	890	570	60
Trent	2,040	1,120	690	120
East Anglian	810	440	220	40
North West Thames	1,730	930	510	90
North East Thames	1,770	950	470	90
South East Thames	1,320	670	160	40
South West Thames	1,670	700	640	80
Wessex	1,270	580	390	40
Oxford	790	290	210	10
South Western	1,390	730	460	50
West Midlands	2,080	1,230	920	130
Mersey	1,280	910	370	50
North Western	1,830	1,110	510	50
London Post Graduate Special Health Authorities	290	90	70	—
England	21,480	11,570	6,630	930

[1] Excludes administrative nursing staff, agency staff and unqualified nursing staff. Includes staff working in the hospital and community services.

[2] Due to occupation coding problems the 1987 figures for some regions, and therefore England, are not comparable with those for previous years.

[3] Includes qualified staff who do not hold the RMN or EN(M) qualification.

[4] Includes qualified staff undertaking a further basic nurse course.
[5] Figures independently rounded to nearest ten (10) wholetime equivalents.
Source: Department of Health: Annual Census of NHS Non-Medical Manpower.

Organ Donations

Mr. Thurnham: To ask the Secretary of State for Health how many organs have been donated for transplantation in the North West regional health authority area during each of the last five years; and how many transplant operations have taken place.

Mr. Freeman *[holding answer 31 January 1989]:* According to information reported to the United Kingdom transplant service, the number of organs retrieved from, and transplants performed in, hospitals in the North Western regional health authority during the last five years is as follows:

Cadeveric organs retrieved

	1984	1985	1986	1987	1988
Kidney[1]	94	87	84	93	119
Heart and heart/lung	—	7	9	20	28
Liver	—	6	9	11	23

Transplants performed, NHS entitled recipients only

	1984	1985	1986	1987	1988
Kidney	77	81	107	81	130
Heart and heart/lung	—	—	—	10	29
Liver	—	—	1	2	—

[1] A donor has been counted twice if both kidneys were donated. 1988 figures are provisional.

NHS Trusts

Ms. Harman: To ask the Secretary of State for Health if he will list those hospitals which he considers eligible for National Health Service hospital trust status as set out in the White Paper, "Working for Patients".

Mr Kenneth Clarke *[holding answer 9 February 1989]:* Any hospital which meets the criteria in chapter 3 of the White Paper would be eligible. I do not understand why the hon. Member recently produced a list, readily and publicly available, of the 320 largest acute hospitals in the NHS and claimed that they were the only eligible hospitals.

Ms. Harman: To ask the Secretary of State for Health whether National Health Service hospital trusts will be allowed to buy their interest-bearing debt from the Government.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* I propose that National Health Service hospital trusts will be given an interest-bearing debt equal to the value of their initial assets. The terms, including repayment provisions, will be set by the Government at the time.

Ms. Harman: To ask the Secretary of State for Health whether hospitals currently under special health authorities will be eligible for status as a National Health Service trust.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* Yes, if they meet the criteria in the White Paper "Working for Patients".

Resource Management Initiative

Ms. Harman: To ask the Secretary of State for Health if he will publish his Department's evaluation of the resource management initiative in hospitals.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* I will consider whether to publish the evaluation of the resouce management initiative at the first six sites when I have received it. That evaluation will of course be used to improve the detailed implementation of resource managment systems in other hospitals.

Out-of-area Health Care

Ms. Harman: To ask the Secretary of State for Health (1) where a district health authority, under the White Paper on the National Health Service, has contracted with an out-of-district hospital for a particular service, whether patients will have the choice of getting treatment for that service within the district;

(2) where, under the White Paper on the National Health Service, a district health authority has contracted with a hosiptal outside its district to provide a particular service, whether patients from that district health authority will have to travel to the out-of-district hospital for that service.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* Hospital patients are not necessarily best or most conveniently treated within the administrative boundaries of their district health authorities. The White Paper's proposals will make it possible for NHS funds to cross those boundaries when patients and GPs choose treatment elsewhere—for example, because waiting times are shorter. When placing contracts each DHA will need to take account of the existing referral patterns of local GPs, and will be free to place contracts with more than one hospital. They will need to discuss with GPs the possibility of changing existing patterns of referral if they believe that better value for money can be obtained by doing so. DHAs will also need to allow for referrals by GPs to hospitals with which no contracts have been placed, keeping some funds in reserve for this purpose.

Ms. Harman: To ask the Secretary of State for Health how health authorities are to be reimbursed for accident and emergency admissions from patients outside their own district of residence under the proposals in the National Health Service White Paper.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* My proposals on meeting the costs of accident and emergency admissions will be spelt out in a working paper on funding and contracts to be issued shortly.

Waiting Lists

Ms. Harman: To ask the Secretary of State for Health, under the White Paper, what information he has about the relationship between waiting list time and the unit cost of treatment.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* There is no necessary relationship between the length of time a patient waits for treatment and the unit cost of that treatment.

Surgery (Costs)

Ms. Harman: To ask the Secretary of State for Health, under the White Paper, whether the cost of treatment will be a factor in determining where health authorities place contracts for surgical operations.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* In all decisions about surgical treatment now, as throughout the history of the NHS, and in every health care system the cost of treatment is a factor, but by no means the only one.

Health Authorities (Membership)

Ms. Harman: To ask the Secretary of State for Health whether non-executive members of the new health authorities proposed by the National Health Service White Paper will be drawn exclusively from people who live in the area covered by the authority.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* I would normally expect them to live, work or have some other connection with the area covered by the health authority.

White Paper (Costs)

Ms. Harman: To ask the Secretary of State for Health if he will break down by available categories on what the money allocated to the National Health Service White Paper launch has been spent.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* The estimated £1,250,000 cost of the launch of the review includes the total cost of the nationwide teleconference and follow-up regional meetings; the communications packs containing videotape programmes, other visual aids and speaking notes; and associated printed material. It is not possible at this stage to put precise costs on each.

I am sure it has been well worth the cost and effort to explain to 1 million NHS employees, responsible for £18 billion expenditure in England alone, what the White Paper proposals mean for their jobs, careers and their patients.

Former Ministers (Facilities)

Mr. Winnick: To ask the Secretary of State for Health if any office and other facilities are provided by his Department for former Ministers; and if he will make a statement.

Mr. Hoyle: To ask the Secretary of State for Health if he is providing *(a)* office accommodation and *(b)* privileged access to Government records to the hon. Member for Derbyshire, South (Mrs. Currie).

Mr. Kenneth Clarke: By convention, former Ministers are allowed reasonable access to the papers which they handled when they were in office. Departments make suitable arrangements for this on request. The former Parliamentary Under-Secretary of State for Health, made such a request and has been given the temporary use of a room in the Department and the part-time assistance of an administrative officer to manage and safeguard the papers. I understand that several former Ministers of this and former Governments have been given similar facilities in various Departments in recent years.

THE ARTS

Northern Ballet Theatre

Mr. Fearn: To ask the Minister for the Arts if he will meet the chairman of the Arts Council to discuss funding of the Northern Ballet theatre.

Mr. Luce: I meet the chairman of the Arts Council on a regular basis. He keeps me appraised of all Arts Council business, although questions of funding for individual arts bodies are matters for the council.

CIVIL SERVICE

Government Forms

Mr. Steel: To ask the Minister for the Civil Service whether he will consider the possibility of having Government forms printed in black rather than in pale blue, to make them more easily legible.

Mr. Luce: The design of Government forms is a matter for individual Departments, many of which have adopted their own distinctive styles and colours. Since the Government's forms initiative began in 1982, Departments have made good progress in producing forms and leaflets which are more attractive, easier to understand and simpler to complete. Government forms now regularly win awards from the plain English campaign. I am committed to continue this work until every form is a good form. If the right hon. Member has a particular form in mind, and will write to me, I shall bring it to the attention of the Minister concerned.

NATIONAL FINANCE

Textile Firms, Leicester

Mr. Allen: To ask the Chancellor of the Exchequer if he will make it his policy to make available to hon. Members the report of the revenue special investigation team into tax evasion by textile firms in Leicester.

Mr. Norman Lamont: Details of Inland Revenue investigations are not published.

Composite Rate Tax

Mr. Riddick: To ask the Chancellor of the Exchequer how many people pay composite rate tax on investment income *(a)* in total, *(b)* who have a tax liability and *(c)* who do not have a tax liability.

Mr. Norman Lamont: I regret that information is not available in the form requested. There were some 64 million accounts subject to composite rate and which earned over £1 interest in 1986-87, some of which were held by clubs or other non-individuals. Of these accounts, it is provisionally estimated that 49 million were held by investors whose composite rate interest would be wholly liable to tax in the absence of a composite rate system, and 13 million by investors none of whose composite rate interest would be liable. The balance of about 2 million accounts was held by investors, part of whose interest would be liable to tax if there were no composite rate system.

Mortgage Tax Relief

Mr. Sillars: To ask the Chancellor of the Exchequer if he will publish a table showing the total value of mortgage tax relief by planning region in each of the past 10 years.

Mr. Norman Lamont: Estimates for the years 1979-80 to 1982-83 have been derived from the results of the survey of personal incomes and are given in the table.

Cost of mortgage interest relief (£ million)

	1979-80	*1980-81*	*1981-82*	*1982-83*
Northern	60	80	70	95
Yorkshire and Humberside	110	155	150	160
North West	135	200	180	215
East Midlands	85	115	110	130
West Midlands	145	160	190	170
East Anglia	45	50	60	75
Greater London	235	280	290	260
Other South East	375	555	600	650
South West	110	140	170	140
Wales	45	65	80	80
Scotland	85	125	120	140
Northern Ireland	20	35	30	30
United Kingdom	1,450	1,960	2,050	2,150

Following the introduction of MIRAS in April 1983, regional information on the cost of mortgage interest relief cannot be extracted from Inland Revenue records. The regional distribution of mortgage interest can be estimated from the family expenditure survey (FES) but, as the sample size for the FES is relatively small, it is not possible to provide robust estimates of regional trends for the period after 1982-83. Accordingly, the following tables show the cost of mortgage interest relief in the United Kingdom from 1983-84 to 1988-89 with the percentage distribution of the relief by region, based on FES data from 1984 to 1986.

Cost of mortgage interest relief

	(£ million)
1984-85	3,580
1985-86	4,750
1986-87	4,670
1987-88	[1]4,800
1988-89	[1]5,500

[1] Provisional.

Regional share of mortgage interest relief based on FES data for 1984 to 1986

	per cent.
Northern	3·8
Yorkshire and Humberside	7·2
North West	9·3
East Midlands	6·3
West Midlands	7·8
East Anglia	3·5
Greater London	14·1
Other South East	26·6
South West	8·5
Wales	4·2
Scotland	7·4
Northern Ireland	1·3
United Kingdom	100·0

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will give the additional annual cost to the Exchequer in tax relief on mortgage interest payments of every 1 per cent. rise in mortgage interest rates.

Mr. Norman Lamont: I refer the hon. Member to the reply which I gave to the hon. Member for Argyll and Bute (Mrs. Michie) on 12 December 1988 at column *426*.

Mr. Soley: To ask the Chancellor of the Exchequer if he will estimate the saving to the Exchequer of paying mortgage income tax relief at the standard rate of tax only.

Mr. Norman Lamont: The direct Revenue yield in a full year, at 1988-89 income levels, from restricting mortgage interest relief to the basic rate is estimated to be £330 million. No allowance has been made for the effect of any consequential changes to the distribution of outstanding mortgages.

Tax Fraud

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the names and addresses of those prosecuted and convicted of tax fraud in 1987-88; and if he will make it his policy to categorise future prosecutions by locality or region.

Mr. Norman Lamont: No. Names and addresses of those prosecuted and convicted of tax fraud are already released to the press by the Inland Revenue with details of the offences.

Tax Avoidance and Evasion

Mr. Allen: To ask the Chancellor of the Exchequer if he will make it his policy to carry out investigations to establish how much revenue is lost each year through tax avoidance and evasion.

Mr. Norman Lamont: The Inland Revenue is already alert for areas where tax is lost through avoidance and evasion. Precise quantification of the total tax involved each year would be impracticable.

Spending Plans

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer (1) if he will provide a table giving for 1987-88 the difference between spending plans, as given in the public expenditure White Paper, Cm. 56 and estimated outturn *(a)* due to capital receipts, *(b)* resulting from current spending of Departments and *(c)* resulting from classification changes;

(2) if he will provide a table giving for 1988-89 the difference between spending plans, as given in the public expenditure White Paper, Cm. 288. and estimated outturn

(a) due to capital receipts, *(b)* resulting from current spending of Departments and *(c)* resulting from classification changes;

(3) if he will provide a table giving for 1989-90 the difference between spending plans, as given in the public expenditure White Paper, Cm. 288. and estimated outturn *(a)* due to capital receipts, *(b)* resulting from current spending of Departments and *(c)* resulting from classification changes.

Mr. Major: The available information is given in the table. Full information on capital receipts, other than for local authorities, is not available.

Differences between public expenditure figures in the 1989 public expenditure White Paper and plans in previous White Papers

£ million

	[1]*1987-88*	[2]*1988-89*	[2]*1989-90*
Differences arising from			
(a) Local authority capital receipts	−1,286	−1,733	−2,105
(b) Changes in current expenditure	+2,677	+1,494	+4,199
(c) Classification changes	+94	+64	−38

[1] Comparison with 1987 public expenditure White Paper.
[2] Comparison with 1988 public expenditure White Paper.

Company Cars

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will give for 1987-88 and 1988-89 the number of tax units liable for tax on a company car, the amount of tax for which they are liable and the total tax yield.

Mr. Norman Lamont: Provisional estimates based on projections from the 1985-86 survey of expenses and benefits are given in the table.

	1987-88	*1988-89*
Number of directors and higher paid employees with private use of a company car	1·2 million	1·3 million
Tax liability on this benefit	£280 million	£530 million

ACT (Dividends)

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will give the number of zero rate taxpayers reclaiming advance corporation tax on dividends and the amount of tax reclaimed in 1988-89.

Mr. Norman Lamont: I regret that the information is not available centrally.

Taxation

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer, if he will give for 1988-89 *(a)* the composite rate tax paid by zero rate taxpayers on interest from bank and building society accounts, *(b)* the number of zero rate taxpayers who are paying composite rate tax, *(c)* the total amount of composite rate tax paid by basic rate taxpayers and *(d)* the number of basic rate taxpayers paying composite rate tax on bank and building society accounts.

Mr. Norman Lamont: In 1987-88, the latest year for which information is available, about £450 million of the composite rate tax accounted for by building societies, banks and other deposit takers was due in respect of interest that would not have been liable to tax in the hands of its recipients in the absence of a composite rate scheme, and about £3,050 million was due in respect of interest that would have been liable to tax.

I regret that the remainder of the information is not available in the form requested. But of accounts earning more than £1 interest in 1986-87, some of which were held by clubs or other non-individuals, 49 million are provisionally estimated to have been held by investors whose composite rate interest would be wholly liable to tax in the absence of a composite rate scheme, and 15 million to have been held by investors at least part of whose composite rate interest would be non-liable.

Public Appeals

Dr. Thomas: To ask the Chancellor of the Exchequer if he will specify each donation made by his Department in response to public appeals for financial aid during each financial year since 1979-80.

Mr. Brooke: Since 1979-80 no donations in response to public appeals for financial aid have been made directly by Her Majesty's Treasury.

Corporation Tax

Mr. Cousins: To ask the Chancellor of the Exchequer what was the revenue from corporation tax from 1978 onwards, distinguishing wherever possible between corporation tax and advance corporation tax; and if he will express such revenues in index form taking 1984-85 tax year's revenues as the base.

Mr. Norman Lamont: The information requested is as follows:

Year	*Total (£ million)*	*of which ACT (£ million)*	*Total index (1984-85 = 100)*	*ACT index (1984-85 = 100)*
1978-79	3,940	1,380	47·2	43·8
1979-80	4,646	1,831	55·7	58·1
1980-81	4,645	1,823	55·7	57·9
1981-82	4,930	1,993	59·1	63·3
1982-83	5,677	2,222	68·1	70·6
1983-84	6,184	2,118	74·1	67·3
1984-85	8,341	3,149	100·0	100·0
1985-86	10,708	3,808	128·4	120·9
1986-87	13,495	4,456	161·8	141·5
1987-88	15,734	4,939	188·6	156·8

One-parent Families

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer how many one-parent families benefit from the additional personal allowance.

Mr. Norman Lamont: About half a million one-parent families benefit from the additional personal allowance. This estimate is based on a projection of the 1986-87 survey of personal incomes and is provisional.

Pension Schemes

Mr. Ralph Howell: To ask the Chancellor of the Exchequer if he will provide his best estimate of expenditure in 1988 on devolved public service pension schemes.

Mr. Brooke: Of the main public service superannuation schemes, only those covering local government employees and the police and fire services are not centrally administered. For the financial year 1987-88, the most recent period for which information is available, the estimated net expenditure by employing authorities in Great Britain on those schemes is:

	£ million
Local government	895
Police	259
Fire service	70

Information on expenditure on the smaller schemes operated by non-departmental public bodies for their staff is not held centrally. It could be obtained only at disproportionate cost.

Parliamentary Questions

Mr. Allen: To ask the Chancellor of the Exchequer if any guidance is given to Departments on the procedures for answering parliamentary questions for written answer.

Mr. Norman Lamont: No. The procedure adopted is essentially a matter for the departmental Minister concerned. Guidance, reflecting the recommendations of the Select Committee on Parliamentary Questions of Session 1971-72, can be found in "Erskine May" (20th edition, pages 331-47).

Departments have been given an advisory level at which the cost of answering a parliamentary question should be referred to Ministers; that level is currently £250 and was announced in a written answer on 14 March 1988 by my right hon. Friend the Paymaster General at column *429*. This does not, however, alter the discretion of individual Ministers to decide that a particular question should be answered partially or in full, regardless of cost.

Credit Cards

Mr. Wray: To ask the Chancellor of the Exchequer what are the present charges to credit card holders by each one of the credit card companies operating in the United Kingdom.

Mr. Lilley: This is a matter for the companies concerned.

Mr. Wray: To ask the Chancellor of the Exchequer if he will list each of the credit card companies operating in the United Kingdom; and, as far as the information is available to him, the names of those operating in *(a)* Austria, *(b)* each one of the European Community countries, *(c)* Sweden, *(d)* Canada and *(e)* the United States of America.

Mr. Lilley This information is not held.

Civil Service Pension Scheme

Ms. Richardson: To ask the Chancellor of the Exchequer whether he will list the grades of civil servants who are currently not members of the principal Civil Service pension scheme.

Mr. Brooke: Membership of the principal Civil Service pension scheme does not depend upon the grade of the civil servant. Most civil servants are eligible for membership. The exceptions are:

staff covered by another occupational scheme
those who work less than fifteen hours a week
staff employed on a casual, fee-paid, or sessional basis
some staff engaged locally overseas
staff specifically engaged on terms that exclude PCSPS membership
staff who exercise their right to opt out of the scheme

Seal Products (Illegal Trading)

Mrs. Dunwoody: To ask the Chancellor of the Exchequer if he will list the prosecutions for the illegal importation of harp and hooded seal skins since the implementation of the ban on imports; and if he will list the numbers of cases in which charges were preferred, and convictions obtained.

Mr. Lilley: None.

Charities (Payroll Giving)

Ms. Mowlam: To ask the Chancellor of the Exchequer if he will provide figures for *(a)* the total number of employees currently making donations to charity under the payroll deduction scheme introduced in the 1987 Budget, *(b)* the total number of companies from which employees are currently making donations to charity under the payroll deduction scheme, *(c)* the amount of money raised in the financial year 1987-88, under the scheme, *(d)* the total amount of money that has been raised to date for charities under the payroll deduction scheme and *(e)* the estimated amount of money that will have been raised for charities under the payroll deduction scheme by 1 April 1989.

Mr. Norman Lamont *[holding answer 8 February 1989]:* In 1987-88 it is estimated that about 60,000 employees participated in the scheme and £1 million was donated. The number of participants and the amount of donations are expected to be considerably higher in 1988-89. Current indications are that about 100,000 employees are participating, but it is not possible to provide a reliable forecast at this stage for the year as a whole. About 3,400 schemes have been set up to date, but a figure for the number of separate companies participating in the scheme is not available. Public authorities and other employers may also operate schemes and one company may register separate schemes for different payrolls; conversely a single scheme may cover a group of companies.

EC (Contributions)

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what part of the receipts recorded in the White Paper on European Economic Community contributions, Cm. 603, relates to sums paid to British traders to subsidise the export of food to third countries under the common agricultural policy arrangements.

Mr. Brooke *[holding answer 7 February 1989]:* The proportion of the receipts from the EC budget recorded in the White Paper, Cm. 603, which relate to export refunds paid to United Kingdom traders are as follows:

	Per cent.
1983-84	18·6
1984-85	20·5
1985-86	19·0
1986-87	14·5
1987-88	27·7
1988-89	20·0
1989-90	21·5
1990-91	23·0
1991-92	22·0

Industrial Trust

Mr. Skinner: To ask the Chancellor of the Exchequer if the Inland Revenue will investigate companies making donations to the Industrial Trust and claiming tax relief; and if he will make a statement.

Mr. Norman Lamont *[holding answer 6 February 1989]:* The Inland Revenue is responsible for determining taxpayers' tax liabilities, and any reliefs they may be entitled to, in accordance with the law, and subject to the taxpayers' rights of appeal to independent appeal commissioners and the courts.

I regret that I cannot comment on the affairs of any taxpayer.

AGRICULTURE, FISHERIES AND FOOD

Horticulture R and D

Mr. Cran: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to modify the proposed reduction in research and development funding in near market research in horticulture.

Mr. MacGregor: The planned reduction in Government expenditure on near-market research and development announced last autumn related to agriculture, fisheries and food as a whole. Consultations with industry organisations on the funding of near market work in individual sectors are continuing. Final decisions on the reductions in funding for horticulture and other sectors have not yet been taken.

Fraud

Mr. Tony Lloyd: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to detect and prosecute cases of agricultural fraud.

Mr. MacGregor: All agricultural subsidies paid in the United Kingdom are subject to pre or post-payment verification, by Her Majesty's Customs and Excise, IBAP or Agriculture Departments as appropriate.

Any suspicious or irregular payments are investigated, and recovery action is taken. When justified by the evidence available, prosecutions are brought (19 in the period 1984-88).

Set-aside Scheme

Dr. Michael Clark: To ask the Minister of Agriculture, Fisheries and Food what is the take up of the set-aside proposals; and if he will make a statement.

Mr. MacGregor: Over 1,800 farmers in the United Kingdom are setting aside nearly 58,000 hectares (143,000 acres) of arable land in the current crop year. I shall shortly be publishing full details of the analysis of this years response.

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food how many farms have taken the option of the set-aside scheme for agricultural land; and what effect this has had on the number of employees working on those farms.

Mr. Ryder: Over 1,800 farmers in the United Kingdom are setting aside arable land in the current crop year. It is too early to assess the impact on agricultural employment.

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food how many farms have taken the option of the set-aside scheme for agricultural land in *(a)* Suffolk and *(b)* Norfolk; and what is the total acreage involved.

Mr. MacGregor: The information is as follows:

	Number of farms	*Acreage of set-aside land*
Suffolk	83	4,723
Norfolk	65	4,355

NFU (Meeting)

Mr. Burns: To ask the Minister of Agriculture, Fisheries and Food when he last met the president of the National Farmers Union; and what they discussed.

Mr. MacGregor: I meet the president of the National Farmers Union on various occasions to discuss agricultural matters.

Chickens and Eggs

Mr. Rooker: To ask the Minister of Agriculture, Fisheries and Food if he received a report following the meeting at the central veterinary laboratory on 4 February 1988 called to discuss infections in chickens and eggs.

Mr. Donald Thompson: No meeting took place at the central veterinary laboratory on 4 February 1988 about infections in chickens and eggs.

Covent Garden

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food when the Covent Garden market authority last met; and what was discussed.

Mr. MacGregor: The Covent Garden market authority is an independent statutory body. My responsibilities in relation to this body are laid down by statute, and I have no role at the authority's meetings, which are matters for the authority itself.

Surplus Food

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food what are the current arrangements for the distribution of surplus European Economic Community food to pensioners and others; and how they differ from previous years.

Mr. Ryder: In the United Kingdom, 127 charitable and non-profit making organisations were designated in 1988 to distribute surplus beef and butter during 1988 and 1989. The definition of those eligible to receive produce is restricted to those receiving income support or family credit and those of no fixed abode or living in welfare hostels. Detailed distribution arrangements are a matter for designated organisations to determine according to local needs and the resources available, but the organisations have to follow the conditions attached to their participation in the scheme. They are entitled to reimbursement of transport and administration costs within the limits laid down in the European Community legislation. The scheme first operated in 1988 and the rules are not expected to be changed for 1989.

There have been no directly comparable schemes in previous years. During the winter of 1986-87, arising from severe weather throughout Europe, a number of products were distributed to the most needy by charitable organisations; and at Christmas time in both 1982 and 1984, subsidised butter was sold to the general public through retail outlets.

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food what is the *(a)* quantity and *(b)* cost of each foodstuff distributed under arrangements for surplus EEC food distribution for each year since accession to the EEC.

Mr. Ryder: Since accession to the European Community, the quantity and value of each foodstuff distributed in the United Kingdom under various arrangements for surplus EC food distributions is as follows:

	Butter	*Concentrated butter*	*Cheese*	*Whole milk*	*Semi-skimmed milk*	*Beef*
1982[1]						
Quantity (tonnes)	23,197	—	—	—	—	—
Value (£)	16,895,739	—	—	—	—	—
1983[2]						
Quantity (tonnes)	39,144	—	—	—	—	—
Value (£)	39,930,292	—	—	—	—	—
1986-87[3]						
Quantity	13,624 tonnes	113 tonnes	8,558 tonnes	8,637,975 pints	2,559,924 pints	974 tonnes
Value (£)	26,602,197	99,622	19,660,197	1,963,767	537,404	2,140,865
1988[4]						
Quantity (tonnes)	2,463		—	—	—	1,775
Value (£)	5,049,583		—	—	—	4,385,385

[1] "Christmas Butter Scheme"—subsidised butter was sold to the general public through retail outlets at a maximum cost of 44p per 250 grams.
[2] "Christmas Butter Scheme"—subsidised butter was sold to the general public through retail outlets at a maximum cost of 42p per 250 grams.
[3] "Cold Weather Aid"—free produce distributed by charitable organisations was made available to the most needy. Butter and beef were made available from intervention stores. Whole milk, semi-skimmed milk, cheese and concentrated butter were purchased on the open market.
[4] "EC Surplus Food Scheme"—butter and beef from intervention stores were made available for distribution by designated organisations only to those on Income Support or Family Credit and to those of no fixed abode or living in welfare hostels. Produce made available free or at a nominal charge (not exceeding 20p per kilogramme).

Source: IBAP.

Bee Products

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food if bee products have ever been distributed under the EEC surplus food distribution; and if he will make a statement.

Mr. Ryder: If the hon. Member is referring to the current EC surplus food scheme, which is aimed at reducing stocks held in intervention, bee products are not subject to intervention arrangements and are not covered by this scheme.

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food what EEC policies currently pertain towards bee products; and if he will make a statement.

Mr. Ryder: The only EC controls in this area are those contained in Council directive 74/409/EEC on the harmonisation of the laws of the member states relating to honey.

Meat Products

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food (1) what regulations there are requiring cooked food retailers and caterers to specify the meat content of meat-style products;

(2) what requirements there are for indicating to consumers the levels of mechanically recovered meat within overall meat contents.

Mr. Ryder: The Meat Products and Spreadable Fish Products Regulations 1984 require most meat products to be marked or labelled with a declaration of their minimum meat content. These regulations do not require the presence of mechanically recovered meat to be indicated separately.

However, the Food Labelling Regulations 1984 require food treatments and/or the names of ingredients to be appropriately indicated where an omission to do so could mislead purchasers. Both sets of regulations apply to retail sales and sales to caterers.

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food what regulations there are to control the production of mechanically recovered meat in terms of hygiene and safety.

Mr. Ryder: All mechanically recovered meat is produced from carcases which have been inspected and passed as fit for human consumption.

In England and Wales, the Slaughterhouse (Hygiene) Regulations 1977, as amended, apply to the production of mechanically recovered red meat in cutting plants attached to slaughterhouses. The Poultry Meat (Hygiene) Regulations 1977, as amended, apply to mechanically recovered poultry meat produced in licensed cutting premises. Mechanically recovered meat produced in other premises is subject to the Food Hygiene (General) Regulations 1970.

Similar legislation applies in Scotland and Northern Ireland.

Farm Incomes

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table in the *Official Report* giving details of *(a)* pre-tax net farm income and *(b)* gross output in current prices and in real terms for each year since 1979 (i) for each of the three counties of Yorkshire and (ii) nationally; and if he will make a statement.

Mr. Ryder: Information on farm output and incomes is not available by county. However estimates of gross output, gross product and farming income by standard statistical region have been published for 1984 and 1985 in the annual reports on farm incomes in the United Kingdom. Corresponding figures for 1986 will be provided in the next report due to be published in the spring. These reports also include estimates of net farm income by farm type but by the (different) farm business survey regions.

The figures provided in these reports are however subject to revision and the best estimates which are currently available (consistent with the United Kingdom figures recently published in "Agriculture in the United Kingdom 1988") are as follows:

£ million

	1982	*1983*	*1984*	*1985*	*1986*
Gross regional output					
Yorkshire and Humberside	1,026	1,056	1,189	1,110	1,132
United Kingdom	11,334	11,763	12,818	12,211	12,504
Gross Product					
Yorkshire and Humberside	470	441	574	500	543
United Kingdom	5,299	5,105	6,024	5,389	5,836
Farming Income					
Yorkshire and Humberside	183	137	258	140	175
United Kingdom	1,730	1,339	2,061	1,053	1,470

No regional figures for agriculture are available for years before 1982. The purchasing power of farming income (which is pre-tax) may be derived by deflating the series by the retail price index. The values of this (1985 = 100) for each year are 1982—85·8; 1983—89·7; 1984—94·3; 1985—100 and 1986—103·4. Separate price indices do not exist for each region.

Milk

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to bring goat milk production under legislative control.

Mr. Donald Thompson: I refer the hon. Member to the reply that I gave to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on 8 February.

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food *(a)* whether he has any proposals to extend regulations governing milk production to goats' milk and ewes' milk and *(b)* whether he proposes to support the goat producers association's clean milk production scheme.

Mr. Donald Thompson: As regards goats' milk I refer the hon. Member to the reply that I gave to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on 8 February. This referred to the Ministry's code of practice which has objectives similar to the clean milk producton scheme. The legal position of ewes' milk is the same as that of goats' milk, and a code of practice is being prepared.

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food if he will bring forward proposals to reduce the incidence of contamination of goat and cows' milk.

Mr. Donald Thompson: I refer the hon. Member to the reply that I gave to my hon. Friend the Member for Windsor and Maidenhead (Dr. Glyn) on 10 February.

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food whether he will seek to extend legislative control over production of cows' milk to cover goats and sheep.

Mr. Donald Thompson: As regards goats' milk, I refer my hon. Friend to the answer that I gave to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on 8 February. The legal position of sheep's milk is the same as that of goats' milk, and a code of practice is being prepared.

Mrs. Rosie Barnes: To ask the Minister of Agriculture, Fisheries and Food whether there are any plans to bring all milk production under legislative control.

Mr. Donald Thompson: Cows' milk is already comprehensively regulated. The position on goats' milk was described in the reply which I gave to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) on 8 February. The legal position of sheep milk is similar to that of goats' milk, and a code of practice is being prepared.

Consumers Association

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food when he last met the Consumers Association; and what was discussed.

Mr. Ryder: The most recent ministerial meeting was held on 12 October, at our request. A wide range of matters of mutual concern were discussed.

River Esk (Pollution)

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food if he has made any assessment of the study undertaken by Friends of the Earth of the potential radioactive pollution of the River Esk by Americium 241, caesium 137 and other radioisotopes released from Sellafield.

Mr. Donald Thompson: My officials have only just received a copy of the report in question from Friends of the Earth and are studying this. I have, however, seen various press reports referring to statements by Friends of the Earth about radioactivity in the area of the river Esk. These reports refer to comparisons between measured levels of radioactivity and the generalised derived limits (GDLs) recommended by the National Radiological Protection Board (NRPB). Such comparisons are not valid. The GDLs provide a simple but crude way of demonstrating the environmental acceptability of given levels of radioactivity, but they do not provide means of calculating dose. The GDLs are intended for situations where no information is available on land usage, local habits and other factors relevant to the radiation exposure of people in the area. This is patently not the case around the river Esk. On the basis of extensive monitoring conducted by my scientists, British Nuclear Fuels plc and others, it has been clearly established that there is no risk of unacceptable exposure of man from these contamination levels.

Sheepmeat Premium

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if his Department plans to support the introduction of draft EEC regulations to phase out the variable sheepmeat premium.

Mr. Donald Thompson: In the negotiations on the review of the EC sheepmeat regime, which have made little progress so far, I will be seeking to ensure that the United Kingdom sheep industry can, at reasonable cost, continue to capitalise on its natural advantages and superior efficiency. It is too early to judge which means of support will be most effective in achieving this.

Environmentally Sensitive Areas

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food what is the total area of land covered by agreements in the Suffolk environmentally sensitive areas; how many farms are covered; and how he intends the scheme to progress in the future.

Mr. Ryder: The table shows the total number of agreements and the area of land covered so far in the Broads, Breckland and Suffolk River Valleys ESA.

ESA	*Number of agreements*	*Area of land covered in hectares*
Broads	624	11,990
Breckland	82	3,100
Suffolk River Valley	273	6,130

Information on the number of farms covered is not readily available. I intend to carry out a policy review of ESAs in 1991-92 to determine how the scheme will progress.

High Grade Land (Warrington)

Mr. Butler: To ask the Minister of Agriculture, Fisheries and Food what proportion of agricultural land within Warrington, South is high-grade agricultural land.

Mr. Ryder: The area has not been surveyed in detail and the published 1:63,360 scale agricultural land classification map gives only a generalised indication of land quality. It shows approximately one third of the agricultural land as grade 2, and almost all of the remaining land as grade 3.

Salmonella (Working Group)

Mr. Macdonald: To ask the Minister of Agriculture, Fisheries and Food when he received the report of the joint Ministry of Agriculture, Fisheries and Food, Department of Health and British Egg Industry Council working group on salmonella and eggs; and at what exact time he placed a copy in the Library.

Mr. MacGregor: I received the report of the joint Ministry of Agriculture, Fisheries and Food, Department of Health and British Egg Industry Council working group on salmonella and eggs on 10 January 1989 and placed a copy in the Library at about 10.45 on Tuesday 7 February 1989.

Aluminium

Mr. Sayeed: To ask the Minister of Agriculture, Fisheries and Food what levels of aluminium are contained in the following soya milks *(a)* Wysoy by Wyeth Nutrition in powder form, *(b)* Granose produced in West Germany in liquid form and *(c)* White Wave produced by Unisoy Milk in the United Kingdom; what evidence he has on the effect of such levels of aluminium on infants and young children; and if he will publish the results of research showing the levels of aluminium in the most popular brands of soya milk sold in this country.

Mr. Ryder: It is not our policy to publish details of individual brands sampled under the food surveillance programme.

The Department of Health's independent committee on toxicity chemicals in food, consumer products and the environment has considered the results of analyses carried out by my Department and has advised that no action is needed to reduce the aluminium intakes from infant formulae. That Department's expert advisory committees will keep under review the results of research in this area.

TRANSPORT

Channel Tunnel

5. **Mr. Henderson:** To ask the Secretary of State for Transport what representations he has received about British Rail's proposed routes for the Channel tunnel link.

15. **Ms. Harman:** To ask the Secretary of State for Transport what representations he has received about British Rail's proposed routes for the Channel tunnel link.

25. **Ms. Armstrong:** To ask the Secretary of State for Transport what representations he has received about British Rail's proposed routes for the Channel tunnel link.

Mr. Portillo: I have received a large number of representations about British Rail's proposals for rail links to the Channel tunnel.

27. **Mr. Simon Hughes:** To ask the Secretary of State for Transport what representations he has received concerning the proposed Channel tunnel fixed lines to Waterloo and Charing Cross; and if he will make a statement.

Mr. Portillo: I have received a large number of representations about British Rail's proposals for rail links to the Channel tunnel. It is not envisaged that Channel tunnel trains will use Charing Cross.

45. **Mr. McCartney:** To ask the Secretary of State for Transport what further plans he has to encourage improvements to the road and rail network to enable the north of England to benefit from the Channel tunnel.

Mr. Portillo: I refer the hon. Gentleman to the answer given to the hon. Member for Western Isles (Mr. Macdonald) today.

47. **Sir John Stanley:** To ask the Secretary of State for Transport what consideration he has given to British Rail's proposals for a new high-speed line between London and the Channel tunnel; and whether he will make a statement.

Mr. Portillo: I am in regular contact with British Rail about the progress that it is making with the development of its proposals. I set out the Government's position in my response to the Adjournment debate initiated by my hon. Friend the Member for Maidstone (Miss Widdecombe) on 2 December 1988 at columns 1025-32.

52. **Mr. Hind:** To ask the Secretary of State for Transport if he has any plans to meet the chairman of British Rail to discuss links from Scotland, Wales, the north, midlands and south-east of England to the Channel tunnel; and if he will make a statement.

Mr. Portillo: Not at present. British Rail is still consulting widely in preparation for the plan which it will be publishing later this year in accordance with section 40 of the Channel Tunnel Act 1987.

London Underground (Exit Barriers)

11. **Mr. Cohen:** To ask the Secretary of State for Transport if he will undertake an inquiry into safety implications of automatic exit barriers in London Underground stations.

Mr. Portillo: In response to my request London Regional Transport has already commissioned independent consulting engineers to review the working of automatic ticketing systems. It expects to receive the consultants' report by the end of April 1989.

M40

12. **Mr. Rooker:** To ask the Secretary of State for Transport by what date he expects the M40 to link the motorway boxes surrounding London and Birmingham.

58. **Mr. Roger King:** To ask the Secretary of State for Transport what is the latest completion date for the M40.

Mr. Peter Bottomley: The M40 between the M42 and Warwick and between Warwick and Wendlebury should be completed by autumn 1989 and the end of 1990, respectively. Completion of the section between Wendlebury and Waterstock will depend on the statutory procedures. We hope to make an announcement shortly.

London Regional Transport

13. **Ms. Ruddock:** To ask the Secretary of State for Transport when he next plans to meet the chair of London Regional Transport; and what matters they will discuss.

37. **Mr. Livingstone:** To ask the Secretary of State for Transport when he next plans to meet the chair of London Regional Transport; and what matters they will discuss.

Mr. Portillo: I meet London Regional Transport's chairman regularly to discuss a range of matters and will next do so on 6 March.

Central London Rail Study

14. **Dr. Twinn:** To ask the Secretary of State for Transport what representations he has received on the new tube lines recently mentioned in the central London rail study.

40. **Mr. Tony Banks:** To ask the Secretary of State for Transport what representations he has received regarding the central London rail study.

62. **Mr. Forman:** To ask the Secretary of State for Transport what representations he has received on the central London rail study.

Mr. Portillo: In the short time since the report was published we have received a small number of responses from the public.

31. **Mr. Boateng:** To ask the Secretary of State for Transport what discussions he plans to have with user groups and local transport about the options contained in the central London rail study.

33. **Mr. Dykes:** To ask the Secretary of State for Transport when he next proposes to meet the expert advisory groups to discuss the proposals for underground rail tunnels in Greater London.

Mr. Portillo: I intend to consider the written representations received before arranging discussions with interested parties.

Glasgow Airport

16. **Mr. David Marshall:** To ask the Secretary of State for Transport when he intends to give gateway status to Glasgow airport.

Mr. Peter Bottomley: My right hon. Friend is considering a request from BAA plc, as owners of Prestwick and Glasgow airports, for a review of the 1986 traffic distribution rules for Scotland, which restrict intercontinental traffic to Prestwick. He will make an announcement in due course.

Road Casualties

17. **Mr. Andrew Mitchell:** To ask the Secretary of State for Transport what further measures he is taking to reach his target of reducing road casualties by one third by the year 2000.

Mr. Peter Bottomley: Our short-term target is to reduce the annual number of road fatalities below 5,000, as well as to bring about a sharp decline in injuries. Since 1986 there has been a 5 per cent. reduction in fatalities and a 6 per cent. reduction in serious injuries.

Over the year ahead, we will be concentrating our efforts on vulnerable groups such as children, the elderly, pedestrians, cyclists and motorcyclists, as well as on dangerous groups such as drinking drivers and selfish and aggressive road users.

Overall we have the best record in the EC for road deaths. We must now aim for the same position on each of the vulnerable road user groups.

Engineering, education, enforcement, exhortation and example will all play their part.

Civil Aviation Authority

18. **Mr. Gerald Howarth:** To ask the Secretary of State for Transport when he last met the chairman of the Civil Aviation Authority and what matters were discussed.

Mr. Peter Bottomley: My right hon. Friend, the Secretary of State, met the chairman of the authority on 19 January 1989 to discuss a number of issues of mutual interest.

Heathrow Airport (Security)

19. **Mr. Prescott:** To ask the Secretary of State for Transport when he will next meet the chairman of BAA further to discuss security at Heathrow airport.

22. **Mr. Alfred Morris:** To ask the Secretary of State for Transport if, pursuant to his reply to the right hon. Member for Manchester, Wythenshawe, on 16 January, on security at Heathrow airport, he will now make a further statement on any developments since then.

Mr. Peter Bottomley: There is nothing to add to the reply given to my hon. Friend the Member for Hayes and Harlington (Mr. Dicks) on 31 January at column *146*.

A1

20. **Mr. Beith:** To ask the Secretary of State for Transport if he has received the reports of the studies conducted by his Department and the Scottish Office on the future of the A1; and if he will make a statement..

Mr. Peter Bottomley: Discussions have taken place and further meetings are planned between officials of the Department's northern regional office and the Scottish Development Department about a proposed improvement scheme on the A1 near the English/Scottish border at Marshall meadows. An announcement on a preferred route is expected by early summer 1989.

The report of an independent study being carried out by the Scottish Development Department is a matter for my right hon. and learned Friend the Secretary of State for Scotland.

Mr. Kirkwood: To ask the Secretary of State for Transport what date he expects work to start on upgrading to three lanes the section of the M1 between Dishforth and Scotch Corner.

Mr. Peter Bottomley: Subject to the satisfactory completion of the statutory procedures, we hope to start construction in the mid-1990s.

Motorway Lighting

21. **Mr. Pike:** To ask the Secretary of State for Transport what percentage of motorway is at present unlit.

Mr. Peter Bottomley: A total of 74 per cent.

London Underground Ltd (Crime)

23. **Mr. Cox:** To ask the Secretary of State for Transport what discussion he is having with officials of London Underground Ltd. on the level of crime taking place on the Underground.

Mr. Portillo: I and my Department maintain close contact with London Underground Ltd. on the action that it and the police forces concerned are taking against crime on the Underground.

West Sussex (Infrastructure)

24. **Mr. Soames:** To ask the Secretary of State for Transport if he will make a statement on transport infrastructure investment in West Sussex.

Mr. Portillo: Actual and planned expenditure on the A23 and A27 trunk roads since 1979 amounts to about £95 million at November 1985 prices.

Over the past five years £14 million has been made available to the county council through transport supplementary grants for the local road network.

Road Haulage Industry (Safety)

20. **Mr. Roy Hughes:** To ask the Secretary of State for Transport what plans he has to uphold safety standards in the road haulage industry after 1992 and the introduction of the single European market.

Mr. Peter Bottomley: The Government are determined to ensure that regulations, which are necessary for safety, but which do not restrict trade, are applied throughout the Community.

Scottish Airports (Review)

28. **Mr. Colvin:** To ask the Secretary of State for Transport when his review of Scottish airports will be complete; and if he will make a statement.

Mr. Peter Bottomley: My right hon. Friend is considering a British Airports Authority plc request to review the 1986 traffic distribution rules for Scotland. He will make an announcement in due course.

M1 (Relief Plans)

29. **Mr. Fry:** To ask the Secretary of State for Transport what plans he has apart from the extension of the M40, for the relief of the M1 between junction 1 and its junction with the M6.

Mr. Peter Bottomley: We are planning improvements at junction 1 and a climbing lane at junction 9. Schemes planned for the A5 will also help to relieve the M1. The trunk road programme is currently under review. We expect to make an announcement in the spring.

British Rail

30. **Ms. Walley:** To ask the Secretary of State for Transport when he next plans to meet the chair of British Rail; and what matters they will discuss.

41. **Mr. Martlew:** To ask the Secretary of State for Transport when he next plans to meet the chair of British Rail; and what matters they will discuss.

53. **Ms Mowlam:** To ask the Secretary of State for Transport when he next plans to meet the chair of British Rail; and what matters they will discuss.

54. **Dr. Reid:** To ask the Secretary of State for Transport when he next plans to meet the chair of British Rail; and what matters they will discuss.

Mr. Portillo: My right hon. Friend plans to meet the chairman of British Rail on 16 March to discuss a variety of railway matters.

Traffic Congestion

32. **Mr. Cran:** To ask the Secretary of State for Transport what studies have been undertaken by his Department as to the current extent of traffic congestion in urban areas in Britain; and whether he has any information as to the comparable situation 10 and 20 years ago.

Mr. Peter Bottomley: Average vehicle speeds are taken as an indicator of urban traffic congestion. In London surveys have been maintained since 1968. The results were published recently by my right hon. Friend in his "Statement on Transport in London." Copies have been placed in the Library. Comparable information is not available for other urban areas in Britain, though the Department carried out a series of studies of traffic speeds in 13 urban areas outside London in the 1960's and 1970's. The results showed the importance of limiting on-street parking density in the interest of securing good average traffic speeds during peak and non-peak hours.

Docklands

34. **Mr. Tim Smith:** To ask the Secretary of State for Transport how much central Government are spending on transport in the docklands in the financial years 1987-88 and 1988-89.

Mr. Portillo: Central Government expenditure on transport which serves docklands was £143 million in 1987-88 and is estimated at £127 million in 1988-89.

Transport in London (Document)

35. **Mr. Spearing:** To ask the Secretary of State for Transport from what bodies he has requested formal responses to the document entitled "Statement on Transport in London" which he published on Thursday 26 January.

Mr Portillo: The statement on transport in London is not a consultation document. It is a technical publication prepared for the London local authorities and other interested bodies to provide them with a framework within which they can plan their own transport related decisions.

Crises (Shipping)

36. **Mr. Brazier:** To ask the Secretary of State for Transport when the NATO study on supply and demand for shipping in crisis and war commissioned by the senior civil emergencies planning committee at the request of the planning board for ocean shipping, is expected to be completed; if there will be any intermediate report; and when and in what form the results will be published.

Mr. Portillo: The study is expected to be completed in early 1990. No intermediate report is planned, and no decision has yet been reached about the form of the final report.

Rochford

38. **Dr. Michael Clark:** To ask the Secretary of State for Transport what plans he has for visiting the Rochford constituency in order to review road traffic problems.

Mr. Peter Bottomley: My right hon. Friend has no official plans to visit Rochford.

TALIS

39. **Mr. Rowe:** To ask the Secretary of State for Transport whether he has now completed his consideration of the proposed British Rail line known as TALIS; and if he will make a statement.

Mr. Portillo: This is not a matter for me, but I understand that British Rail will be considering this alternative before reaching a decision on its preferred route between London and the Channel tunnel.

Bypasses

42. **Mr. Jack:** To ask the Secretary of State for Transport how many bypasses have been completed since 1979.

Mr. Peter Bottomley: A total of 96 bypasses and relief roads have been completed since 1979, representing 40 per cent. of new national road mileage.

Other trunk road schemes, although not denoted bypasses, have a bypassing effect.

Railway Works (Environmental Protection)

43. **Mr. Adley:** To ask the Secretary of State for Transport if he has any plans to seek powers to provide funds for environmental protection on any railway works which he has approved.

Mr. Portillo: It is normal practice for British Rail to take appropriate environmental protection measures when they undertake new railway works. The costs involved form part of the total cost of the project for the purposes of establishing the case for the investment, and are financed in the same way as the rest of the project.

M1 Air Crash

44. **Mr. Meale:** To ask the Secretary of State for Transport when he expects to receive the report from the accident investigator on the M1 air crash; and if he will make a statement.

Mr. Peter Bottomley: Reports by the air accidents investigation branch concerning major accidents generally take some 15 to 18 months to produce.

The AAIB's practice is to communicate important findings, as it reaches them, to the Civil Aviation Authority or other relevant quarters, without waiting for completion of the full report.

A590 Dalton-in-Furness Bypass

46. **Mr. Franks:** To ask the Secretary of State for Transport how many objections have been received regarding the preferred route for the A590 Dalton-in-Furness bypass in Cumbria; and if he will make a statement.

Mr. Peter Bottomley: The objection period for the published orders end on the 28 February. So far four objections have been received. A public inquiry may be necessary if these and any further objections are not withdrawn.

Road Construction (North Devon)

48. **Mr. Speller:** To ask the Secretary of State for Transport if he will list the road construction projects, together with their cost, which have been approved, started or completed since 1979 in north Devon from M5-Tiverton to South Molton, Barnstaple area and the River Torridge, together with connecting roads.

Mr. Peter Bottomley: Some £109 million worth of new trunk road construction schemes have been approved, started or completed as follows:

Scheme	*Works cost £ million*	
A361 North Devon link road stage 1 (M5 Sampford Peverell to Tiverton)	17·3	Completed March 1984
A361 North Devon link road stage 2A (Tiverton to Newtown)	27·6	Completed November 1988
A361 North Devon link road stage 2B (Newtown to Barnstaple)	25·3	Started October 1987
A39 Barnstaple bypass	20·5	Started August 1987
A39 Bideford bypass	18·3	Completed May 1987

The cost of connecting roads are included.

A1-M1 (Lighting)

49. **Mr. Holt:** To ask the Secretary of State for Transport what plans he has to improve and extend lighting on the A1-M1.

Mr. Peter Bottomley: On the A1 it is proposed to replace the existing lighting between Astwick and the Edworth turn in Bedfordshire (2·4 km), and to extend lighting between Biggleswade and Beeston also in Bedfordshire (3·2 km). It is also planned that 8·8 km of the Newcastle western bypass, which will be designated part of the A1 when complete, will be lit.

On the M1 it is planned to replace the existing lighting between the Scratchwood service area and junction 5 (9·5 km) and to extend lighting from junction 17 to junction 20 (14·5 km).

Subject to the availability of funds, it is hoped that these proposals will have all been implemented by 1990-91.

Estuarial Crossings (Tolls)

50. **Mr. Flynn:** To ask the Secretary of State for Transport if he will list all organisations that have made representations in favour of increasing tolls across estuarial crossings to his Department since 1979.

Mr. Peter Bottomley: The information requested is not readily available.

Uniform Driver Licensing System

51. **Mr. Robert Hicks:** To ask the Secretary of State for Transport what representations he has received concerning the proposals of the European Community Commission to introduce a uniform driver licensing system, with specific reference to the position of drivers who operate voluntary community transport schemes; and if he will make a statement.

Mr. Peter Bottomley: The consultation document on proposals for a new unified driver licensing system published by the Department in January 1988 outlined the likely impact of the EC initiatives. Some 480 responses were received A total of 84 per cent. of these expressed concern at the adverse effects that tighter controls on minibus drivers would have on Community and charitable organisations. Some 148 letters have also been received from hon. Members on this issue.

The Government have expressed their strong concern about these proposals not only to the Commission but to other member states and the European Parliament. We shall continue to stress the importance of not damaging the mobility of individuals and groups, including disabled and elderly people, children, and community groups. The latest statistical evidence about the good safety record of minibuses in Britain is being made available to the Commission, other member states, and the European Parliament. Our aim in the negotiations is to secure the flexibility that is needed.

Airlines (Licence Applications)

55. **Mr. Favell:** To ask the Secretary of State for Transport what information was given to him by the airlines concerned at the time of application for licence as to the anticipated passenger loads of *(a)* American

Airlines on its Manchester/Chicago route and *(b)* British Airways on its Manchester/New York route; and what steps he takes to monitor the accuracy of those estimates.

Mr. Peter Bottomley: There is no requirement for United States airlines to provide information on anticipated passenger loads in respect of their services to the United Kingdom. The licence for British Airways to serve the Manchester/New York route was granted prior to the establishment of the Civil Aviation Authority in 1972; any information provided at the time on anticipated passenger loads is not readily available. The Civil Aviation Authority collects and publishes operating and traffic statistics in respect of all carriers serving United Kingdom airports, and provides reports to the Department in appropriate circumstances.

Passenger Ferries (Fires)

56. **Mr. Skinner:** To ask the Secretary of State for Transport how many fires were reported on board passenger ferries in 1988; what was the comparable figure for each of the last five years; and if he will make a statement.

Mr. Portillo: Thirteen fires on board passenger ferries were reported to the Department in 1988. For the previous five years the figures are:

Year	*Number*
1983	5
1984	3
1985	6
1986	4
1987	2

Moray Maritime Rescue Subcentre, Peterhead

57. **Mr. Salmond:** To ask the Secretary of State for Transport if he will make a statement on the proposed closure of the Moray maritime rescue subcentre at Peterhead.

Mr. Portillo: My right hon. Friend announced the closure on 31 January. Both he and my right hon. Friend the Secretary of State for Energy are confident that the closure will not affect the coastguards' ability to handle any future incidents in the offshore oil fields, and moreover that the associated reinforcing of the Aberdeen maritime rescue co-ordination centre will in fact enhance the coastguards' capability to deal with such incidents. The closure of the Moray MRSC will take place on 30 March.

Bedfordshire (Road Grant)

59. **Mr. Madel:** To ask the Secretary of State for Transport when he expects to be able to announce the 1989-90 100 per cent. grants to Bedfordshire county council for roads; and if he will make a statement.

Mr. Peter Bottomley: We expect to announce a decision soon.

Local Rail Networks

60. **Mr. Michael:** To ask the Secretary of State for Transport what plans he has to give encouragement and support to the increasing use of local rail networks in city areas and between major cities and their hinterlands.

Mr. Portillo: We are prepared to support investment in urban rail services wherever it offers value for money. The Government's policies on the funding of such investment are set out in their observations on the third report of the Transport Committee (1986-87 Session)—HC 420, annex C.

Random Breath Testing

61. **Mr. Amos:** To ask the Secretary of State for Transport how many representations he has received from the north-east region in favour of random breath testing.

Mr. Peter Bottomley: Current pressures for the introduction of random breath testing reflect society's hardening attitude towards the drinking driver.

The Association of Chief Police Officers has said that it would like to be given wider powers to stop and test drivers. On 1 February, at column *251*, my right hon. Friend the Secretary of State for the Home Department, in answering a question from my hon. Friend the Member for Derby, North (Mr. Knight), set out the three options under consideration in response to the police request and invited views by 30 April.

We are now bringing the amount of drinking and driving down more effectively in this country than is the case elsewhere. What matters is that we should continue to change public attitudes and behaviour.

M25

63. **Mr. Higgins:** To ask the Secretary of State for Transport if he will install on the central reservation of the M25 motorway appropriate traffic lights and gates at suitable intervals which can be opened by the police to allow vehicles in major traffic jams on one carriageway to enter the carriageway going in the opposite direction in order to leave the motorway.

Mr. Peter Bottomley: Any benefit from such an arrangement would be outweighed by the practical difficulties of establishing and operating it, and by the adverse safety implications to which it would give rise.

East London River Crossing

Mr. Spearing: To ask the Secretary of State for Transport when he expects to make an announcement concerning his conclusions following receipt of the study of alternative designs for the proposed east London river crossing bridge; and if he will place a copy of the study in the Library.

Mr. Channon: I expect to receive the consultant's report later this month. I shall make an announcement as soon as possible. I shall then place a copy of the report in the Library of the House.

London Underground (Security)

Mr. Skinner: To ask the Secretary of State for Transport how many transport police are assigned to the *(a)* District, *(b)* Central, *(c)* Northern, *(d)* Bakerloo, *(e)* Metropolitan, *(f)* Piccadilly, *(g)* Victoria, and *(h)* Jubilee lines of the London Underground at the latest available date; and what were the figures for (i) 1985, (ii) 1986 and (iii) 1987.

Mr. Portillo: Officers of the British Transport police are not assigned to specific lines of the London Underground.

Mr. Skinner: To ask the Secretary of State for Transport how many railway staff with security responsibilities are assigned to the *(a)* District, *(b)* Central, *(c)* Northern, *(d)* Bakerloo, *(e)* Metropolitan, *(f)* Piccadilly, *(g)* Victoria, and *(h)* Jubilee lines of the London Underground at the latest available date; and what were the figures for (i) 1985, (ii) 1986 and (iii) 1987.

Mr. Portillo: All railway staff of London Underground Ltd. have security responsibilities as part of their general duties.

Transport and Road Research Laboratory

Mr. Matthew Taylor: To ask the Secretary of State for Transport what representations he has received regarding his decision to shut down the Transport and Road Research Laboratory database on bus services; and if he will make a statement.

Mr. Portillo: None. The database has served a useful purpose in providing speedy information during the first 18 months of deregulation but it would be unduly costly to continue. The Department receives regular statistical returns from bus operators which enable it to monitor longer term changes in the bus industry. TRRL continues to conduct studies into specific aspects of deregulation.

Mr. Matthew Taylor: To ask the Secretary of State for Transport what was the cost of the Transport and Road Research Laboratory database on bus services in each of the last five years.

Mr. Portillo: Work on the database began towards the end of the financial year 1985-86. The costs are as follows:

	£
1985-86	50,000
1986-87	250,000
1987-88	250,000
1988-89	150,000

Mr. Matthew Taylor: To ask the Secretary of State for Transport what discussions he has had regarding the possibility of saving the Transport and Road Research Laboratory database on bus services.

Mr. Portillo: None. The database is not to be extended but it will be retained as a source of information for TRRL's studies on deregulation and to deal with requests for information. In addition, the database is to be published in April and will be available, on tapes, for research purposes.

Roads (Nottinghamshire)

Mr. Allen: To ask the Secretary of State for Transport what steps he is taking to develop a primary road network in Nottinghamshire suitable for the advent of the Channel tunnel and the European single market.

Mr. Peter Bottomley: The primary road network in the county has been agreed between the Department and the county council. Nottinghamshire is well served by trunk roads such as M1 and A1. There is already a full programme of national and regional trunk road schemes in the county.

Mr. Allen: To ask the Secretary of State for Transport when the stretch of the M1 which runs through Nottingham, North constituency was last repaired; and when it is next due for repair.

Mr. Peter Bottomley: Major repairs to the M1 motorway between the Trowell service area and junction 26 at Nuthall were carried out in 1985. Further major repairs are unlikely to be required before the year 2000. If the hon. Member believes that we have missed a stretch, perhaps he would let me know.

Airports (Facilities)

Mr. Allen Adams: To ask the Secretary of State for Transport (1) if he will conduct an inquiry into the back-up facilities at Glasgow, Belfast, Prestwick and Campbeltown airports;

(2) who directs to what airport an aircraft in distress should be directed;

(3) if he will list the relative lengths of the airstrips at Glasgow, Campbeltown and Belfast; and what back-up facilities exist at each airport;

(4) what criteria are used in an on-board emergency as far as the direction of the aircraft to a suitable airport is concerned;

(5) what emergency facilities exist at Glasgow airport;

(6) what emergency facilities exist at Aldergrove airport;

(7) what emergency facilities exist at Prestwick and Campbeltown airports;

(8) what role the Civil Aviation Authority plays in the laying of ground rules for the direction of air traffic;

(9) what criteria exist to enable air traffic controllers to direct any aircraft in distress away from populated areas.

Mr. Peter Bottomley: These matters concerning aviation safety are the statutory responsibility of the Civil Aviation Authority and have been drawn to the attention of the chairman of the Civil Aviation Authority.

European Transport Systems

Mr. Redmond: To ask the Secretary of State for Transport what action he intends to take in respect of the proposal of the European Economic Community transport commissioners for high-speed rail links from Glasgow, Edinburgh and Cardiff via London through the Channel tunnel to western Europe; what discussions he has with the Community of European Railways in respect of all these proposals; and if he will make a statement.

Mr. Portillo: I assume that the hon. Member is referring to the proposals recently published by the Community of European Railways. We are not aware of any proposals by the European Commission. It is for British Rail to bring forward any proposals for further investment which it considers appropriate in the light of the CER report. The Government are always happy to approve proposals by British Rail for rail investment which is commercially justified.

Mr. Redmond: To ask the Secretary of State for Transport what is the expected cost to public funds of the northern Europe sub-committee of the Planning Board for European Inland Surface Transport at the civil defence college this spring; and what subjects will be discussed.

Mr. Portillo: No additional staff costs will be incurred. Expenses to be incurred against public funds are expected to be about £900. Details of the proceedings are classified.

NATO (ACTICE Study)

Mr. Redmond: To ask the Secretary of State for Transport what was the cost to public funds of the North Atlantic Treaty Organisation's ACTICE study held at the civil defence college in April 1988.

Mr. Portillo: No additional staff costs were incurred. Expenses associated with hosting the study came to £6,495.

Air Navigation Orders

Mr. Warren: To ask the Secretary of State for Transport if he will introduce legislation to provide that all air navigation orders affecting changes in the use of United Kingdom airspace be approved by Parliament before they come into force.

Mr. Bottomley: This would not be practicable. Many of the changes have to be made at short notice and are of temporary duration.

Light Dues

Mr. Macdonald: To ask the Secretary of State for Transport if he intends to publish the feasibility study into extending light dues to yachts and pleasure craft being undertaken by the British Ports Authority at his request on its completion.

Mr. Portillo: Yes.

Port State Control

Mr. McCrindle: To ask the Secretary of State for Transport what measures are being taken to ensure port state control is vigorously enforced to eliminate sub-standard ships and crews from United Kingdom and European Economic Community ports; and if he will make a statement.

Mr. Portillo: All European Community coastal states have signed the Paris memorandum of understanding on port state control, agreeing to inspect 25 per cent. of foreign merchant ships visiting their ports. The United Kingdom has inspected more than 25 per cent. in each of the past five years.

High Speed Rail Link (London-Liverpool)

Mr. Alton: To ask the Secretary of State for Transport what information he has on the progress of plans to build a high-speed rail link between London and Liverpool.

Mr. Portillo: The west coast main line already offers a high-speed service, and further improvements over the next few years will raise the maximum line speed further on much of the route. Journey time will also be reduced as a result of revised maintenance procedures. I am not aware of any plans to build a new line.

Motorway Verges

Sir Charles Morrison: To ask the Secretary of State for Transport what steps he is taking to clean up motorway verges.

Mr. Peter Bottomley: Cleaning of verges is one of the tasks carried out by the local authorities and consultants who act as the Department's agents for motorway maintenance. Standards for this are laid down in a code of practice for routine maintenance.

We are currently considering what further action may be needed to deal with litter on motorways.

Fennell Report

Mr. Evennett: To ask the Secretary of State for Transport (1) what steps are being taken to strengthen the links between the British Transport police and other emergency services in London in accordance with recommendation 28 of the Fennell report;

(2) what steps are being taken to review the performance and training of British Transport police officers in accordance with recommendations 99 and 108 of the Fennell report.

Mr. Portillo: I understand that the chief constable of the British Transport police has submitted to the police committee a report of the action he has taken in the light of the Fennell report. I expect to have the committee's views shortly.

Mr. Evennett: To ask the Secretary of State for Transport what representations he has made to the board of London Regional Transport or London Underground Limited to improve enforcement of the smoking prohibition on the London Underground in accordance with recommendation 101 of the Fennell report.

Mr. Portillo: The enforcement of the smoking prohibition on the Underground is the responsibility of London Underground Ltd. and the British Transport police. London Regional Transport in its response to the Fennell report, a copy of which is available in the Library, has accepted recommendation 101. British Transport police officers have been instructed to enforce the smoking prohibition and are instituting a campaign to secure prosecution of smoking offences using video recording equipment to identity offenders. I understand that the British Transport police are discussing the criteria for prosecutions with the Crown prosecution service.

Road Accidents

Mr. David Young: To ask the Secretary of State for Transport (1) if he will give statistics for the accident and safety record of *(a)* motorways and *(b)* other roads, over the last five years;

(2) what proposals he has to improve the safety of motorways in the future.

Mr. Peter Bottomley: The following table shows the number of accidents occuring on motorways, and on all roads, for each of the years 1983 to 1987.

Accidents and accident rates per 100 million vehicle kilometers: Motorways and other roads: 1983-1987

	1983	1984	1985	1986	1987
Motorways					
Fatal	152	172	192	202	212
Fatal and serious	1,152	1,151	1,171	1,295	1,349
All severities	3,857	4,412	4,651	5,162	5,526
Rate	12	13	12	12	11
Other roads					
Fatal	4,875	4,966	4,576	4,693	4,482
Fatal and serious	63,896	66,035	63,883	61,787	57,697
All severities	239,019	248,771	240,994	242,692	233,537
Rate	100	102	98	94	86

The Casuality and Casuality rates per 100 million vehicle kilometers

	1983	1984	1985	1986	1987
Motorways					
Fatal	187	211	241	248	283
Fatal and serious	1,604	1,585	1,695	1,829	1,866
All severities	6,360	7,217	7,658	8,516	9,080
Rate	21	21	20	20	19
Other roads					
Fatal	5,258	5,388	4,924	5,134	4,842
Fatal and serious	74,464	77,073	74,450	72,305	67,552
All severities	302,224	317,097	309,866	312,935	302,393
Rate	127	130	126	121	111

Further information about motorways safety can be found in "Road Accidents Great Britain 1987", a copy of which is available in the Library.

A comprehensive package of measures to improve motorway safety was announced by my right hon. Friend the Secretary of State last April. Pamphlets giving fuller details were placed in the Library of the House. Most of the proposed measures have been implemented; others involving technological and regulatory changes will be phased in over several years.

Written Answers to Questions

Tuesday 14 February 1989

FOREIGN AND COMMONWEALTH AFFAIRS

AIDS

Mr. Butler: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has made an assessment of the stability of the sub-Saharan countries under the long-term impact of AIDS.

Mr. Eggar: Research into the long-term demographic, social and economic consequences of AIDS are being financed under the overseas aid programme. We are also providing support through the World Health Organisation to those countries affected by the disease.

Nuclear Weapons

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives under article VI of the Nuclear Non-Proliferation Treaty 1986 are planned by Her Majesty's Government with regard to United Kingdom nuclear weapons, in advance of the Nuclear Non-Proliferation Treaty 1990 review conference.

Mr. Eggar: I refer the hon. Member to the answer given to him by my hon. Friend the Minister of State on 8 December 1988, at column 316.

Council of Europe

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government plans to commemorate the 40th anniversary of the Council of Europe during 1989.

Mrs. Chalker: We will be represented at the 40th anniversary celebration of the Council of Europe on 5 May 1989. A postmark bearing the Council of Europe's slogan will be in use in Mount Pleasant sorting office for four weeks from 1 May 1989. We are considering what else might be done to mark this anniversary.

ATTORNEY-GENERAL

Trees

Mr. Onslow: To ask the Attorney-General if the Lord Chancellor will draw the Magistrates' Association's attention to the requirement for the courts to have regard to any financial benefit which may accrue, or appear likely to accrue, to offenders convicted of unauthorised felling of a protected tree; and if he wil make a statement.

The Attorney-General: The possibility of benefit is a matter which magistrates should take into account in such cases. The Lord Chancellor, in his capacity as president of the Magistrates' Association, will take the opportunity of referring to this matter, and expressing his personal views on it, on a suitable occasion when addressing members of the association.

HOUSE OF COMMONS

Parliamentary Questions

Mr. Allen: To ask the Lord President of the Council what is the total annual cost of written parliamentary questions each year since 1979; how such a figure is calculated; and what is the average cost per hon. Member in the last year for which figures are available.

Mr. Wakeham: Records of the total cost of answering parliamentary questions are not kept and details of the average cost per hon. Member are not, therefore, available. However, an assessment is made of the average cost of answering a written question. This average figure is updated regularly and currently stands at £51. The calculation is based on a sample of staff time using average rates of pay and associated costs (such as national insurance and superannuation) for the Civil Service grades concerned and substantive non-staff costs such as computer usage.

Paper Products

Ms. Walley: To ask the Lord President of the Council if he will make it his policy to buy chlorine-free recycled paper products for the House.

Mr. Wakeham: Responsibility for monitoring the safety and health aspects of paper products supplied to the House lies with Her Majesty's Stationery Office. There is no reason to believe that its present policy in this respect is in need of change.

TRANSPORT

Trunk Roads

Mr. Alexander: To ask the Secretary of State for Transport how many single carriage equivalent miles of trunk roads his Department will have renewed in the year 1988-89.

Mr. Bottomley: I refer my hon. Friend to the reply I gave to the hon. Member for Burnley (Mr. Pike) on 8 December 1988, at column 243.

Cherished Number Plates

Mr. Fraser: To ask the Secretary of State for Transport whether his Department auctions cherished number plates on newly issued registered numbers 1 to 40.

Mr. Peter Bottomley: Not at present. Proposals for selling attractive registration marks are being prepared. Auctions, and sales of new year-letter numbers in the series 1-20 which are currently not issued, are both under consideration.

Vehicle Excise Duty

Dr. Cunningham: To ask the Secretary of State for Transport if he will publish the estimated costs of administration, per vehicle registered, of road fund licences issued in the most recent year for which figures are available.

Mr. Peter Bottomley: Registration, licensing and taxation of vehicles forms part of the same administrative

process. The total cost of that process in 1987-88 was £108·3 million. Thirty-three million vehicle licences were issued in that year; there were also 20 million other vehicle transactions, such as new registration documents issued.

Driving Licences

Dr. Cunningham: To ask the Secretary of State for Transport, if he will publish the estimated costs of administration, per licence issued, of driving licences in Great Britain in 1987-88.

Mr. Peter Bottomley: The overall cost of administration of the driver licensing system in 1987-88 results in an average cost of £3·24 per driving licence issued.

Merchant Fleet Tonnage

Mr. Barry Field: To ask the Secretary of State for Transport if he will be revising his assessment of the merchant fleet tonnage emergency requirements, in the light of the further loss of North sea output from the Fulmar Auk and Clyde oilfields in December 1988.

Mr. Peter Morrison: I have been asked to reply.

No. The temporary loss of North sea output in peacetime would not affect the merchant tonnage needed to service the North sea in wartime.

HOME DEPARTMENT

Lancashire Constabulary

Mr. Ken Hargreaves: To ask the Secretary of State for the Home Department, how many police posts have been civilianised by Lancashire constabulary since 1979; and if he will make a statement.

Mr. Douglas Hogg: I understand from the chief constable of Lancashire that 235 police posts have been civilianised in this period.

Naturalisation

Mrs. Wise: To ask the Secretary of State for the Home Department how many naturalisation applications are at present outstanding; and how many of these applications were made one or more years ago.

Mr. Renton: Precise figures are not available. Estimates suggest that around 80,000 applications for naturalisation are now outstanding, of which about three quarters were made over a year ago.

Crime Statistics

Dame Elaine Kellett-Bowman: To ask the Secretary of State for the Home Department what have been the crime clear-up rates for the area covered by Lincolnshire constabularly for each of the last five years for which figures are available.

Mr. Douglas Hogg: The recorded clear-up rate in the Lincolnshire constabulary was 49 per cent. in 1983, 35 per cent. in 1984 and 42 per cent. in 1985. From 1986 the information is published annually in table 2.18 of "Criminal Statistics, England and Wales".

Civil Defence

Mr. Redmond: To ask the Secretary of State for the Home Department when he expects to issue guidance on planning for the National Health Service in war for inclusion in current emergency planning guidance to local authorities.

Mr. John Patten: Revised guidance on civil defence planning was issued by the Department of Health and Social Security to the National Health Service in July 1988. The guidance was also circulated to all local authorities in England and Wales. The substance of the guidance will be incorporated shortly in the emergency planning guidance to local authorities.

Mr. Redmond: To ask the Secretary of State for the Home Department, pursuant to his reply to the hon. Member for Don Valley of 7 December 1988, *Official Report*, column *205*, if he will give details of the amounts of capital expenditure by the United Kingdom warning and monitoring organisation since 10 July 1987; and if he will give details of the purposes to which such expenditure was put; and if he will make a statement.

Mr. John Patten: Capital expenditure by the United Kingdom warning and monitoring organisation since 10 July 1987, when my right hon. Friend announced a review of warning and monitoring arrangements, has been limited to items essential to the maintenance of the organisation's effectiveness and readiness for operation. The carrier warning system was completed with expenditure of £2·1 million, automatic telephone exchanges were installed in operational controls at a cost of £1·75 million, and building projects amounted to £0·43 million.

Missing Persons

Mr. Janner: To ask the Secretary of State for the Home Department whether he will consult the appropriate police authorities concerning increased police liaison with Interpol in respect of persons missing in the United Kingdom and wanted in connection with criminal inquiries.

Mr. Douglas Hogg: No. I refer the hon. Member to the reply to his question on 19 December 1988, at column 144.

Voting Rights

Mr. Thorne: To ask the Secretary of State for the Home Department when he hopes, with the aid of modern technology, to be able to give service personnel the right to vote by post.

Mr. Douglas Hogg: Service personnel may vote in person or by post or by proxy if they are living in the United Kingdom. Service personnel overseas must vote by proxy, because the Representation of the People Act 1983 does not permit ballot papers to be sent outside the United Kingdom. To be useful, alernatives or new aids provided by modern technology to the letter post would need to be consistent with the arrangements for the secrecy of the ballot.

Equal Opportunities

Mr. Fisher: To ask the Secretary of State for the Home Department how many *(a)* blacks, *(b)* Asians, *(c)* men and *(d)* women are currently serving in (i) the Metropolitan police, (ii) other police forces, (iii) the prison service and (iv) the probation service.

Mr. Douglas Hogg: The available information is as follows:

Police	Officers[1]	Men	Women
Metropolitan Police (as at 5 February 1989)	414	24,788	3,220
Other police forces (as at 30 November 1988)	769	87,000	9,929

[1] From ethnic minorities.

Prison Services

Of some 11,500 members of the service (including staff in headquarters and regional offices) who responded to a survey in 1986, 111 stated that they were of ethnic minority origin. The results of a more recent survey of those who did not respond are currently being analysed. Information on the number of women and men in the service is not immediately available.

Probabtion Service

Information on the ethnic composition of the probation service derives from a survey as at 31 December 1987. Of all employees 330 were recorded as Afro-Caribbean or Other Black and 86 as Asian. Because of the extent of non-recording these figures are minima.

As at 30 September there were 3,811 men and 2,972 women (whole-time and part-time) in the probation officer grades.

Broadcasting (Training)

Mr. Fisher: To ask the Secretary of State for the Home Department (1) what information he has on the level of expenditure on training made by *(a)* the BBC and *(b)* ITV companies in each of the last five years;

(2) what provision he intends to make for training by *(a)* the BBC and *(b)* ITV companies after 1992;

(3) if he has any plans to bring forward proposals for training in broadcasting.

Mr. Renton: No information is available centrally on expenditure incurred on training by the BBC and ITV companies. It is for the broadcasting industry to provide its training, and there are no plans for Government intervention.

Television Licences

Dr. Cunningham: To ask the Secretary of State for the Home Department if he will publish the estimated costs of administration, per licence issued, of television licences in Great Britain in 1987-88.

Mr. Renton: The figure for the United Kingdom is £3·15, exclusive of VAT. A separate figure for Great Britain is not available.

Metropolitan Police

Dr. Twinn: To ask the Secretary of State for the Home Department what will be the total cost to public funds of the Metropolitan police in 1989-90; and if he will make a statement.

Mr. Hurd: As police authority for the metropolis I have approved estimates which provide for net revenue expenditure by the Metropolitan police of £1,082·391 million in 1989-90, an increase of 7·7 per cent. on the expenditure I approved for 1988-89. This will be a cash limit.

The increase in expenditure is largely to meet increased manpower costs including the extra 300 police officers and 250 civilian staff which I announced on 30 January.

I have also authorised the issue of a precept requiring rating authorities to levy rates at 18·88p in the pound for Metropolitan police purposes. This is an increase of 14·4 per cent. on the 1988-89 precept of 16·5p.

The precept has been affected by block grant payments to the Metropolitan police due in 1989-90. The Metropolitan police are subject to the same block grant arrangements as local authorities and like them benefits from block grant in some years more than others. Although the Metropolitan police will receive over £9 million less in block grant in 1989-90, overall, London will receive £175 million more.

Viraj Mendis

Mrs. Mahon: To ask the Secretary of State for the Home Department what were the costs of the operation by police and immigration service officers to seize Mr. Viraj Mendis; and by whom these costs will be borne.

Mr. Douglas Hogg *[holding answer 25 January 1989]:* Additional costs of the operation were in the region of £5,000, of which about £1,100 were police costs and about £3,900 immigration service and prison department costs. For this purpose the operation includes the removal of Mr. Mendis from the church; escorting him to London; his detention for two nights at Her Majesty's prison Pentonville; and his deportation under escort to Sri Lanka. Normal police funding arrangements apply to the additional police costs. Immigration service and prison department costs are borne by the Home Office.

THE ARTS

Disabled People

Mr. Fisher: To ask the Minister for the Arts *(a)* how many civil servants and *(b)* what percentage of the total number of civil servants in the Office of Arts and Libraries were registered disabled in each of the last five years.

Mr. Luce: There are at present no registered disabled persons in the Office of Arts and Libraries. The Departments for which I am responsible continue to pursue opportunities to employ people with disabilities.

NATIONAL FINANCE

IMF

Mr. Allen: To ask the Chancellor of the Exchequer on how many occasions since becoming Chancellor he has met representatives of the International Monetary Fund in London; and if he will list the individuals who were present, the date and the topic discussed on each occasion.

Mr. Lilley: Since becoming Chancellor, my right hon. Friend has met representatives of the International Monetary Fund on six occasions:

Representatives	Date
Mr. P. de Fontenay, Mr. H. Vittas	9 December 1983
Mr. H. Schmitt, Mr. H. Vittas	10 December 1984
Mr. P. de Fontenay	13 December 1985
Mr. P. de Fontenay, Mr. H. Vittas	28 November 1986
Mr. M. Russo, Mr. H. Vittas	27 November 1987
Mr. M. Russo, Mr. B. Smith	2 December 1988

The discussions have covered United Kingdom economic developments and policies in the context of the fund's annual article IV review of the United Kingdom's economic policies.

In addition, my right hon. Friend has met the managing director of the International Monetary Fund in London on four occasions. He met the then MD, Mr. J. de Larosiere on 28 June 1983, 17 April 1984 and 3 February 1986 to discuss a wide range of international economic issues and met the current MD, Mr. M. Camdessus on 11 May 1988 on the occasion of the United Kingdom's formal agreement to a contribution to the IMF's enhanced structural adjustment facility (ESAF).

GNP

Mr. Redmond: To ask the Chancellor of the Exchequer what percentage of the gross national product has been received by the Exchequer in each year since 1979; from which sources it came; and if he will make a statement.

Mr. Major: The information on receipts by the Government can be found in "Financial Statistics" tables 3.1, 3.2 and 3.3. Figures for GDP are shown in *Economic Trends*, table 2.

East Midlands Business Survey

Mr. Allen: To ask the Chancellor of the Exchequer whether he has received a copy of the half yearly east midlands business survey commissioned by Price Waterhouse and the business school of Trent polytechnic; and if he will make a statement.

Mr. Major: The recently published east midlands business survey confirms that the region shares in the strong economic performance of the country as a whole. In particular, the survey highlights the high percentage of businesses expecting to increase capital investment and to take on more employees in the next six months.

Public Sector Debt

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the effect on the monetary aggregates of public sector debt repayment in 1988.

Mr. Lilley: The Government's policy is to fund fully the net total of maturing debt, the PSBR and any underlying change in foreign exchange reserves by sales of debt outside the banking and building society sectors. This policy neutralises the impact of the public sector on the monetary system. The progression from public sector borrowing to the net repayment of public sector debt does not affect this. Should the net total be negative "unfunding" is required, that is, the Government make purchases of debt.

PRIME MINISTER

Clifton-on-Dunsmore

Q39. **Mr. Pawsey:** To ask the Prime Minister if she has any plans to visit Clifton-on-Dunsmore, near Rugby.

The Prime Minister: I have at present no plans to do so.

Senior Private Secretary

Q41. **Mr. Dalyell:** To ask the Prime Minister if she will make it her policy to introduce Civil Service regulations whereby no civil servant shall occupy a post of a senior private secretary in No. 10 Downing street for a period of more than three years.

The Prime Minister: No.

Retirement

Q104. **Sir David Price:** To ask the Prime Minister what steps she proposes to take to implement the concept of the decade of retirement, outlined in the Government's Green Paper, Cmnd. 9517, of June 1985.

The Prime Minister: I refer my hon. Friend to the reply by my hon. Friend the Parliamentary Under-Secretary of State for Social Security to my hon. Friend the Member for St. Ives (Mr. Harris) on 18 January 1988, at column 246.

Central Statistical Office

Mr. Fishburn: To ask the Prime Minister if she will list the budget for and the number of people employed by the Central Statistical Office over the past five years.

The Prime Minister: The net expenditure of the Central Statistical Office for each of the financial years 1984-85 to 1988-89 and the number of staff employed at 1 April in each year are given in the table:

Financial year	*Number of staff*	*Net expenditure £ million*
1984-85	191	3·8
1985-86	187	3·3
1986-87	[1]200	3·5
1987-88	173	3·0
1988-89	160	3·2

[1] Twenty-five computer staff were transferred to Treasury between 1 April 1986 and 1 April 1987.

Mr. Fishburn: To ask the Prime Minister what funds have been spent by the Central Statistical Office buying in statistical services or market research from the private sector.

The Prime Minister: In the past, CSO has spent very little on buying in statistical or market research services. In 1988-89 it expects to spend around £1,000. However, in 1989-90, a programme of external studies and research into problem areas of the national accounts undertaken by individuals and organisations in the private sector amounting to over £100,000 has been planned.

Mr. Fishburn: To ask the Prime Minister what income was generated last year by the Central Statistical Office from the commercial sale of its services to the private sector.

The Prime Minister: Information is not available in the precise form requested. In 1987-88 total income to the CSO from the sale of publications was £314,000. In the same year sales to the private sector from the CSO commercial databank service generated £34,000.

Pensioners

Mr. David Marshall: To ask the Prime Minister if she will appoint a Minister for pensioners' affairs.

The Prime Minister: Pensioners' affairs already fall within the responsibilities of the Secretary of State for Social Security.

Mr. Rupert Murdoch

Mr. Mullin: To ask the Prime Minister if she will list the occasions since 1979 when she has met Mr. Rupert Murdoch at No. 10 Downing street.

The Prime Minister: I refer the hon. Gentleman to the reply I gave to the hon. Member for Glasgow, Provan (Mr. Wray) on 13 February 1989, at column *1*.

Engagements

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Ian Taylor: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Hind: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Dykes: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Greg Knight: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. David Shaw: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

Mr. Yeo: To ask the Prime Minister if she will list her official engagements for Tuesday 14 February.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty The Queen.

EDUCATION AND SCIENCE

Capital Allocations (Nottinghamshire)

Mr. Allen: To ask the Secretary of State for Education and Science what representations he has received from Nottinghamshire county council regarding *(a)* the adequacy of the 1989 capital allocations and *(b)* a meeting to discuss the above.

Mr. Butcher: My right hon. Friend has received a letter from the chairman of the education committee of Nottinghamshire county council setting out the committee's views on the capital allocation for 1989-90 and seeking to bring a deputation to discuss this allocation covering both county and aided schools. I will be writing shortly to arrange a meeting with interested parties from Nottinghamshire.

Mr. Allen: To ask the Secretary of State for Education and Science what is capital allocation to Nottinghamshire county education authority for *(a)* county schools, *(b)* aided schools and *(c)* any other categories; and what is the total allocation for each of the years since 1979 indexed using 1979 prices as a base of 100.

Mr. Butcher: Nottinghamshire's total prescribed capital allocation for education for the financial year 1989-90 is £3,215,000. Of this, £3,128,000 was notionally allocated for county and controlled schools. In addition, £237,000 was allocated for governors' expenditure at aided and special agreement schools within Nottinghamshire.

The information requested for the total allocations from 1981-82 to 1989-90 is set out on the table. Before 1981-82 local education authorities did not receive block allocations but were notified annually, in the context of a rolling programme, of a limit on the value of building starts in the following year.

TABLE: Capital allocations[1] to Nottinghamshire for 1981-82 to 1989-90

(all figures in £ thousands)

Year	*Allocations for Governors' expenditure at aided and special agreement schools*		*Prescribed expenditure allocations (schools and further and higher education)*	
	Cash prices	*Constant prices[2]*	*Cash prices*	*Constant prices[2]*
1981-82[3]	—	—	6,756	6,756
1982-83	259	242	4,903	4,576
1983-84	619	553	2,493	2,225
1984-85	190	161	2,666	2,265
1985-86	22	18	3,421	2,758
1986-87	66	51	3,043	2,374
1987-88	322	239	2,379	1,763
1988-89	203	142	2,461	1,716
1989-90	237	157	3,215	2,136

Notes:

[1] The allocations shown are those announced before the start of the financial year in question and do not include subsequent revisions.

[2] Calculated at 1981-82 prices using the GDP deflator.

[3] Allocations for aided schools in 1981-82 were made on a different basis from those for later years and have therefore been omitted.

School Meals

Mr. Ralph Howell: To ask the Secretary of State for Education and Science if he will publish figures showing the estimated cost of providing free school meals to *(a)* pupils and *(b)* teachers in (i) 1970-71, (ii) 1979-80 and (iii) 1984-85.

Mr. Butcher: The available information is given in the table.

Estimated cost[1] of free school meals—England

£ million

	1970-71 cash terms	1984-85 real terms	1979-80 cash terms	1984-85 real terms	1984-85 cash terms
Net cost of all meals	82	396	409	626	432
Cost of free meals to					
pupils	n/a	n/a	106	163	198
teachers	n/a	n/a	25	38	30

[1] The gross expenditure by local education authorities on all meals has been apportioned to the two categories in the ratio of the number of meals taken by each group to the total number of meals taken by paying and free pupils and adults.
Note: The figures for the earlier years have been converted to 1984-85 real terms using the gross domestic product (market prices) deflator.

It is not possible to give a full set of figures for 1970-71 because the number of meals served to adults, including teachers, is not available.

Leigh and Bransford School

Mr. Temple-Morris: To ask the Secretary of State for Education and Science when he expects to be able to announce his conclusions regarding the public inquiry concerning access and other matters relating to Leigh and Bransford primary school, Worcester, held on 12 September 1988.

Mr. Butcher: My right hon. Friends the Secretaries of State for Education and Science and for Transport are in the final stages of consideration of the public inquiry concerning compulsory purchase orders relating to the new site for and access to the combined Bransford primary school and Leigh Sinton Church of England (voluntary controlled) school and they expect to announce a decision very shortly.

Council of Europe Anniversary

Mr. Atkinson: To ask the Secretary of State for Education and Science in what ways his Department is intending to commemorate the 40th anniversary of the Council of Europe in schools during 1989; and if the Council of Europe's special teaching kit is to be used.

Mr. Jackson: My Department intends to commemorate the 40th anniversary of the Council of Europe in schools by issuing a letter to chief education officers, drawing their attention to the programme of events which has been arranged and sending them sufficient copies of the materials now being prepared by the council for distribution to secondary schools and further education colleges in England and Wales.

Student Awards

Mr. Fisher: To ask the Secretary of State for Education and Science whether he will publish tables to show the number of discretionary awards to students attending *(a)* drama schools, *(b)* dance schools, and *(c)* art colleges, made by each local education authority in England and Wales in each of the last five years.

Mr. Jackson: This information is not available centrally.

Theatre in Education

Mr. Fisher: To ask the Secretary of State for Education and Science what information he has on the local education authorities in England and Wales which give financial support to theatre in education companies.

Mrs. Rumbold: The information for England is not collected centrally. Provision in Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Education Reform

Mr. Baldry: To ask the Secretary of State for Education and Science what guidance he has given to local education authorities as to who is responsible for meeting legal costs of school governors involved in litigation relating to opting-out procedures or other litigation arising out of the Education Reform Act 1988.

Mrs. Rumbold: The Department wrote to the chief education officers of all local education authorities in England on 13 February on the question, inter alia, of costs relating to legal action against governors in connection with applications for grant-maintained status under the Education Reform Act 1988. The relevant paragraph stated:

> "This is a matter which could only be determined finally by the Courts. But the Secretary of State's view is that, where the governing body has acted in good faith in pursuance of its duties, any legal costs it may incur in such circumstances would qualify as part of the expenses of running the school to be defrayed by the local education authority in accordance with section 114(2) of the Education Act 1944. The costs would therefore fall to be met by the local education authority: there would be no personal liability on individual governors".

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will list the names, the areas and type of those schools in respect of which he has received a notification concerning a governors' resolution or parent petition for a ballot for a grant-maintained school.

Mrs. Rumbold: There is no duty on governors to notify the Department when ballots on grant-maintained status are pending. Ballots have been completed at 29 schools. In addition, the Department is aware that governors have passed the necessary two resolutions, or have received a written request from parents, in respect of the following schools:

School and LEA	*Character (county school unless otherwise indicated)*
Beechen Cliff School, Bath, Avon	Comprehensive Boys—11-18
Claremont High School, Harrow, Brent	Secondary Mixed—11-18
Chesterfield School, Derbyshire	Comprehensive Boys—13-18
St. Helena School, Chesterfield, Derbyshire	Comprehensive Girls—13-18
Foster's Grammar School for Boys, Sherborne, Dorset	Grammar Boys—11-18

School and LEA	Character (county school unless otherwise indicated)
Lord Digby's Grammar School for Girls, Sherborne, Dorset	Grammar Girls—11-18
Ribston Hall High School, Gloucester	Grammar Girls—11-18
Marling Grammar School, Stroud, Gloucester	Grammar Boys—11-18 voluntary-controlled
Stroud Grammar School, Stroud, Gloucester	Grammar Girls—11-18 voluntary-controlled
Gaynes Comprehensive School, Upminster, Havering	Comprehensive Mixed—11-18
Hadham Hall School, Herts.	Secondary Mixed—11-18
Cardinal Vaughan Memorial School, Hammersmith and Fulham (ILEA)	Secondary RC Boys—11-18 voluntary-controlled
Weald of Kent Grammar School for Girls, Tonbridge, Kent	Grammar Girls—11-18
Castle Hall Middle School, Mirfield, Kirklees	Middle—9-13
Ruffwood Comprehensive School, Kirkby, Knowsley	Comprehensive Mixed—11-19
Bacup and Rawtenstall Grammar School, Lancs.	Grammar Mixed—11-18
St. Francis Xavier RC Comprehensive School, Liverpool	Comprehensive Boys—11-18 voluntary-aided
Chichele School, Rushden, Northants.	Secondary Girls—11-18
Siddal Moor High School, Heywood, Rochdale	Secondary High Mixed—11-18
The Guildford County School, Surrey	Secondary Mixed—12-18
Droylsden County High School, Tameside	Comprehensive Girls—11-16
Hindley Park High Community School, Wigan	Comprehensive Mixed—11-16

Under-fives

Mr. Paice: To ask the Secretary of State for Education and Science, pursuant to his reply of 6 February to the hon. Member for Cambridgeshire, South-East, *Official Report*, column *462*, what has been the total annual amount of grant related expenditure in respect of the additional educational needs of under-fives in each year from 1976-77 to 1988-89, in cash and real terms.

Mrs. Rumbold: The information is not available in the form requested. The table shows the grant-related expenditure for nursery education in England from the start of the current local government finance system. The additional educational needs element of nursery education forms approximately half of the control total. Expenditure on under-fives in primary classes does not fall within the control total for grant related expenditure for nursery education, but is contained within the overall grant related expenditure for primary education.

Grant related expenditure assessment for nursery education

£ million

	Cash	At 1987-88 prices
1981-82	129·3	174·5
1982-83	122·6	154·4
1983-84	134·6	162·1
1984-85	153·4	175·9
1985-86	152·2	165·6
1986-87	160·3	168·8
1987-88	185·0	185·0
1988-89	220·6	207·6
1989-90	262·0	234·8

Private Sector (Grant-aid)

Mr. Salmond: To ask the Secretary of State for Education and Science what was the total cost to his Department of grant-aid schemes to the private education sector for the latest year for which figures are available.

Mr. Butcher: My Department's Votes cover expenditure in England on the assisted places scheme and the music and ballet scheme. The information requested is as follows:

Total Department of Education and Science expenditure
Financial year 1987-88

	£ million
Assisted Places Scheme	46·04
Music and Ballet Scheme	3·56
Total	49·60

University Grants Committee

Mr. Moss: To ask the Secretary of State for Education and Science if he will announce the recurrent grants allocated to universities for the academic year 1989-90 by the University Grants Committee.

Mr. Jackson: The University Grants Committee's initial allocation of recurrent grant to universities in the academic year 1989-90 is shown in the table. Responsibility for making the payments will fall to the UGC's successor body, the Universities Funding Council, whose chairman has accepted the announced distribution. Copies of the general letter of guidance that the chairman of the UGC has sent to all universities have been placed in the Library of the House. The general letter will be followed within the next few weeks by a set of institutional annexes providing further details for individual universities. The annexes will also be placed in the Library.

The total grant distributed by the UGC as announced in the table does not include items which it is the UGC's practice to allocate separately, such as local authority rates and the overseas research student awards scheme. These items amount to £140 million. Nor does the distribution include provision which is to be allocated separately in the targeted programme of restructuring for which my right hon. Friend has provided £184 million over four years.

The distribution does not include the £67 million third instalment of additional funding in the financial year 1989-90 towards the cost of the 1987 academic pay restructuring settlement. The release of this funding will be subject to continued satisfactory progress on staff appraisal, probation and promotion arrangements.

University or college	Basic distribution 1989-90 £ million	Recurrent grant 1989-90 £ million
Aston	15·457	15·763
Bath	17·198	17·349
Birmingham	40·828	42·114
Bradford	16·063	16·480
Bristol	35·770	36·649
Brunel	14·262	14·458
Cambridge	49·336	50·662
City	12·673	12·759
Durham	17·751	18·303
East Anglia	14·364	14·586
Essex	9·573	9·702

University or college	Basic distribution 1989-90 £ million	Recurrent grant 1989-90 £ million
Exeter	18·321	18·572
Hull	15·384	15·900
Keele	8·426	8·732
Kent	12·827	13·254
Lancaster	15·009	15·188
Leeds	45·884	46·841
Leicester	20·250	20·711
Liverpool	40·376	41·221
London Business School	1·732	1·739
London	274·003	294·042
(of which Imperial College)	(33·810)	(35·039)
Loughborough	22·108	22·618
Manchester Business School	0·866	0·872
Manchester	54·226	55·754
UMIST	18·532	18·874
Newcastle	33·825	34·776
Nottingham	31·094	32·222
Oxford	50·272	51·784
Reading	20·579	20·811
Salford	14·407	15·314
Sheffield	34·136	35·313
Southampton	30·542	31·716
Surrey	14·387	14·976
Sussex	16·774	17·096
Warwick	23·134	24·426
York	14·108	14·619
Total England	1,074·477	1,116·196
Aberystwyth	10·722	10·916
Bangor	10·859	11·476
Cardiff	27·867	28·247
St. David's	2·195	2·202
Swansea	13·877	14·597
UWCM	7·755	8·094
Welsh Registry	2·601	2·601
Total Wales	75·876	78·133
Aberdeen	21·677	21·889
Dundee	14·265	14·656
Edinburgh	47·713	49·477
Glasgow	49·040	50·295
Heriot-Watt	12·112	12·598
St. Andrews	12·264	12·294
Stirling	8·306	8·681
Strathclyde	26·704	28·222
Total Scotland	192·081	198·112
TOTAL GREAT BRITAIN	1,342·434	1,392·441
Queen's Belfast	30·630	30·976
Ulster	34·877	35·007

Lecturers (Pay)

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what is the average university lecturer's rise in salary for each of the last 10 years *(a)* in absolute cash terms, *(b)* in real terms and *(c)* in relation to the rise in average earnings.

Mrs. Rumbold *[pursuant to her reply, 9 February 1989, c. 749]:* The average salary of full-time lecturers in universities for each of the last 10 years for which data are available is given in the table. The actual percentage increase is also tabulated for each year, as well as the percentage increase relative to the retail prices index at April each year and average non-manual earnings. The index used covers employees in professional and related, administrative, clerical, managerial, selling, security, literary, artistic and sporting occupations.

The average is calculated by dividing the aggregate salary by the number of lecturers in universities. The annual increases thus reflect other factors as well as pay settlements, such as any change in the proportions of lecturers in the various grades.

As at December	Average salary	Annual increase	Annual percentage increase: Actual	In real terms (RPI-based)	In relation to non-manual average earnings
1976	5,578	—	—	—	—
1977	6,209	631	11·3	−5·2	1·8
1978	7,220	1,011	16·3	7·7	3·6
1979	8,458	1,238	17·1	6·4	4·5
1980	9,979	1,521	18·0	−3·1	−5·7
1981	11,187	1,208	12·1	0·1	−3·2
1982	11,936	749	6·7	−2·5	−2·5
1983	12,543	607	5·1	1·0	−3·7
1984	13,342	799	6·4	1·1	−1·7
1985	13,964	622	4·7	−2·1	−2·7
1986	14,242	278	2·0	−1·0	−6·4
1987	16,592	2,350	16·5	10·6	7·3

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what is the average polytechnic lecturer's rise in salary for each of the last 10 years *(a)* in absolute cash terms, *(b)* in real terms and *(c)* in relation to the rise in average earnings.

Mrs. Rumbold *[pursuant to her reply, 9 February 1989, c. 749]:* The average salary of full-time lecturers in polytechnics for each of the last 10 years for which data are available is given in the table. The actual percentage increase is also tabulated for each year, as well as the percentage increase relative to the retail prices index at April each year and average non-manual earnings. The

index used covers employees in professional and related, administrative, clerical, managerial, selling, security, literary, artistic and sporting occupations.

The average is calculated by dividing the aggregate salary by the number of lecturers in polytechnics. The annual increases thus reflect other factors as well as pay settlements, such as any change in the proportions of lecturers in the various grades.

As at March	*Average salary*	*Annual increase*	*Annual percentage increase: actual*	*in real terms (RPI-based)*	*in relation to non-manual average earnings*
1976	5,909				
1977	6,358	449	7·6	−9·5	−10·7
1978	6,684	326	5·1	−10·5	−3·8
1979	7,462	778	11·6	3·4	−0·6
1980	9,016	1,554	20·8	9·7	7·8
1981	11,399	2,383	26·4	3·8	1·0
1982	12,359	960	8·4	−3·2	−6·4
1983	13,152	793	6·4	−2·7	−2·7
1984	13,842	690	5·2	1·2	−3·6
1985	14,516	674	4·9	−0·3	−3·1
1986	15,459	943	6·5	−0·4	−1·0

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what is the average college of further education lecturer's rise in salary for each of the last 10 years *(a)* in absolute cash terms, *(b)* in real terms and *(c)* in relation to the rise in average earnings.

Mrs. Rumbold *[pursuant to her reply, 9 February 1989, c. 749]:* The average salary of full-time lecturers in colleges of further education excluding polytechnics for each of the last 10 years for which data are available is given in the table. The actual percentage increase is also tabulated for each year, as well as the percentage increase relative to the retail prices index at April each year and average non-manual earnings. The index used covers employees in professional and related, administrative, clerical, managerial, selling, security, literary, artistic and sporting occupations.

The average is calculated by dividing the aggregate salary by the number of lecturers in colleges. The annual increases thus reflect other factors as well as pay settlements, such as any change in the proportions of lecturers in the various grades.

As at March	*Average salary*	*Annual increase*	*Annual percentage increase: Actual*	*In real terms (RPI-based)*	*In relation to non-manual average earnings*
1976	5,058	—	—	—	—
1977	5,463	405	8·0	−9·2	−10·4
1978	5,710	247	4·5	−11·0	−4·4
1979	6,321	611	10·7	2·6	−1·4
1980	7,608	1,287	20·4	9·3	7·4
1981	9,559	1,951	25·6	3·2	0·4
1982	10,325	766	8·0	−3·6	−6·7
1983	10,924	599	5·8	−3·3	−3·3
1984	11,486	562	5·1	1·1	−3·7
1985	12,128	642	5·6	0·4	−2·4
1986	12,990	862	7·1	0·2	−0·5

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what is the average rise in salary for each of the last 10 years, expressed in relation to the rise in average professional earnings, for (i) university lecturers, (ii) polytechnics lecturers and (iii) college of further education lecturers.

Mr. Jackson *[holding answer 10 February 1989]:* The percentage rise in the average salaries of full-time lecturers in universities, polytechnics and other colleges of further education, relative to the index of non-manual earnings, for the most recent years available are as given in the table. There is no recognised index for average professional earnings. The index used covers employees in professional and related, administrative, clerical, managerial, selling, security, literary, artistic and sporting occupations.

The average has been calculated by dividing the aggregate salary by the number of lecturers. The annual increases thus reflect other factors as well as pay settlements, such as any change in the proportions of lecturers in the various grades.

	Universities	*Polytechnics*	*Colleges of further education (excluding polytechnics)*
1976-77[1]	—[2]	−10·7	−10·4
1977-78	1·8	−3·8	−4·4
1978-79	3·6	−0·6	−1·4
1979-80	4·5	7·8	7·4
1980-81	−5·7	1·0	0·4
1981-82	−3·2	−6·4	−6·7
1982-83	−2·5	−2·7	−3·3
1983-84	−3·7	−3·6	−3·7
1984-85	−1·7	−3·1	−2·4
1985-86	−2·7	−1·0	−0·5
1986-87	−6·4	—	—
1987-88	7·3	—	—

[1] Universities data is as at December of the earlier year named and the other data as at March of the later year.
[2] Not available.

ENERGY

British Coal (Redundancies)

124. **Mr. Hardy:** To ask the Secretary of State for Energy if he will consult British Coal on the implications for policy on redundancy of arrangements and promises made to its employees over the age of 50 years who were persuaded to accept redundancy from 1984.

Mr. Michael Spicer: My right hon. Friend and I consult British Coal regularly on all aspects of the coal industry.

Nuclear Power Stations

Mr. Flynn: To ask the Secretary of State for Energy if he will make it his policy to ask Her Majesty's nuclear installations inspectorate to conduct a review of corrosion and cracking problems at the Central Electricity Generating Board nuclear plants at Heysham, Hartlepool and Dungeness B.

Mr. Michael Spicer: These are issues which the Health and Safety Executive takes fully into account as part of its duties.

Mr. Flynn: To ask the Secretary of State for Energy if he will request Her Majesty's nuclear installations inspectorate to conduct a study of the tolerability of risk to United Kingdom citizens of the French nuclear power programme, in particular those plants sited on the Channel.

Mr. Michael Spicer: No. The safety of French nuclear installations is a matter for their regulatory authorities. I have no reason to doubt that French nuclear safety standards are as high as those in the United Kingdom. Nevertheless, in proposing a stringent level for societal risk, HSE was fully aware of the possibility of accidents outside the United Kingdom.

Aerogenerators

Mr. Flynn: To ask the Secretary of State for Energy if he will initiate a departmental assessment of the study by the Swedish energy consultancy VBB into the feasibility of the offshore siting of aerogenerators at sea.

Mr. Michael Spicer: As part of its wind energy research programme my Department is investigating the feasibility of siting wind turbines offshore. I hope to be able to obtain a copy of the VBB report so that its findings can be taken into account in our own studies.

Hinkley Point

Mr. Flynn: To ask the Secretary of State for Energy if he will submit evidence for cross examination on the tolerability of nuclear plant risk to the Hinkley C nuclear inquiry.

Mr. Michael Spicer: No. The Health and Safety Executive has given evidence on the tolerability of risk from nuclear power stations to the Hinkley Point C inquiry.

Coal Production (Costs)

Mr. Steinberg: To ask the Secretary of State for Energy if he will publish the marginal costs of coal production of both opencast and deep mined coal for each year from 1981-82 to 1988-89, or for which the latest figures are available.

Mr. Michael Spicer: This is a matter for the British Coal Corporation. I have asked the chairman to write to the hon. Member.

NORTHERN IRELAND

Health Authorities (Land)

Mr. Nicholas Bennett: To ask the Secretary of State for Northern Ireland if he will give for each health board *(a)* the square footage of unused properties and *(b)* the square footage or acreage of unused land and the estimated value of each category as a percentage of total land and property and as a percentage of the total land and property value of each board; and if he will make a statement as to his Department's policy on the sale of unused land and property.

Mr. Needham: The information requested is not collected routinely by either the Department of Health and Social Services or by the four health and social services boards and could be obtained only at disproportionate costs. The total acreage of the health and personal social services estate and the acreage and estimated value of property (that is both land and buildings) which have been declared surplus to the requirements of each health and social services board at 6 February 1989 is as follows:

Board	*Total estate (Acres)*	*Surplus estate (Acres)*	*Surplus estate Per cent.*	*Estimated value of surplus estate £ million*
Eastern	1,428·11	196·305	13·74	2·9
Northern	634·82	194·232	30·59	0·8
Southern	332·29	30·154	9·07	0·75
Western	1,018·28	12·72	1·25	1·4
Total	3,413·50	433·411	12·70	5·85

The policy on the sale of land and property which has been declared surplus to requirements is that it should be disposed of in a publicly acceptable manner, and for the best price which in the opinion of the Valuation and Lands Office can reasonably be obtained.

Land Registry

Mr. Beggs: To ask the Secretary of State for Northern Ireland what was the extent of monthly backlog of cases over each of the last three years in the Land Registry Office in Northern Ireland.

Mr. Needham: Details of the stocks of work held are as follows:

	1986	*1987*	*1988*
January	11,964	13,461	15,181
February	11,851	13,233	15,410
March	12,245	13,198	15,020
April	12,306	12,919	14,306
May	12,097	14,250	14,343
June	12,979	14,568	14,015
July	13,075	14,965	13,951
August	13,625	14,577	14,006

	1986	1987	1988
September	14,903	14,375	14,613
October	14,294	15,062	14,636
November	14,718	14,844	14,764
December	14,864	15,289	14,686

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many cases at present await clearance at the Land Registry Office in Northern Ireland.

Mr. Needham: 14,766 at the end of January 1989.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will publish an indicative list of charges made by the Land Registry in Northern Ireland.

Mr. Needham: The information requested is contained in the Land Registry (Fees) Order (Northern Ireland) 1988 (SR 1988 No. 410), a copy of which is available in the Library.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he has any proposals to speed up Land Registry transactions in Northern Ireland.

Mr. Needham: A comprehensive efficiency review of the Land Registry functions in Northern Ireland is to be undertaken. It is anticipated that the review will be under way by mid-1989.

Housing

Mr. Redmond: To ask the Secretary of State for Northern Ireland how much extra funding has been provided so far to implement the findings of the Policy Studies Institute report on housing in Northern Ireland.

Mr. Tom King: As I indicated in my reply to the hon. Member of 23 January, at column 396, I am advised that the research to which he refers, commissioned by the Standing Advisory Commission on Human Rights, is not yet complete.

Social Security Payments

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make a statement on the measures the Government are using to monitor the effects of the new social security system on those claimants who were targeted by the new legislation and on the Government's assessment of the position of single parents since the benefit changes of April 1988.

Mr. Needham *[holding answer 13 February 1989]:* Monitoring of the effects of the new system is based on a range of statistical information and will also have regard in due course to various research findings. It is estimated that the large majority of single parents were better off or no worse off in cash terms as a result of the changes in their weekly benefits. Estimates are not available of the overall impact taking account of the introduction of the social fund.

Mr. Hume: To ask the Secretary of State for Northern Ireland what information he has on the number of social fund applications made by single parents, the numbers which are successful, and the amounts given in loans and payments to these applicants.

Mr. Needham *[holding answer 13 February 1989]:* Information for the period 11 April 1988 to 31 December 1988 (the latest for which it is available) is as follows:

	(a) Applications received	(b) Number allowed	(c) Amount awarded
Loans	12,682	11,163	£2,443,294·62
Community Care Grants	2,396	1,614	£556,315·99
Funeral and Maternity payments	1,558	1,504	£199,001·83
Total	16,636	14,281	£3,198,612·44

The balance of applications in each category were withdrawn by the applicant, or refused, or are still to be considered.

Mr. Hume: To ask the Secretary of State for Northern Ireland what information he has on the numbers of single parents who are having deductions made from their benefits in respect of social fund loans, rent arrears, fuel arrears or overpayments.

Mr. Needham *[holding answer 13 February 1989]:* The information is not available in the form requested and could be obtained only at disproportionate cost.

WALES

Chlorofluorocarbons

Mr. Allen: To ask the Secretary of State for Wales what support his Department is giving to local authorities which wish to reduce or eliminate their use of CFC's.

Mr. Grist: I refer the hon. Gentleman to the reply given to him earlier today by my hon. Friend the Parliamentary Under-Secretary of State for the Environment, the hon. Member for Surrey, South-West (Mrs. Bottomley).

Mental Handicap Nurses

Mr. Wigley: To ask the Secretary of State for Wales whether he will list, for each health authority, the number of mental handicap nurses from each of the old grades who have been assimilated to each of the new grades.

Mr. Grist: This information is not held centrally.

DEFENCE

Torpedoes

Sir Peter Hordern: To ask the Secretary of State for Defence what United States supplied alternatives to the Spearfish and Stingray torpedoes were considered at the time of the decision to proceed with those programmes; and what were their costs.

Mr. Sainsbury: The United States MK46 and MK48 torpedoes were evaluated as alternatives to Stingray and Spearfish respectively. The estimated total programme cost for the MK46 was £200 million (at September 1979 prices) and for the MK48 it was £475 million (at September 1980 prices).

Sir Peter Hordern: To ask the Secretary of State for Defence what was the original estimate of the cost of the Spearfish torpedo; what was the value of the joint fixed price contract with Marconi for the completion of development and initial production of Spearfish and Stingray torpedoes; and what has been the expenditure on Spearfish and Stingray torpedoes to the latest convenient date.

Mr. Sainsbury: The original estimated total programme cost of Spearfish was £155 million (at current prices). The fixed price contract for the development and initial production of Spearfish and Stingray was let in 1981 at a value of £496 million.

Total programme expenditure to 31 January 1989 was £594 million on Spearfish and £1,443 million on Stingray, both figures at current prices.

Tigerfish

Sir Peter Hordern: To ask the Secretary of State for Defence what was the original estimate for the cost of the Tigerfish torpedo; what was the estimate when Marconi became principal contractor; and what was the final cost when Tigerfish came into service.

Mr. Sainsbury: The original estimate of the cost of Tigerfish MOD "O" was calculated in 1959; records of this estimate are not immediately available. The MOD "O" Tigerfish entered service in 1974 when its total programme cost was £450 million (at current prices).

Marconi became principal contractor for the improved MOD 1 Tigerfish torpedo in 1972; the estimated programme cost at that time was £226 million (at current prices).

Sir Peter Hordern: To ask the Secretary of State for Defence when development of the Tigerfish torpedo was begun; when was it originally expected to come into service; when it received fleet weapon acceptance; and when Marconi became principal contractor for the programme.

Mr. Sainsbury: Development of Tigerfish began in 1959 with a view to an in-service date of 1967. The MOD "O" torpedo entered service in 1974 and received fleet weapon acceptance in 1979.

Marconi became principal contractor for Tigerfish MOD 1 in 1972.

Foxhunter

Sir Peter Hordern: To ask the Secretary of State for Defence what was the original estimate of the cost of the Foxhunter radar system; when it was due to come into service in full; when it came into service in full; and what was the final cost on delivery.

Mr. Sainsbury: The original forecast in-service date for the Foxhunter radar was 1982. Radars to an agreed interim standard entered service in 1985. Final deliveries under the programme of work placed under firm price contractual arrangements with Marconi Defence Systems last year will take place in the early 1990s.

It is not normal practice to publish a detailed breakdown of costs for defence equipment. Total estimated costs of the Foxhunter radar programe were given in the 1988 "Statement on Defence Estimates (Volume 2)" as some £800 million; on the same basis, the original estimate for Foxhunter would be some £600 million.

Contacts

Mr. Cohen: To ask the Secretary of State for Defence if he will list all his Department's contracts with *(a)* Zeus and *(b)* Securipol Ltd. since 1979; and if he will give the purpose of each contract.

Mr. Sainsbury: We have no record of any headquarters contracts having been placed with Zeus Security Consultants or Securipol Ltd. since 1979.

Pension Scheme

Mrs. Margaret Ewing: To ask the Secretary of State for Defence when he anticipates the Defence Council instruction enabling additional voluntary contributions to the Armed Forces pension scheme will be issued.

Mr. Neubert: A DCI was published on 3 February 1989 explaining the opportunities open to members of the armed forces to make additional voluntary contributions to enhance the benefits payable under the armed forces pension scheme.

Royal Air Force

Mrs. Margaret Ewing: To ask the Secretary of State for Defence if he will list in the *Official Report* the total number of airmen/aircrew who have applied in each of the past 10 years to leave the Royal Air Force before completion of their period of contract, indicating for each year the number of such applications which were based on exceptional circumstances; and how many of these have been successful.

Mr. Neubert: Information about premature exits of Royal Air Force airmen and aircrew over the past 10 financial years is summarised in the following table:

Royal Air Force applications to leave and exits before completion of contract

	1978-79	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89 to date*
1. *GD (Air) Officers:*											
PVR/OEP applications	314	220	161	149	148	145	188	245	281	299	222
PVR/OEP exits	200	205	172	163	160	120	160	173	177	203	227
2. Airmen:											
(a) Airmen Aircrew											
PVR applications			See note 2(a)			10	22	44	30	48	24
PVR exits	Included with		13	2	10	11	19	17	32	31	17
Other exits	ground airmen		9	9	8	6	9	6	13	8	5
(b) Ground Airmen											
PVR applications	3,132	1,782	1,038	842	1,115	1,669	1,752	2,097	2,005	2,483	2,404
PVR exits	1,103	1,468	1,114	854	1,069	845	1,405	1,692	1,610	1,682	1,835
Other exits	Not available		897	313	242	636	527	562	574	581	404

Notes:

1. Officers:
   (a) PVR—Premature voluntary release on giving certain preiods of notice.
   (b) OEP—Optional exit points related to decisions at specified career points.
   (c) Applications do not necessarily lead to exits in the same financial year (FY).
   (d) Applications and exits related to exceptional circumstances are not available.
2. Airmen:
   (a) Records of airmen aircrew PVR applications are not available prior to April 1983.
   (b) PVR—Premature voluntary release by purchase, or to pension or by notice general right after nine years.

(c) Applications do not necessarily lead to exits in the same financial year and more than one application may be submitted.
(d) Other exits include exits on compassionate grounds, on nine year notice engagements after three years at 18 months notice and other administrative categories under which airmen may apply to leave the service. Numbers of other applications are not available.

Mr. Rogers: To ask the Secretary of State for Defence (1) how many Royal Air Force airmen served in each of the following categories: *(a)* armament engineering, *(b)* mechanical engineering, *(c)* electrical engineering and *(d)* electronic engineering, in each year since 1979;

(2) how many Royal Air Force airmen became qualified to serve in the following branches *(a)* armament engineering, *(b)* mechanical engineering, *(c)* electrical engineering and *(d)* electronic engineering, in each year since 1979;

(3) how many Royal Air Force airmen left the Royal Air Force in each of the following categories: *(a)* armament engineering, *(b)* mechanical engineering, *(c)* electrical engineering and *(d)* electronic engineering; and how many of these failed to complete their engagement, in each year since 1979.

Mr. Neubert: The numbers of ground airmen (including airwomen) in each category in each of the specified groupings of trades, in each year since 1980, are given in tables 1 to 3. The numbers for 1979 could be provided only at disproportionate cost.

Table 1
Number of trained airmen (including airwomen) at 1 January points

	1 January 1980	1 January 1981	1 January 1982	1 January 1983	1 January 1984	1 January 1985	1 January 1986	1 January 1987	1 January 1988	1 January 1989
Armament engineering	2,493	2,753	3,004	2,919	3,067	3,188	3,249	3,255	3,285	3,390
Mechanical engineering	14,346	15,416	16,333	15,905	15,370	16,279	16,496	16,098	15,880	15,447
Electrical engineering	3,727	3,977	4,166	4,147	4,259	4,381	4,386	4,420	4,436	4,372
Electronic engineering	9,633	10,187	9,498	10,694	10,680	10,946	11,212	11,386	11,554	11,127

Table 2
Number of ground airmen (including airwomen) who became qualified in engineering trades by CY

	CY 80	CY 81	CY 82	CY 83	CY 84	CY 85	CY 86	CY 87	CY 88
Armament engineering	360	371	72	276	260	222	153	152	275
Mechanical engineering	1,680	1,552	301	153	1,569	1,075	523	632	572
Electrical engineering	405	397	198	324335	252	292	224	246	
Electronic engineering	987	833	802	571	817	942	876	739	381

Table 3
Number of trained airmen (including airwomen) who left the RAF in CY and the number who failed to complete their engagement

	CY 80	CY 81	CY 82	CY 83	CY 84	CY 85	CY 86	CY 87	CY 88
Armament engineering									
Total outflow	100	120	157	128	139	161	147	122	170
Not completing engagement	41	52	76	54	64	92	85	63	107
Mechanical engineering									
Total outflow	610	635	729	688	660	858	921	850	1,005
Not completing engagement	312	285	333	244	280	394	436	380	517
Electrical engineering									
Total outflow	155	208	217	212	213	247	258	208	310
Not completing engagement	69	76	85	83	98	98	110	103	164
Electronic engineering									
Total outflow	433	522	606	585	551	676	702	571	808
Not completing engagement	174	203	199	181	222	303	333	246	436

Mr. Rogers: To ask the Secretary of State for Defence how many trained fast-jet pilots took premature voluntary release in each financial year between 1969-70 and 1978-79.

Mr. Neubert: Information about exits by trained pilots on premature voluntary release was not maintained prior to 1 April 1975; since that date overall numbers of pilot exits on PVR were recorded and role-related statistics were introduced on 1 April 1979. For the period 1 April 1975 to 1 April 1979 the overall numbers of PVR exits by trained pilots were as follows:

	Number
1975-76	77
1976-77	86
1977-78	92
1978-79	84

Pay Scales

Mrs. Margaret Ewing: To ask the Secretary of State for Defence what estimate has been made of savings likely to accrue as a result of the downbanding recommendations made by the joint services job evaluation team in relation to pay-scales for airmen/aircrew and air electronics operators.

Mr. Neubert: There will be no immediate savings arising from the downbanding of air electronic operators. This is because the individuals concerned will retain their existing rate of basic pay on a mark-time basis until such a time as pay review awards lift the lower pay band scale above this rate. In the longer term the reduction in the annual paybill resulting from the change is estimated to be £438,000.

Ethnic Minority Personnel

Mr. Fisher: To ask the Secretary of State for Defence how many *(a)* blacks, *(b)* Asians, *(c)* men and *(d)* women are currently serving in (i) the Army, (ii) the Royal Navy and (iii) the Royal Air Force.

Mr. Neubert: The number of men and women serving in the United Kingdom regular forces as at 31 December 1988 was as follows:

	Males	*Females*
Royal Navy and Royal Marines	61,286	[1]3,365
Army	149,651	6,383
Royal Air Force	85,785	6,274

[1] Royal Navy only.

It is our policy not to keep records of the ethnic origins of serving members of the armed forces.

Air Combat Training

Mr. Macdonald: To ask the Secretary of State for Defence what financial provision he has made for the years 1990-91, 1991-92, 1992-93, 1993-94 and 1994-95, respectively for the use of the planned British Aerospace air combat manoeuvring installation in the North sea;

(2) what understandings he has entered into with British Aerospace as regards future use of their air combat manoeuvring installation in the North sea.

Mr. Neubert: British Aerospace's proposal to construct an instrumental air combat facility in the North sea remains under consideration by the Government. MOD has no current plans to utilise such a facility, if constructed, and has therefore made no financial provision for its use.

Air Publications and Forms Store

Mr. Cartwright: To ask the Secretary of State for Defence (1) what proposals he has to replace the roof of the building now occupied by the air publications and forms store at Woolwich arsenal; and at what estimated cost;

(2) when the building now occupied by the air publications and forms store at Woolwich arsenal is expected to be vacated; and what new use will be found for it;

(3) what specialist refitting has been undertaken to the building now occupied by the air publications and forms store to provide for its present use; and at what cost;

(4) how many existing employees of the air publications and forms store at Woolwich arsenal will be offered the opportunity to transfer to the proposed new location in North Wales; and how many new staff will be recruited locally;

(5) what arrangements will be made to train new employees recruited for the air publications new location in north Wales;

(6) what is the estimated cost of transferring the air publications and forms store from Woolwich arsenal to north Wales.

Mr. Neubert: Consultations have recently taken place with trades unions on a proposal to transfer all service forms and publications stores from their existing locations to create a centralised organisation at the former Royal naval store depot at Llangennech, Dyfed. Under that proposal, vacation of the building now occupied by the air publications and forms stores at Woolwich arsenal would be expected in 1991. Any further use of the building would be dependent on a future decision on the location of the directorate general of defence quality assurance.

As the hon. Member is aware, the original intention was to replace the roof of the air publications and forms store, which was to be a major undertaking estimated to cost in excess of £1·5 million. In the light of the Llangennech proposals, however, the work and expenditure involved could not be justified, although any essential repairs required in the intervening period would be carried out.

To provide for its present use, in 1968 the building now occupied by the air publications and forms store was installed with a Dexion three-tier racking system, including associated conveyor belts, an internal classified store, fitted with mobile racking, a conveyor system in the distribution area, and a fire detector and sprinkler system. In 1969 fans were incorporated into the existing heating system to ensure that adequate storage conditions could be maintained. Due to the length of time since the various works were undertaken, cost figures are not available.

Under the Llangennech proposal, careful consideration would be given to any individual request for transfer there from civil servants currently employed in the four existing stores. Nevertheless, it is expected that most of the 250 staff that would be required for the Llangennech operation would be recruited locally. A comprehensive training programme would be designed to meet the needs of all employees of the new organisation. The cost of centralisation at Llangennech is estimated to be about £5·7 million. It is not possible to say how much of this is attributable to the air publications and forms store alone.

Territorial Army (Ammunition Theft)

Mr. Mullin: To ask the Secretary of State for Defence what steps the Territorial Army proposes to take following the conviction of Warrant Officer Nigel John Hicks for stealing ammunition.

Mr. Neubert: It must first be said that Mr. Hicks was not, in fact, convicted of theft of ammunition. Within the Territorial Army, strict regulations apply to the issue, use and storage of weapons and ammunition. The circumstances relating to Mr. Hicks' case are now being reviewed to see if any further action is required.

Race Relations

Mr. Ashley: To ask the Secretary of State for Defence, pursuant to the answer to the right hon. Member for Stoke on Trent, South, *Official Report*, 6 February, column *513*, how many of the complaints cases submitted to the service boards, records of which are kept centrally, involved allegations of racial discrimination or abuse.

Mr. Neubert: None.

War Stocks

Mr. Rogers: To ask the Secretary of State for Defence (1) whether the current level of Royal Air Force war stocks meets all of the North Atlantic Treaty Organisation requirements;

(2) whether the current level of Royal Navy war stocks meets all of the North Atlantic Treaty Organisation requirements;

(3) whether the current level of Army war stocks meets all of the North Atlantic Treaty Organisation requirements.

Mr. Archie Hamilton: I have nothing to add to the answer I gave to the hon. Member for Cunninghame, North (Mr. Wilson) on 22 December 1988, at column *371*.

Nuclear-Powered Vessels

Ms. Walley: To ask the Secretary of State for Defence if he will make a study of possible radioactive contamination at Holy Loch, Faslane and Rosyth caused by nuclear-powered defence vessels.

Dr. Godman: To ask the Secretary of State for Defence if he will make a study of possible radioactive contamination at Holy Loch, Faslane and Rosyth caused by nuclear-powered defence vessels.

Mr. Madden: To ask the Secretary of State for Defence if he will make a study of possible radioactive contamination at Holy Loch, Faslane and Rosyth caused by nuclear-powered defence vessels.

Mr. Worthington: To ask the Secretary of State for Defence if he will make a study of possible radioactive contamination at Holy Loch, Faslane and Rosyth caused by nuclear-powered defence vessels.

Mr. Younger *[pursuant to his reply, 7 February 1989, c. 655]:* I wish to point out that I should have referred to a level of radiation exposure of "consistently less than 1 per cent." rather than of "consistently less than 0·1 per cent".

EMPLOYMENT

Tourism

13. **Mr. John Greenway:** To ask the Secretary of State for Employment if he has any plans to meet the chairman of the British tourist board to discuss the promotion of British tourism abroad; and if he will make a statement.

Mr. Lee: My right hon. Friend and I regularly meet the chairman of the British Tourist Authority to discuss all aspects of the authority's work in promoting tourism to Britain. My right hon. Friend last met the chairman on 8 February. We have no plans as yet for a future meeting.

19. **Mr. Robert Hicks:** To ask the Secretary of State for Employment when he hopes to announce his proposals following the current review of tourism; and if he will make a statement.

Mr. Lee: The tourism review report is currently under consideration and an announcement will be made in due course.

35. **Mr. Patrick Thompson:** To ask the Secretary of State for Employment what proposals he has for participation in the European Tourism Year; and if he will make a statement.

Mr. Lee: I recently chaired a meeting of the national tourist board chairmen and representatives from the territorial departments to begin to plan the United Kingdom's participation in European Tourism Year in 1990. At that meeting it was agreed that the British Tourist Authority would take the lead in co-ordinating the United Kingdom's campaign. To promote the interest and active involvement of the United Kingdom tourism industry, I propose to chair a United Kingdom standing conference of senior figures in the industry. This conference will take place on 25 May.

42. **Mr. Bevan:** To ask the Secretary of State for Employment if he will make a statement on the effect of the single market in 1992 upon tourism.

Mr. Lee: Although tourism within the European Community is a relatively open sector, I believe that the completion of the single market presents a major opportunity for the industry's further development. This should be apparent in increased flexibility of travel, particularly air and coach travel. The Channel tunnel, due for completion in 1993, should complement and augment this development.

69. **Mr. Simon Coombs:** To ask the Secretary of State for Employment if he will make a statement on the number of people employed in the United Kingdom in tourism and tourism-related industries.

Mr. Lee: It is estimated that in September 1988 there were 1·4 million employees in employment in tourism-related industries in Great Britain. There are no directly comparable estimates for the number of self-employed, but it is estimated from the labour force survey that there were 0·2 million self-employed workers in the hotel and catering industry in the spring of 1987.

77. **Mr. Charles Wardle:** To ask the Secretary of State for Employment if he will make a statement on the effect of the Channel tunnel upon tourism in the United Kingdom.

Mr. Lee: The completion of the Channel tunnel in 1993 will provide a major opportunity for the tourism industry in Great Britain. Estimates suggest that some 15 million people will use the tunnel in its first year of operation.

It is important that the United Kingdom tourism industry begins to plan now to ensure that the full potential offered by the tunnel is realised.

92. **Mr. Curry:** To ask the Secretary of State for Employment if he will make a statement on the progress of the tourism review.

Mr. Lee: I have nothing to add to the reply I gave to my hon. Friend the Member for Bury, North (Mr. Burt) on 31 January 1989, at column 75.

108. **Mr. Michael Brown:** To ask the Secretary of State for Employment how many tourist visits were made to the United Kingdom by citizens of the European Economic Community in 1988; and if he will make a statement.

Mr. Lee: It is estimated that 3,530,000 visits were made to the United Kingdom by residents of the European Economic Community in the first six months of 1988 (the latest period for which figures are available). Of these, 2,430,000 were leisure visits (the remainder were business), representing 69 per cent. of all visits from EEC countries and 50 per cent. of all leisure visits in this period.

118. **Mr. Martin:** To ask the Secretary of State for Employment if he has any plans to meet the chairman of the English tourist board to discuss the promotion of tourism; and if he will make a statement.

Mr. Lee: My right hon. Friend the Secretary of State frequently meets the chairman of the English tourist board to discuss a range of subjects, including the promotion of tourism in England.

Labour Statistics

14. **Mr. Crowther:** To ask the Secretary of State for Employment what was the unadjusted and adjusted number and percentage of male, female and total employees in employment in part-time work in September 1988 in Yorkshire and Humberside.

Mr. Nicholls: The only available information on part-time employees is for females. In September 1988 there were 401,000 female part-time employees in employment in Yorkshire and Humberside. This represents 48 per cent. of female employees and 22 per cent. of all employees in the region. Employment estimates for regions are not seasonally adjusted.

18. **Mr. Day:** To ask the Secretary of State for Employment how many people are currently employed in the United Kingdom; what are the comparable figures for other European Economic Community countries; and if he will make a statement.

Mr. Lee: The current level of the work force in employment in the United Kingdom is, at nearly 26 million, at its highest ever level. Since 1983 it has grown by well over 2 million. Between 1983 and 1987 the increase in employment in the United Kingdom at nearly 1·7 million was greater than that for any other European Community member and was approximately equal to that in the rest of the Community combined.

21. **Mr. Janman:** To ask the Secretary of State for Employment how many people are currently employed in the United Kingdom; and if he will make a statement.

Mr. Lee: Between March 1983 and September 1988 the work force in employment in the United Kingdom increased by 2,297,000 to 25,858,000, the highest level on record. This rising trend has now continued for more than five years.

25. **Mr. Andy Stewart:** To ask the Secretary of State for Employment if he will provide the figures for the work force in employment to date; and if he will make a statement.

Mr. Nicholls: In September 1988 the work force in employment in Great Britain was 25,291,000, the highest level on record. This represents an increase of 2,294,000 since March 1983. This rising trend has now continued for more than five years.

27. **Mr. Cash:** To ask the Secretary of State for Employment what are the levels of employment in the United Kingdom and other countries in the European Economic Community; and if he will make a statement.

Mr. Lee: The current level of the work force in employment in the United Kingdom is, at nearly 26 million, at its highest level.

Since 1983 it has grown by well over 2 million. Between 1983 and 1987 the increase in employment in the United Kingdom at nearly 1·7 million was greater than that for any other European Community member and was approximately equal to that in the rest of the Community combined.

31. **Mr. Andrew Mitchell:** To ask the Secretary of State for Employment how many young people aged 18 to 25 years were unemployed in *(a)* December 1985 and *(b)* December 1988; and if he will make a statement.

Mr. Lee: Unemployment figures by age are compiled on a quarterly basis. In October 1988, the latest available quarter, there were 606,348 unemployed claimants aged 18 to 25 years in the United Kingdom, compared with 1,034,023 in October 1985. A fall of 427,675 or 41·4 per cent. The comparison is slightly affected by the change in the compilation of the count in March 1986 to reduce over-recording.

52. **Mr. Illsley:** To ask the Secretary of State for Employment what was the unadjusted and adjusted number and percentages of male, female and total employees in employment in part-time work in September 1988 in Scotland.

56. **Mr. Mullin:** To ask the Secretary of State for Employment what was the unadjusted and adjusted number and percentage of male, female and total employees in part-time work in September 1988 in the north.

84. **Mr. Clay:** To ask the Secretary of State for Employment what is the unadjusted and adjusted number and percentage of male, female and total employees in employment in part-time work in September 1988 in the east midlands.

103. **Mr. Callaghan:** To ask the Secretary of State for Employment what is the unadjusted and adjusted number and percentage of male, female and total employees in employment in part-time work in September 1988 in Greater London.

107. **Mr. Turner:** To ask the Secretary of State for Employment what is the unadjusted and adjusted number and percentage of male, female and total employees in employment in part-time work in September 1988 in the west midlands.

Mr. Lee: My Department does not seasonally adjust employment estimates for regions. Regional estimates of part-time male employees are not available for September 1988. The available information is as follows:

September 1988	Part-time female employees in employment	Part-time female employees in employment as a percentage of all female employees in employment Per cent.	Part-time female employees in employment as a percentage of all employees in employment Per cent.
Scotland	389,000	44	21
North	241,000	48	22
East Midlands	314,000	45	20
Greater London	505,000	32	14
West Midlands	412,000	44	20

76. **Sir Marcus Fox:** To ask the Secretary of State for Employment what was the rate of change in unemployment levels in the last 12 months in Yorkshire and Humberside; and if he will make a statement.

Mr. Lee: In December 1988 the level of unemployment, seasonally adjusted, in Yorkshire and Humberside was 203,000 compared with 248,100 in December 1987, a fall of 45,100 or 18·2 per cent.

81. **Dr. Goodson-Wickes:** To ask the Secretary of State for Employment if he will make a statement on the current levels of employment in the United Kingdom.

Mr. Lee: Between March 1983 and September 1988 the work force in employment in the United Kingdom increased by 2,297,000 to 25,858,000, the highest level on record. This rising trend has now continued for more than five years. The figures have been adjusted for the effects of seasonal variations. The work force in employment is the sum of employees in employment, the self-employed, Her Majesty's forces and participants in work-related Government training programmes.

83. **Mr. Yeo:** To ask the Secretary of State for Employment what is the latest number of employed and self-employed people at the latest available date.

Mr. Lee: In September 1988 there were 25,291,000 people in the work force in employment in Great Britain, of which 2,956,000 were self-employed. The work force in employment comprises employees in employment, the self-employed, Her Majesty's forces and participants in work-related Government training programmes.

86. **Mr. Haynes:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in east midlands region in the 12 months to September 1988.

Mr. Lee: In the 12 months to September 1988 the level of unemployment, seasonally adjusted, in the east midlands fell by 32,400 to 137,100 from 169,500 in September 1987. Over the same period the size of the civilian work force in employment in east midlands, unadjusted, rose from 1,761,000 to 1,791,000, a net increase of 30,000. The civilian work force in employment is the sum of employees in employment, the self-employed and participants in work-related Government training programmes.

99. **Mr. Irvine:** To ask the Secretary of State for Employment what was the rate of change in unemployment levels in the last 12 months in East Anglia.

110. **Mr. Burns:** To ask the Secretary of State for Employment what was the rate of change in unemployment levels in the last 12 months in East Anglia.

Mr. Lee: In December 1988 the level of unemployment, seasonally adjusted, in East Anglia was 41,200 compared with 60,000 in December 1987, a fall of 18,800 or 31·3 per cent.

101. **Mr. Bill Michie:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in Yorkshire and Humberside region.

Mr. Lee: There are no figures for job gains and job losses. In the year to September 1988 the civilian work force in employment increased by 31,000 in the Yorkshire and Humberside region. This includes net increases of 12,000 in female full-time employees in employment, 7,000 in female part-time employees in employment and 3,000 in participants in work-related Government training programmes (who are counted as being in part-time employment). Comparable estimates are not available for male employees in employment or the self-employed.

102. **Mr. David Nicholson:** To ask the Secretary of State for Employment what was the percentage fall in unemployment in the last 12 months in the south-west.

Mr. Lee: In December 1988 the level of unemployment, seasonally adjusted, in the south-west was 113,100 compared with 153,900 in December 1987, a fall of 40,800 or 26·5 per cent.

111. **Mr. Sumberg:** To ask the Secretary of State for Employment if he will make a statement on the fall in unemployment amongst the long-term unemployed since June 1983.

Mr. Lee: Unemployment figures by duration are compiled on a quarterly basis. In October 1988, the latest available quarter, there were 885,504 claimants in the United Kingdom who had been unemployed for more than a year, 15·7 per cent. lower than the level of 1,050,487 in July 1983. The comparison is slightly affected by the change in the compilation of the count in March 1986 to reduce over-recording and the change in the coverage from September 1988 due to the new benefit regulations for those young people aged under 18.

116. **Mr. Summerson:** To ask the Secretary of State for Employment if he will make a statement on the level of unemployment in the United Kingdom.

Mr. Lee: In December 1988 unemployment, seasonally adjusted, was 2,039,100, the lowest level for nearly eight years. Unemployment has now fallen for 29 consecutive months, by 1,094,000 altogether since July 1986, the largest fall on record.

Mr. Butler: To ask the Secretary of State for Employment by what proportion unemployment has fallen in Warrington since June 1987.

Mr. Lee: In December 1988 the level of unemployment in the Warrington local authority area was 5,427 compared with 8,914 in June 1987. These figures represent a fall of 39·1 per cent. The comparison is slightly affected by the change in benefit regulations for under 18-year-olds from September 1988 and also by seasonal influences.

Benefits (Fraud)

15. **Mr. Favell:** To ask the Secretary of State for Employment if he will make a statement on his recent crackdown on fraudulent benefit claims.

Mr. Fowler: My Department's fraud investigations during 1988 led to savings of around £65 million and to 90,000 people withdrawing their claims to benefit. A serious problem of benefit fraud persists and we are maintaining the drive against this.

Single Union Agreements

16. **Mr. David Shaw:** To ask the Secretary of State for Employment what recent representations he has received about single union agreements; and if he will make a statement.

Mr. Nicholls: None. The Government believe that single union, no strike agreements can have an increasingly valuable part to play in improving future industrial relations. It is of course for employers individually to decide on what arrangements best suit their own circumstances.

61. **Mr. Knapman:** To ask the Secretary of State for Employment if he has any plans to meet the general secretary of the Amalgamated Union of Engineering Workers to discuss the establishment of a single union agreement at the proposed Toyota factory; and if he will make a statement.

Mr. Nicholls: I have no such plans. It is for employers to decide which unions, if any, they wish to recognise for collective bargaining purposes.

YTS

17. **Mr. Stern:** To ask the Secretary of State for Employment how many summer 1988 school leavers in the Bristol travel-to-work area have not yet been offered a YTS place if they have requested one.

Mr. Cope: None. The Training Agency has made more than sufficient YTS places available for all those who apply for one.

53. **Mr. Hinchliffe:** To ask the Secretary of State for Employment whether he has any plans to increase the non-work content in YTS; and if he will make a statement.

Mr. Cope: I refer the hon. Gentleman to the reply I gave to the hon. Member for Leeds, West (Mr. Battle) earlier today.

60. **Mr. Jacques Arnold:** To ask the Secretary of State for Employment how many young people are currently training on the two-year YTS; and if he will make a statement.

87. **Mr. Boswell:** To ask the Secretary of State for Employment how many young people are currently on YTS training schemes; and if he will make a statement.

Mr. Cope: At the end of December 1988 there were 419,900 young people in training on YTS. Of these, 396,800 were on a two-year training programme.

As the Government made clear in the recent White Paper "Employment for the 1990s", YTS is a highly successful programme. The task now is to increase still further the contribution which YTS can make to meeting the needs of the changing labour market.

67. **Mr. Franks:** To ask the Secretary of State for Employment what is the current number of YTS places in Barrow-in-Furness; and if he will make a statement.

Mr. Cope: At 3 February 1989 there were 1,453 YTS places in the Barrow-in-Furness local authority district. There are sufficient YTS places available to meet both current and anticipated demand.

71. **Miss Lestor:** To ask the Secretary of State for Employment how many young persons are on YTS in the Eccles area; and how many of them have their excess fares paid.

Mr. Cope: The information is not available in the precise form requested. At 31 December 1988 there were 1,844 young people on YTS in the Salford local authority district. Information on how many were in receipt of excess fares could be provided only at disproportionate cost.

Job Creation

20. **Mr. Ashton:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in the east midlands region.

Mr. Nicholls: In the year to September 1988 the civilian work force in employment increased by 30,000 in the east midlands region. The only available information about full and part-time employment in the regions is for female employees in employment. This shows increases of 4,000 in female full-time employees and 16,000 in female part-time employees.

22. **Ms. Primarolo:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in the south-west region.

Mr. Nicholls: In the year to September 1988 the civilian work force in employment increased by 31,000 in the south-west region. The only available information about full and part-time employment in the regions is for female employees in employment. This shows increases of 13,000 in female full-time employees and 9,000 in female part-time employees.

32. **Mrs. Mahon:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in the Yorkshire and Humberside region in the 12 months to September 1988.

112. **Mr. Patchett:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in Yorkshire and Humberside in the 12 months to September 1988.

Mr. Lee: In the 12 months to September 1988 the level of unemployment, seasonally adjusted, in Yorkshire and

Humberside fell by 43,200 to 218,100 from 261,300 in September 1987. Over the same period the size of the civilian work force in employment in Yorkshire and Humberside, unadjusted, rose from 2,092,000 to 2,123,000, a net increase of 31,000. The civilian work force in employment is the sum of employees in employment, the self-employed and participants in work-related Government training programmes.

36. **Mr. Corbyn:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in the Greater London region in the 12 months to September 1988.

Mr. Lee: In the 12 months to September 1988 the level of unemployment, seasonally adjusted, in Greater London fell by 70,400 to 269,400 from 339,800 in September 1987. Over the same period the size of the civilian work force in employment in Greater London, unadjusted, rose from 3,925,000 to 3,950,000, a net increase of 25,000. The civilian work force in employment is the sum of employees in employment, the self-employed and participants in work-related Government training programmes.

37. **Mrs. Wise:** To ask the Secretary of State for Employment what was the fall in unemployment, and the number of jobs created, in the north-west region in the 12 months to September 1988.

72. **Mr. Pike:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in the north-west region in the 12 months to September 1988.

75. **Mr. Cunliffe:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in the north-west region in the 12 months to September 1988.

Mr. Lee: In the 12 months to September 1988 the level of unemployment, seasonally adjusted, in the north-west fell by 61,200 to 310,900 from 372,000 in September 1987. Over the same period the size of the civilian work force in employment in the north-west, unadjusted, rose from 2,606,000 to 2,611,000, a net increase of 5,000. The civilian work force in employment is the sum of employees in employment, the self-employed and participants in work-related Government training programmes.

43. **Mr. Cran:** To ask the Secretary of State for Employment what is the expected growth in total employment in the north of England over the next two years; and which sectors are expected to show the greatest increase.

Mr. Lee: My Department does not produce forecasts of employment growth, either in total, by region or by sector. However, last year's White Paper "Employment for the 1990s" (Cm. 540) described recent employment trends at national level.

47. **Mr. Strang:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in Great Britain.

80. **Mr. Hood:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in Great Britain.

Mr. Lee: There are no figures for job gains and job losses. In the year to September 1988 the work force in employment in Great Britain increased by 399,000, of which 220,000 were in full-time employment and 179,000 were in part-time employment. The work force in employment is the sum of employees in employment, the self employed, Her Majesty's forces and participants in work-related Government training programmes. In classifying the work force in employment between full and part time, all programme participants are counted as in part-time employment.

48. **Mr. Harry Barnes:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in the east midlands region.

Mr. Lee: There are no figures for job gains and job losses. In the year to September 1988 the civilian work force in employment increased by 30,000 in the east midlands region. This includes net increases of 4,000 in female full-time employees in employment and 16,000 in female part-time employees in employment, offset by a net decrease of 1,000 in participants in work-related Government training programmes (who are counted as in part-time employment). Comparable estimates are not available for male employees in employment or the self-employed.

59. **Mrs. Clwyd:** To ask the Secretary of State for Employment how many full-time and part-time jobs were created in the 12 months to September 1988 in Wales.

Mr. Lee: There are no figures for job gains and job losses. In the year to September 1988 the civilian work force in employment increased by 10,000 in Wales. This includes a net increase of 6,000 in female part-time employees in employment, offset by a net decrease of 1,000 in female full-time employees in employment, and a net increase of 1,000 in participants in work-related Government training programmes (who are counted as in part-time employment). Comparable estimates are not available for male employees in employment or the self-employed.

65. **Mr. Arbuthnot:** To ask the Secretary of State for Employment what was the percentage fall in unemployment in the United Kingdom during the past 12 months.

Mr. Lee: In December 1988 the level of unemployment, seasonally adjusted, in the United Kingdom was 2,039,100 compared with 2,568,600, in December 1987, a fall of 529,500 or 20·6 per cent.

113. **Mr. Home Robertson:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in Great Britain in the 12 months to September 1988.

Mr. Lee: In the 12 months to September 1988 the level of unemployment, seasonally adjusted, in Great Britain fell by 516,800 to 2,080,100 from 2,596,900 in September 1987. Over the same period the size of the work force in employment in Great Britain rose from 24,892,000 to 25,291,000, a net increase of 399,000. The figures have been adjusted for the effect of seasonal variations. The work force in employment is the sum of employees in employment, the self-employed, Her Majesty's forces and participants in work-related Government training programmes.

117. **Mr. Sedgemore:** To ask the Secretary of State for Employment what was the fall in unemployment and the number of jobs created in the south-east region in the 12 months to September 1988.

Mr. Lee: In the 12 months to September 1988 the level of unemployment, seasonally adjusted, in the south-east fell by 165,500 to 461,900 from 627,400 in September 1987. Over the same period the size of the civilian work force in employment in the south-east, unadjusted, rose from 8,600,000 to 8,768,000, a net increase of 168,000. The civilian work force in employment is the sum of employees in employment, the self-employed and participants in work-related Government training programmes.

Mr. Cohen: To ask the Secretary of State for Employment if he will take special measures to tackle localised pockets of high unemployment.

Mr. Lee: My Department's training, enterprise and employment programmes are already available to help unemployed people in all areas.

106. **Mr. Leigh:** To ask the Secretary of State for Employment if he will make a statement on employment prospects for Lincolnshire in 1989.

Mr. Lee: In the year to December 1988 unemployment in Lincolnshire fell by 6,303; 26 per cent. of the December 1987 figure. I see no reason why the position should not improve further in 1989.

Job Creation

50. **Mrs. Maureen Hicks:** To ask the Secretary of State for Employment how many jobs have been created in the London docklands; and what is the employment potential for the other 10 urban development corporations.

Mr. Trippier: I have been asked to reply as English urban development corporations are the responsibility of my Department. Since the London Docklands development corporation was established in 1981 more than 20,000 jobs have been created or attracted to the area, and the increase in jobs is accelerating. There is considerable potential for all UDCs to stimulate employment. This is, of course, only one of the benefits that they will bring to their areas.

Closed Shop

23. **Mr. Batiste:** To ask the Secretary of State for Employment whether he intends to bring forward Government proposals to ban pre-entry closed shops.

Mr. Fowler: We announced in our White Paper "Employment for the 1990s" that we would examine the operation of the pre-entry closed shop over the coming months and review the steps employers take to use the freedom the law has given them to get rid of closed shop arrangements. This examination and review is currently taking place.

Channel Tunnel

24. **Mr. Kirkhope:** To ask the Secretary of State for Employment how many people are currently working in jobs related to the Channel tunnel; what effect this will have on the economy of northern England; and if he will make a statement.

Mr. Lee: It is not possible to estimate the total number of people currently working in jobs relating to the Channel tunnel, but I am aware that around 5,000 people are currently employed at the tunnel site in Kent. In addition, contracts worth £500 million have been awarded to date by the tunnel contractors: 90 per cent. of this work has gone to firms in the United Kingdom, 20 per cent. to firms in northern England. The Channel tunnel should have a beneficial effect on the economy of the whole of the United Kingdom.

Small Businesses

26. **Mr. Bright:** To ask the Secretary of State for Employment if he has any plans to meet the chairman of the British Venture Capital Association to discuss the financing of small businesses; and if he will make a statement.

Mr. Cope: I refer my hon. Friend to my reply to my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss) on 17 January, at column *177*.

57. **Mrs. Peacock:** To ask the Secretary of State for Employment if he has any plans to meet the general secretary of the Confederation of British Industry to discuss the development of small businesses; and if he will make a statement.

Mr. Cope: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Barrow and Furness (Mr. Franks) on 17 January, at column *177*.

Labour Mobility

28. **Mr. Michael:** To ask the Secretary of State for Employment what is his policy on encouraging the movement of employees in *(a)* the public sector and *(b)* the private sector from full-time to part-time working; and if he will make a statement.

Mr. Lee: We are in favour of encouraging flexibility in the labour market such as that provided by working part-time. In general, employers and employees should be free to work out the arrangements which best suit their individual circumstances. My Department's jobshare scheme aims to help employers in the public and private sector to adopt more flexible working patterns and open up job opportunities directly or indirectly for the unemployed.

Training

29. **Mr. Fishburn:** To ask the Secretary of State for Employment if he will provide figures on training in 1979 and the estimate for 1988; and if he will make a statement.

Mr. Cope: Some 876,000 people entered training in 1987-88 under schemes funded by the Employment Department Training Agency (formerly the Manpower Services Commission) compared with 91,000 in 1979-80. This nearly tenfold increase underlines the importance attached by the Government to developing a skilled and flexible work force capable of meeting the challenges of the 1990s and beyond. The principal responsibility for training must lie with employers themselves, but the Government play an important role through the major training programmes they support, in particular the youth training scheme and employment training.

The White Paper "Employment for the 1990s", which I issued last December, sets out radical proposals for building on the achievements of the last few years. These include the creation of local employer-led training and enterprise councils over the next three to four years and the establishment of a new programme, "Business Growth Training" to help employers, particularly small employers, improve the effectiveness of their training activity.

34. **Mrs. Gillian Shephard:** To ask the Secretary of State for Employment if he will make a statement on the progress of the employment training scheme.

Mr. Nicholls: Employment training continues to make excellent progress and at 27 January 1989 there were 131,000 people on the programme. There is considerable interest in employment training among longer-term unemployed people who clearly recognise the value of worthwhile training to help them get a job.

62. **Mr. Couchman:** To ask the Secretary of State for Employment how many people are currently on Training Commission training schemes; and if he will make a statement.

Mr. Nicholls: Information is not available for all Training Agency schemes in the form requested. However, in December 1988, 527,900 people were in training on employment training and YTS. This huge investment reflects the central importance which the Government attach to creating a skilled and flexible work force which will contribute to Britain's economic prosperity in the 1990s and beyond.

YTS has been a great success and the new employment training, the most ambitious training programme for unemployed adults anywhere, has made an excellent start.

66. **Mr. Steinberg:** To ask the Secretary of State for Employment what is the number of people on YTS and employment training, at the latest available date, for the north.

Mr. Nicholls: At 31 December 1988 there were 32,300 youngsters on YTS, and at 27 January 1989 there were 14,400 adults on employment training in the Training Agency's northern region.

68. **Mr. Loyden:** To ask the Secretary of State for Employment what is the number of people on YTS and employment training, at the latest available date, for the north-west.

Mr. Cope: At 31 December 1988 there were 65,700 youngsters on YTS, and at 27 January 1989 there were 18,500 adults on employment training in the Training Agency's north-west region.

79. **Mr. Norris:** To ask the Secretary of State for Employment how many people are currently engaged in the employment training scheme; and if he will make a statement.

Mr. Nicholls: The number of people on employment training at 27 January was 130,900. This is a tremendous achievement after less than five months of the programme's operation and is a reflection of the considerable interest shown by unemployed people in getting high quality training to help them get back into a job.

82. **Mr. Conway:** To ask the Secretary of State for Employment if he will provide figures for spending on training in 1979 and 1988; and if he will make a statement.

Mr. Cope: Records are kept on the basis of the standard financial year for accounting for Government expenditure. This year runs from 1 April to 31 March.

The figures represent expenditure by the Department of Employment Training Agency (ex MSC, ex Training Commission) on training programmes in the relevant financial years.

	£ millions
1978-79	374
1979-80	451
1987-88	1,613

These figures include all related administrative costs, net of receipts.

Employer School Compacts

30. **Mr. Tracey:** To ask the Secretary of State for Employment how many areas have applied for development funding for employer school compacts to date; and if he will make a statement.

Mr. Cope: Forty six areas applied for funding to establish a compact. Partnerships of employers and education authorities in 30 of those areas were granted development funding and are currently preparing applications for four years operational funding.

I have been very pleased by the positive responses from both employers and the education service and I look forward to the establishment of the first compacts later in the spring.

National Training Task Force

33. **Mr. Moss:** To ask the Secretary of State for Employment what progress has been made in establishing the national training task force; and if he will make a statement.

Mr. Cope: The membership of the national training task force was announced on 4 January 1989 and it held its first meeting on 31 January. The task force will be assisting in the establishment of a national network of training and enterprise councils and will have a leading role in promoting to employers the importance of investing in the skills of their workers.

Disabled People

38. **Mr. Ashley:** To ask the Secretary of State for Employment what discussions he has had regarding the level of disabled unemployment recorded in the Office of Population Censuses and Surveys survey.

Mr. Lee: The recently published information in the report by the Office of Population Censuses and Surveys, on the financial circumstances of disabled adults living in private households does not provide sufficiently precise information about the unemployment of economically active people who have handicaps which are relevant to employment. My Department has recently commissioned a survey to provide such information. I expect the results to be available in the second half of this year.

Productivity

39. **Mr. Atkinson:** To ask the Secretary of State for Employment if he will make a statement on the effect of higher productivity on the current level of pay settlements.

Mr. Nicholls: Pay, including its relationship with productivity, is a matter for the judgment of individual employers in the light of their particular circumstances, but moderation in pay settlements is essential for competitiveness and jobs. Our international competitors enjoy lower growth in unit labour costs because they have considerably lower growth in earnings.

89. **Mr. Stevens:** To ask the Secretary of State for Employment what was the increase or decrease in productivity for the last 12 months for which figures are available.

Mr. Lee: Productivity in manufacturing, as measured by output per person employed, was 7·7 per cent. greater in the three months ending November 1988 than in coresponding period of 1987.

Productivity for the economy as a whole was 2·6 per cent. higher in the third quarter of 1988 than in the third quarter of 1987.

Construction Industry Training Board

40. **Mr. Latham:** To ask the Secretary of State for Employment whether he will make a statement on the future of the Construction Industry Training Board.

Mr. Nicholls: The White Paper "Employment for the 1990s" set out the Government's view that independent and voluntary arrangements are more likely to be effective than those imposed by statute. We are now consulting the construction industry training board and organisations representing employers in the construction industry about future arrangements for the industry.

Luncheon Club Meals

41. **Mr. Holt:** To ask the Secretary of State for Employment how many luncheon club meals will be lost to retirement pensioners in east Cleveland as a result of changes in the training programme; and if he will make a statement.

Mr. Nicholls: Training Agency officials are currently discussing the east Cleveland luncheon club project with the local training manager. They will do all they can to help the service to continue, so long as the project can provide the training which unemployed people of east Cleveland need to help them get a job. I hope that the luncheon club will be able to continue under employment training and that no meals will be lost to pensioners in east Cleveland.

Retail Prices Index Advisory Committee

44. **Mr. Cousins:** To ask the Secretary of State for Employment which of the recommendations of the 1986 retail price index advisory committee he has currently under review.

Mr. Lee: As the hon. Member was told in a written answer on 17 January, the advisory committee is shortly to review progress on implementing the longer-term recommendations made in its 1986 report. The recommendations in question concern the treatment of holiday expenditure, charges for financial services, new car prices and quality changes, improvements to price collection procedures and the family expenditure survey, and the release of a technical manual on the index methodology. The Government will be ready to consider the committee's recommendations on these points in due course.

Elderly People

45. **Mr. Rowe:** To ask the Secretary of State for Employment if he will make a statement on his proposals to encourage people over the age of 60 years to remain in the labour force.

Mr. Nicholls: The Government believe that employers should see older workers as a valuable resource. "Agism" is unfair and, because of demographic trends, it is irresponsible to ignore the talents which older workers can contribute to the economy. Although recruitment decisions must be left to employers, in making them they should not discriminate unfairly on age grounds. They should also be considering how best to use workers who want to continue beyond 60. We are putting these messages across to employers through various media, thus creating opportunities for workers over 60 to remain in or return to employment if they so wish.

Wages Councils

46. **Mr. Nellist:** To ask the Secretary of State for Employment what representations he has received on his proposal to abolish the wages councils; and if he will make a statement.

51. **Mr. Wallace:** To ask the Secretary of State for Employment when he expects to publish the results of the consultation exercise on the Government's proposals to abolish wages councils; and if he will make a statement.

109. **Mr. John Hunt:** To ask the Secretary of State for Employment if he will summarise the responses which he has received to the recent consultative document on wages councils.

Mr. Lee: My right hon. Friend has received a number of representations on the proposal to abolish the wages councils contained in the recent consultation document. He will publish a summary of the responses when these have been analysed and considered.

Employment Protection (Consolidation) Act 1978

49. **Mr. Hunter:** To ask the Secretary of State for Employment if he will seek to amend section 53 of the Employment Protection (Consolidation) Act 1978 so that in all circumstances a dismissed employee has the right to be provided with a written statement, giving the reasons for his/her dismissal.

Mr. Nicholls: No. To do so would add to the burdens on employers. A written statement of reasons for dismissal is intended to enable a worker to assess whether he/she has grounds for complaining of unfair dismissal to an industrial tribunal. Originally the qualifying period for both rights was the same. The current Employment Bill seeks to restore that position by increasing the qualifying period for a written statement to two years.

Self-employed People

54. **Mr. Watts:** To ask the Secretary of State for Employment how many people have become self-employed during the last 12 months; and if he will make a statement.

Mr. Lee: The number of self-employed people in the United Kingdom is estimated to have risen by 124,000 from September 1987 to September 1988, the latest period for which figures are available. It is estimated that over 3 million people are now self-employed and the number is still rising. The numbers of self-employed people have risen by over 60 per cent. since 1979 and they now represent more than one in nine of the employed work force.

Employment Service

55. **Mr. Ian Bruce:** To ask the Secretary of State for Employment if he will make a statement on the progress of the Employment Service.

Mr. Lee: In the nine months since April, the Employment Service placed over 1·4 million people into jobs, including over 178,000 who had been long-term unemployed. New procedures such as more effective interviews with those making a new claim for benefit will continue to reinforce this trend. Since the establishment of the Employment Service in October 1987 unemployment has fallen by 626,500 overall, with particularly steep falls in long-term unemployment.

Industrial Relations

58. **Mr. Riddick:** To ask the Secretary of State for Employment if he has any plans to meet the general secretary of the Trades Union Congress to discuss the current state of industrial relations; and if he will make a statement.

Mr. Nicholls: My right hon. Friend meets the general secretary of the Trades Union Congress from time to time to discuss matters of mutual interest.

Hotels (Investment)

63. **Dr. Twinn:** To ask the Secretary of State for Employment what is his Department's estimate of the amount of investment in hotels and hotel building in 1988; and if he will make a statement.

Mr. Lee: The English tourist board's "Tourism Investment Reports" show that the total amount spent on hotel building, extension and refurbishment projects, with a value of £0·5 million or more, that were completed in 1988 was £319 million. Investment in such projects which were still under construction on 31 December 1988 was £730 million.

Health and Safety

64. **Mr. Madel:** To ask the Secretary of State for Employment whether he expects the number of accidents at work to decrease in 1989; and if he will make a statement.

Mr. Nicholls: The statistical evidence is difficult to interpret, because of changes over time in industry structure and in reporting regulations, exacerbated by under-reporting. Forecasts of future rates would not be meaningful.

I welcome indications in the Health and Safety Commission's annual report for 1987-88 that, subject to these caveats, the rate of reported major injuries to employees in manufacturing may have levelled off. But the rate remains too high, while higher rates for workers in some other sectors, notably construction and quarrying, give particular cause for concern.

Responsibility for ensuring health and safety at work rests primarily with employers. I welcome the indications in the commission's report of increasing safety-related activity in industry. I believe this trend will continue, as employers become more aware of the economic as well as the human costs of accidents.

The Government support the work of the Health and Safety Commission and Executive to stimulate and guide industry towards higher standards. Ministers' decisions in the 1988 public expenditure survey will increase real provision for the commission in each of the next three years, enabling the executive to employ more inspectors and carry out more inspections.

88. **Sir David Price:** To ask the Secretary of State for Employment what information he has on the relative current standards of *(a)* United Kingdom and *(b)* other European Community countries legislation on safety at work and health at work; and how much amending legislation will be necessary in the United Kingdom between now and 1992.

Mr. Nicholls: Direct comparisons are not possible because of differences in legal systems, enforcement arrangements and statistical systems. I am arranging for a copy of evidence given by the Health and Safety Commission to the Employment Committee (January 1987) on these issues to be sent to my hon. Friend.

The Health and Safety at Work etc. Act 1974 was a forward-looking enabling measure designed to maintain or improve existing health and safety standards while providing flexibility to adapt to changing technology. The Act and its associated regulations, codes and guidance provide for a high standard of protection and I believe offers a useful model for the EC in developing harmonised minimum standards.

We seek in negotiations to make our standards the basis of EC ones wherever practicable, thus limiting amendments needed to our own law. Some amendments will, however, be required, not least in areas—such as noise, or major chemical hazards—where a need for improved provisions is generally perceived and can best develop internationally.

A major United Kingdom aim, as the scope of EC health and safety law expands, will be to ensure that our high standards of enforcement are matched throughout the EC. We shall pursue this as appropriate in negotiations, and in studies and discussions with the Community institutions and other member states.

Strikes (Lost Working Days)

70. **Mr. McLoughlin:** To ask the Secretary of State for Employment how many working days were lost through strikes in *(a)* December 1978 and *(b)* December 1988; and if he will make a statement.

Mr. Lee: The number of working days lost through stoppages of work due to industrial disputes in December 1978 was 542,000. The most recently available figure relates to November 1988, for which it is provisionally estimated that 173,000 working days were lost; the December 1988 figures will be published on 16 February in the "Labour Market Statistics Press Notice".

Restart Scheme

73. **Mr. Skinner:** To ask the Secretary of State for Employment how many redundant miners have been interviewed in relation to the restart scheme; and if he will make a statement.

Mr. Lee: The information is not available.

93. **Mr. William Powell:** To ask the Secretary of State for Employment how many long-term unemployed have been offered help under the restart programme to date; and if he will make a statement.

Mr. Lee: Since 1 July 1986, just over 5 million interviews have taken place under the restart programme, of which just under 90 per cent. have resulted in an offer of positive help. It is not possible to state the number of people who have been interviewed, as some will have been interviewed more than once.

Enterprise Allowance Scheme

74. **Mr. McAllion:** To ask the Secretary of State for Employment if he will list the number of individuals participating in the enterprise allowance scheme in Scotland and the United Kingdom in the last year for which figures are available.

Mr. Cope: In 1988, 101,816 people joined the enterprise allowance scheme in Great Britain, of which 9,045 were in Scotland. Since the scheme began in 1982 over 414,000 unemployed people have been helped to start their own businesses, of which 36,832 were in Scotland.

Jobcentres

78. **Mr. Burt:** To ask the Secretary of State for Employment if he will make a statement about the range of facilities available at jobcentres.

Mr. Lee: Jobcentres offer a wide range of facilities which are mainly designed to support the employment service key responsibilities of helping unemployed people back to work and providing a gateway to the Government's employment, training and enterprise programme.

Jobcentres have two main avenues of help to get people back to work. They provide facilities which are available to everyone for display of vacancies and submissions to jobs. They also undertake specialist measures designed to help longer-term unemployed and disadvantaged people. These include jobclubs, restart courses, the restart counselling programme, a range of services to help the disabled, and particular assistance to inner city residents. Jobcentres are usually the first point of contact for most inquiries about Government employment provisions. The list of employment, training and business help programmes gives some indication of the range of facilities available.

The jobcentre "gateway" role extends beyond the schemes and services provided by the Employment Department group. A key function of staff is to provide information and to direct inquirer to appropriate "external" organisations and agencies, for example citizens advice bureaux, local enterprise agencies and adult literacy centres.

Jobcentres also have display facilities for self-help material, for example leaflets, pamphlets and reference books, giving details of the services available.

M25 (Hotels)

85. **Mr. Butterfill:** To ask the Secretary of State for Employment what information he has on the extent to which there is a shortage of hotel accommodation in the M25 corridor; and if he will make a statement.

Mr. Lee: I have no detailed information. However, I understand that the London tourist board and the hotel industry report a considerable demand for additional accommodation along the M25 corridor.

Training and Enterprise Councils

90. **Mr. Baldry:** To ask the Secretary of State for Employment if he will make a statement on the progress being made in the establishment of training and enterprise councils.

95. **Sir Hal Miller:** To ask the Secretary of State for Employment if he will make a statement about the setting up of training and enterprise councils.

114. **Mr. Roger King:** To ask the Secretary of State for Employment how many representations he has received in response to his proposals to create training and enterprise councils in the White Paper "Employment for the 1990s"; and if he will make a statement.

Mr. Cope: Since the White Paper "Employment for the 1990s" was published on 5 December over 600 individuals and organisations have been in contact with me or my Department to inquire about training and enterprise councils. I am very pleased about the positive response. I will publish a prospectus in March and I expect to announce the first training and enterprise councils before the end of the year.

Discrimination

91. **Sir Michael McNair-Wilson:** To ask the Secretary of State for Employment what assessment he has made of the outcome of his policies for taking discrimination out of employment.

Mr. Nicholls: There are encouraging signs that our policies are producing results. More girls and women are gaining the qualifications and experience necessary to fill higher level jobs. Recent trends also suggest that progress is being made against race discrimination. There is obviously still more to do—women and ethnic minorities are still under-represented in more skilled and higher paid jobs. I am, however, confident that the 1990s will provide even greater opportunities for equality in all areas where discrimination may occur. The Government welcome this.

Skilled Workers

96. **Mr. Ian Taylor:** To ask the Secretary of State for Employment what is the anticipated shortfall in the

availability of skilled workers in England and Wales in 1989-90; and what steps are being taken to increase the supply of skilled workers, especially in the manufacturing industry.

Mr. Cope: There is no overall measure of the shortfall in the availability of skilled workers. The steps being taken by the Government to increase the supply of skilled workers in all industries are set out in the training section of the White Paper "Employment for the 1990s" published in December.

104. **Mr. Ron Brown:** To ask the Secretary of State for Employment if he has received recent representations from the Confederation of British Industry about skill shortages; and if he will make a statement.

Mr. Cope: I have received no recent representations from the Confederation of British Industry about skill shortages. My Department is working closely with employers to ensure that they are fully equipped to meet their skill needs in the 1990s. The training section of the White Paper "Employment for the 1990s" published in December sets out the steps being taken to counter skill shortages.

EETPU Training Centre

97. **Mr. Maples:** To ask the Secretary of State for Employment if he will make a statement on his visit to the training centre of the EETPU.

Mr. Cope: My right hon. Friend visited the EETPU training centre at Cudham hall on 19 April 1988. We welcome the initiative that EETPU has taken to provide training for its members to meet the demands of rapidly changing technology.

Graduates

98. **Mr. James Pawsey:** To ask the Secretary of State for Employment if he will make a statement about the analysis of graduate employment in the latest labour force survey.

Mr. Lee: Relevant results from the spring 1987 labour force survey, the latest available, were analysed in an article, "Graduates and the labour market in the 1980s", published in the January 1989 edition of the *Employment Gazette*. The *Employment Gazette* is available in the House of Commons Library.

Business in the Community

100. **Mr. Evennett:** To ask the Secretary of State for Employment if he will make a statement about his meeting with Business in the Community representatives.

Mr. Cope: I met Business in the Community representatives to discuss the White Paper "Employment for the 1990s" published on 5 December last, and particularly the opportunities arising from it to improve services to small businesses. The local training and enterprise councils announced in the White Paper will become a focal point for local enterprise agencies and others in the network of organisations providing advice and support to small businesses and those wishing to start up on their own.

Enterprise Agencies

105. **Mr. David Evans:** To ask the Secretary of State for Employment how many local enterprise agencies are currently operating; and if he will make a statement.

Mr. Cope: We know of 434 local enterprise agencies operating in the United Kingdom. Of these, 393 are approved under provisions of the 1988 Income and Corporation Taxes Act (previously under provisions of the 1982 Finance Act), which allow business sector sponsors tax relief on their contributions to such bodies.

The local training and enterprise councils announced in the White Paper "Employment for the 1990s" will provide a means for ensuring that the provision of small firms counselling and training relevant to local needs is extended and co-ordinated. There will be an important opportunity here for local enterprise agencies, as the councils will be able to sub-contract small firms work to agencies which can demonstrate a high quality of service.

National Vocational Qualifications

115. **Mr. Paice:** To ask the Secretary of State for Employment how many national vocational qualifications have been awarded since the scheme's start; and if he will make a statement.

Mr. Cope: I regret that this information is not available. The National Council for Vocational Qualifications is developing a computerised system which will require awarding bodies whose qualifications have been accredited as national vocational qualifications (NVQs) to provide details of the number of awards made on a quarterly basis.

The council has accredited 83 qualifications to date.

Small Firms Service

119. **Mr. Quentin Davies:** To ask the Secretary of State for Employment how many counselling sessions were provided by the small firms service during the last 12 months; and if he will make a statement.

Mr. Cope: In 1987-88 the small firms service in England conducted 39,138 counselling sessions.

121. **Mr. Devlin:** To ask the Secretary of State for Employment how many inquiries were dealt with by the small firms service during the last 12 months.

Mr. Cope: In 1987-88 the small firms service in England handled 266,174 inquiries.

Business Growth Through Training

120. **Mrs. Gorman:** To ask the Secretary of State for Employment what representations he has received about the business growth through training programme; and if he will make a statement.

Mr. Cope: I have received no representations about business growth training, which I announced on 24 January in reply to my hon. Friend the Member for Birmingham, Northfield (Mr. King) at column 550.

European Community (Unemployment)

122. **Mr. Nicholas Bennett:** To ask the Secretary of State for Employment when he will next be meeting other

European Community Employment Ministers to discuss current levels of unemployment in the Community; and if he will make a statement.

Mr. Cope: I refer the hon. Member to my reply to him on Tuesday 17 January at column *175*.

Redundant Mineworkers Scheme

Mr. Allen: To ask the Secretary of State for Employment when he expects to make an announcement on the redundant mineworkers' payments scheme arising from discussions between officials from his Department and the Department of Energy.

Mr. Michael Spicer: I have been asked to reply.

Discussions between officials on the effect of restart on beneficiaries under the redundant mineworkers payments scheme are proceeding urgently. I hope it will be possible to reach conclusions shortly.

AGRICULTURE, FISHERIES AND FOOD

Potato Marketing Board

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food when he expects to make a statement about the future of the Potato Marketing Board.

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food when he expects to announce the result of the review of the potato marketing scheme.

Mr. Ryder: My right hon. Friend the Member for Norfolk, South (Mr. MacGregor) is now considering and evaluating the responses to the consultation document issued in September 1988. We are not yet in a position to say when this process will be completed, but a decision will not be unduly delayed.

Salmonella

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food how many egg production units have been found to contain salmonella enteritidis; and what percentage this is of the national total.

Mr. Donald Thompson: The most recent figures show that there were 35 reports of isolation of salmonella enteritidis in 1988 in table egg laying and breeder laying flocks. There are estimated to be 38,534 holdings with table egg laying flocks and 11,403 with breeder laying flocks in Great Britain, but it is not possible to give as a percentage those flocks in which salmonella enteritidis has been reported as more than one report may relate to the same flock.

Mr Colvin: To ask the Minister of Agriculture, Fisheries and Food how many table poultry production units have been found to contain salmonella enteritidis; and what percentage this is of the national total.

Mr. Donald Thompson: The most recent figures show that there were 276 reports of isolations of salmonella enteritidis in broiler flocks in 1988. There were estimated to be 1,704 holdings with broiler flocks in Great Britain. In addition, birds will be sold for the table from laying flocks and breeding flocks, which are kept on an estimated 50,000 holdings. It is not possible to give as a percentage those flocks in which salmonella enteritidis has been reported as more than one report may relate to the same flock.

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food whether salmonella enteritidis T4 has been isolated inside an egg destined for eating.

Mr. Ryder: Salmonella enteritidis PT4 has been isolated from the contents of eggs obtained from flocks supplying eggs for human consumption.

Market Research

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food what is his definition of near market research in respect of the agriculture industry.

Mr. Ryder: Near market research is research which offers the prospect of commercial application or exploitation, whether as a product, process or system, within a short enough timescale to justify investment by industry.

Dioxins

Dr. David Clarke: To ask the Minister of Agriculture, Fisheries and Food whether he has made an assessment of the length of time traces of dioxins from pesticides remain in soil after application; and if he will make a statement.

Mr. MacGregor: I understand that where traces of dioxins have reached the soil they may remain for some years, depending on a variety of physical, chemical and biological processes favourable to degradation. My Department, in conjunction with the Department of the Environment and the Department of Health, has been working on a statement on dioxins in the environment which will be published shortly and will include a discussion of this aspect.

For pesticides, where reaction mechanisms and manufacturing process conditions suggest the possible co-production of dioxin contaminants, the approval of the pesticide is dependent on the manufacturer meeting an acceptable specification for his product. If necessary, maximum limits for dioxin contamination can be set. For example, an upper limit of 0·1 mg/kg for the presence of the most toxic dioxin, 2·3, 7·8—Tetra chloro dibenzo-p-dioxin (TCDD) in the herbicide 2, 4, 5-T was imposed in 1970 and this was reduced to 0·01 mg/kg in technical 2, 4, 5-T in May 1980 as soon as suitably sensitive methods of analysis had been developed and validated. This condition of approval has statutory force under the Control of Pesticides Regulations 1986.

SOCIAL SECURITY

Retirement (Harmonisation)

123. **Dr. Michael Clark:** To ask the Secretary of State for Social Security what measures he is considering to harmonise the retirement age of men and women.

Mr. Peter Lloyd: I refer my hon. Friend to my reply to my hon. Friend the Member for St. Ives (Mr. Harris) on 18 January at column *246*.

Public Appeals

Dr. Thomas: To ask the Secretary of State for Social Security if he will specify each donation which his Department has made in each financial year since 1979-80 in response to public appeals for financial aid.

Mr. Moore: My Department has made no donations in response to public appeals for financial aid since its creation in July 1988. However the Government do make donations to a variety of organisations working in the social security field. For example, I announced to the House last October that the Government will be contributing £5 million to a special trust fund set up to celebrate the tenth anniversary of Motability, the scheme set up to help disabled people to obtain cars on favourable terms and up to £5 million has also been made available in the current financial year to the independent living fund.

Regional Boundaries

Mr. Cousins: To ask the Secretary of State for Social Security how the boundaries of social security regions prior to 1982 reconcile with those after 1982.

Mr. Peter Lloyd: During the period August 1981 to April 1983, the number of social security regions was reduced from 12 to seven. This resulted from a departmental efficiency scrutiny published in July 1981.

Of the original 12 regions, only Scotland remained unchanged. The former Wales and south-west regions were combined, and the remainder were merged to form five new regions. Where possible the existing county, local authority, and other accepted boundaries were retained. Full details of the earlier regions and the areas which they served, and a map showing the current regional boundaries have been placed in the Library.

Availability for Work

Ms. Short: To ask the Secretary of State for Social Security what, by standard Great Britain region, including Greater London, is the average length of time between an unemployed claimant receiving an adjudication officer's adverse decision as to availability for work and a subsequent appeal; and what proportion of appeals result in a decision revised in favour of the claimant.

Mr. Peter Lloyd: The information requested is not readily available and could be obtained only at disproportionate cost.

Bridging Allowance

Mr. Gordon Brown: To ask the Secretary of State for Social Security what arrangements were made to publicise the availablility of a bridging allowance to young people aged 16 to 18 years who lost entitlement to income support in September 1988; whether any plans were drawn up by his Department to instruct local offices to publicise both bridging allowances and the payment of child benefit to parents; and whether any offices caried out exercises to publicise such allowances.

Mr. Peter Lloyd: From May 1988 a supplement was included in the leaflet FB23 "A young persons' guide to Social Security". The supplement was entitled "New Income Support rules for people under eighteen". It included sections on both bridging allowance and extended child benefit. Any young person leaving school could obtain the leaflet FB23 and the supplement free from careers offices, DSS local offices, and from schools and local authority social service departments.

Young people aged 16 or 17 years at 12 September 1988 who were receiving income support up to that date were sent a letter advising them that their income support was being withdrawn. The letter included details of the availablility of a bridging allowance. No mention was made in the letter of the payment of child benefit for an extended period since most of these young people would have left school at Easter 1988, or before, and their parents would not have qualified for payment.

Transitional Payments

Mr. David Marshall: To ask the Secretary of State for Social Security how many people have applied for a transitional payment to date; how many applications have been *(a)* awarded, *(b)* refused and *(c)* are still outstanding; and what has been the average payment made.

Mr. Peter Lloyd: Of the 423,657 applications for housing benefit transitional payments received at 8 February, 177,948 cases have been successful and 204,883 have been refused. Of the 40,826 applications outstanding, 25,737 are awaiting return of inquiry forms from the local authority. The average weekly payment is £3·89.

Mr. David Marshall: To ask the Secretary of State for Social Security what is the average length of time taken to process an application for a transitional payment.

Mr. Peter Lloyd: The clearance times for applications for transitional payments will vary considerably from case to case and depend on how long the local authorities take to return the inquiry forms and whether further inquiries have to be made from the unit. For straightforward cases, it takes at present two days from receiving an application in the unit to sending the inquiry form to the local authority, 35 days for the local authority to return the inquiry form to the unit, and a further five days from receiving that inquiry form at the unit to deciding whether a payment can be made. The transitional payments unit has contacted a number of local authorities to encourage them to return the inquiry forms promptly.

Mr. David Marshall: To ask the Secretary of State for Social Security how many full and part-time employees there are in the transitional payments unit in Glasgow.

Mr. Peter Lloyd: There are 360 full-time employees at the transitional payments unit. Of these 158 are permanent DSS staff; the remainder are employed on a limited period contract. There are no part-time employees.

Income Support

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will publish a table showing current numbers of people claiming income support by local authority area.

Mr. Peter Lloyd: I regret that this information is not available on a local authority basis.

Information on the number of people claiming income support by local office is contained in my reply to the hon. Member for Livingston (Mr. Cook) on 1 February 1989 at columns *286-92*.

Housing Benefit

Mr. Robin Cook: To ask the Secretary of State for Social Security if he will publish a table showing the numbers receiving housing benefit in each local authority in each of the last three years.

Mr. Peter Lloyd *[holding answer 1 February 1989]:* The information requested, for the years 1986-87 to 1988-89 has been placed in the Library. The table for 1988-89 is incomplete as returns have yet to be made by a small number of local authorities and the validity of others is still being checked.

Benefits

Mr. Graham Allen: To ask the Secretary of State for Social Security how many claimants will not receive any overall increase in their benefit income in April 1989 *(a)* for the United Kingdom as a whole and *(b)* for his Department's local offices in the county of Nottinghamshire, both numerically and as a percentage of benefit claimants.

Mr. Peter Lloyd *[holding answer 16 January 1989]:* I regret that precise information is not available. Of some 20 million social security benefit recipients whose benefit increases in April 1989 around 570,000 income support recipients and an estimated 1,200 in receipt of housing benefit transitional protection payments will not receive any overall increase in their benefit income. Family credit awards are for a fixed period, normally six months, and they are not uprated during this period. The new rates take effect only from the following claim.

Information for Northern Ireland is a matter for my right hon. Friend, the Secretary of State for Northern Ireland.

TRADE AND INDUSTRY

Public Donations

Dr. Thomas: To ask the Chancellor of the Duchy of Lancaster if he will specify each donation made by his Department in response to public appeals for financial aid during each financial year since 1979-80.

Mr. Forth: My Department keeps no separate record of donations made in response to public appeals. I am not aware of any such payments having been made by my Department since 1979-80.

Inward Investment Projects (Nottingham)

Mr. Allen: To ask the Chancellor of the Duchy of Lancaster if he will give the total number of inward investment projects brought to Nottingham, North by location in each year since 1979, giving the number of jobs involved and the volume of expenditure.

Mr. Atkins: My Department is aware of eight inward investment projects having been brought to Nottingham, North since 1979, all at Blenheim industrial estate, Bulwell:

Year	*Number of projects*	*Jobs*
1980	1	40
1984	2	95
1986	1	30
1987	2	25
1989	2	245

No information on the volume of expenditure is available.

Metrological Control of Equipment

Mr. Waller: To ask the Chancellor of the Duchy of Lancaster if he will seek to implement all the recommendations of the Eden committee on the metrological control of equipment for use for trade which the Government accepted in their response dated July 1986.

Mr. Forth: Those recommendations accepted by the Government's response (Cmnd. 9850) to the report of the Eden committee which did not require primary legislation have already been implemented. It remains my Department's intention to introduce legislation to implement the remaining accepted recommendations when parliamentary time is available.

Air Combat Training

Mr. Macdonald: To ask the Chancellor of the Duchy of Lancaster what discussion his Department has had with British Aerospace regarding its planned British Aerospace air combat manoeuvring installation in the North sea; and if he will make a statement.

Mr. Atkins: My officials have discussed British Aerospace proposals for air combat manoeuvring installations and in particular the ensuing communications requirements.

Sanitary Products

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster (1) if he will meet representatives of the sanitary products industry to review urgently its manufacturing procedures;

(2) if there are any proposals to introduce specific legal standards governing the manufacture of sanitary tampons;

(3) what consumer safeguards exist to regulate the composition of sanitary protection products;

(4) what action he will take to publicise the danger to women of toxic shock syndrome when using sanitary tampons and printing such information on sanitary tampon packets.

Mr. Forth: Four years ago the Government set up a voluntary prior approval scheme with the sanitary protection industry, under which manufacturers submit to the government any new tampon or tampons to which there have been significant changes in design or materials, and toxicologists from the Department of Health scrutinise them to decide whether they pose a health hazard. I am satisfied that this scheme is adequate to safeguard the public and I commend it as a good example of a responsible industry voluntarily looking after the interests of its customers.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if he will introduce a code of conduct or guidelines on the sanitary protection industry with regard to problems related to the disposability of their products.

Mr. Forth: I have no plans at present to introduce such a code of conduct or guidelines.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster (1) if he will make it his policy to encourage manufacturers of disposable soft tissue products to change to unbleached pulp for manufacture;

(2) when he last met representatives of the sanitary protection industry to discuss organochlorines and dioxins remaining in the product following wood pulping and bleaching of raw materials and their health implications; and if he will make a statement.

Mr. Forth: Chlorine bleaching of pulp is the process which gives the whitest finished product. It produces very small amounts of dioxins in the effluent, and minute quantities—parts per billion or less may be retained in the pulp itself. There is no evidence at present that this is a hazard to consumers, but the expert Committee on Toxicity, at the Department of Health, will shortly be advising the Government on the toxicity of dioxins generally, and we shall back any action needed. Organochlorine pesticides do not occur in wood pulp.

Ms. Ruddock: To ask the Chancellor of the Duchy of Lancaster whether cotton fibre intended for use in tampon manufacture is guaranteed free of herbicides and pesticides applied in the country of origin.

Mr. Forth: I have no reason to think that materials used in the manufacture of tampons are contaminated with herbicides or pesticides, but I am asking the industry to check this aspect of its supplies of imported cotton fibre.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster what additives are used to enhance the absorbency of sanitary towels; and what are the health implications thereof.

Mr. Forth: I shall ask the Association of Sanitary Protection Manufacturers what chemicals are used to enhance the absorbency of sanitary towels and about their bioavailability. Toxicologists at the Department of Health will then consider whether they pose any hazard to health.

Paper

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on EEC initiatives for a chlorine-free paper industry.

Mr. Forth: I am not aware of any current EEC initiatives with this intent.

Ms. Ruddock: To ask the Chancellor of the Duchy of Lancaster (1) how may paper pulp mills in the United Kingdom use the Kraft process with chlorine bleaching;

(2) how many pulp mills in the United Kingdom use the sulphite process with chlorine bleaching;

(3) how many paper mills in the United Kingdom carry out further chlorine bleaching of imported paper pulp.

Mr. Forth: None.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster (1) what tonnage of paper pulp is imported into the United Kingdom annually;

(2) what is the percentage of paper pulp imported into the United Kingdom annually that is chlorine bleached.

Mr. Forth: Imports of paper pulp in 1988 were 2 million tonnes, of which 1·7 million tonnes (84 per cent.) were bleached or semi-bleached. It is not possible to identify what percentage of paper pulp is chlorine bleached.

Ms. Ruddock: To ask the Chancellor of the Duchy of Lancaster what figures are available to his Department on the amount of chlorine gas required to bleach one tonne of paper pulp.

Mr. Forth: This process is not undertaken in the United Kingdom.

Research and Development

Mr. Straw: To ask the Chancellor of the Duchy of Lancaster if he will publish a table expressing as a percentage of gross domestic product the total *(a)* Government expenditure on civil research and development *(b)* other expenditure on civil research and development and *(c)* *(a)* plus *(b)*, for each year since 1970.

Mr. Forth: The available information relates to gross expenditure on research and development in the fields of science, technology, social science and humanities, performed in the United Kingdom and the Government financing of it, as a percentage of gross domestic product. The data are available only for years in which a survey of research and development performed in industry was carried out and is as follows:

	Gross expenditure on research and development as a percentage of gross domestic product	*Gross expenditure on research and development financed by Government as a percentage of gross domestic product*
1972	2·1	1·1
1975	2·2	1·2
1978	2·2	1·1
1981	2·4	1·2
1983	2·3	1·2
1985	2·3	1·0
1986	2·4	1·0

European Regional Development Fund

Mr. Churchill: To ask the Chancellor of the Duchy of Lancaster if, further to his reply to the hon. Member for Davyhulme of 6 February, he will give details of the projects funded from the European regional development fund in *(a)* the city of Manchester and *(b)* the Trafford district of Greater Manchester in respect of each of the past five years for which figures are available.

Mr. Atkins: Commitments made from the European regional development fund were as follows:

	£
(a) the City of Manchester:	
Infrastructure projects	
1984	
Manchester Science Park	63,900
Mini Industrial Units (Denhill Road and Hulme Hall Lane)	40,800
Floats Road Wythenshawe	29,400
Castleford Urban Heritage Park	
Phase 1	122,550
Phase 2	376,200
Advance Factories, Tulketh Street Muston	78,600
Pollard Street	253,200
Strangeways Highway Network	50,100
1985	
Chapman Street/Railway Street Junction	49,500
1986	
Park Street Access Road	145,000
1987	
Manchester Science Park	102,000

	£
Mill Street Reconstruction	32,500
A6010 Improvement (Pottery Lane/Gorton Lane)	20,500
Manchester/Salford Inner Relief Road	2,603,000
Beswick Street Junction	33,000
Grey Mare Lane Junction	35,500
Bank Street Junction	45,000
Middleton Road/Leicester Road/Bury Old Road Junction	356,500
1988	
Longsight District Centre, Highway Improvements	246,500
Great Ancoats Street Bridge	66,000
Ashton New Road Junction	19,500
Wood Street Improvement	27,500
Old Street Improvement	78,500
Industry projects	
1986	
Sellars Electronics Ltd., Instrumentation for Quality Control Testing	35,000
Presbar Diecasting Ltd., Aluminium Diecasting Manufacture	375,000
1987	
Polybay Ltd., Drainage Channels of Polyester, Resin and Concrete	90,000
1988	
Motivation and Display Ltd., Point of Sale Display Equipment	22,000
Brentcast Ltd., Furniture	20,000
Cyril Bernstein Ltd., Kitchen and Bedroom Furniture	175,000
Trafford Rubber Products Ltd., Rubber Products	20,000
(b) the Trafford District of Greater Manchester:	
Infrastructure project	
1985	
Trafford Park Village Highway	237,500
Industry project	
1988	
Isaac Bentley, Water Oil and Gas Industry Products	49,000

European Single Market

Mr. Tom Clarke: To ask the Chancellor of the Duchy of Lancaster what percentage of the total number of registered businesses in the United Kingdom have made use of the Europe—Open for Business 1992 database; and if he will make a statement.

Mr. Maude: Around 190,000 requests for information have been received since the Europe—Open for Business campaign was launched in March last year. Spearhead, the Department's on-line database of single market measures, has a subscriber base of around 100,000. In total there are just over 1 million registered limited companies in the United Kingdom.

Exports

Mr. Thurnham: To ask the Chancellor of the Duchy of Lancaster if he will make a statement about steps being taken to help British companies compete in world markets.

Mr. Alan Clark: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Stroud (Mr. Knapman) on 17 January, at columns *106-08*.

Disposable Nappies

Ms. Ruddock: To ask the Chancellor of the Duchy of Lancaster if he will commission a study on the side effects of the manufacture of disposable nappies for infants styled superabsorbent.

Mr. Forth: I have asked the two brand leaders for full details of the chemical composition of the active ingredient in superabsorbent disposable nappies. Our toxicologists at the Department of Health will check whether they are liable to pose a hazard to health.

SCOTLAND

Salmonella

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will list the cases of salmonella food poisoning connected with eggs which were referred to in Government press advertisements, giving the number of people affected, the area of the outbreak and the most likely source of the eggs in question for each case.

Mr. Michael Forsyth: The figures referred to in the press advertisements related only to England and Wales. In Scotland five outbreaks of salmonella were reported during 1988. These involved 99 people. Details are as follows:

Area of outbreak	*Number of people affected*	*Most likely source*
Fife	5	Free range group of hens kept for domestic egg supply.
Argyll and Clyde	54	Supermarket—source could not be traced.
Borders	24	Free range poultry farm.
Lothian	3	Anecdotal evidence only that raw egg in a sponge mix was involved.
Lothian	13	Supplier receives eggs from a variety of sources so that precise source of eggs cannot determined.

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the incidence of salmonella-infected hens in chicken flocks in Scotland; and if he has instituted a survey of such incidence.

Mr. Michael Forsyth: The number of salmonella reported incidents in poultry units in Scotland during the past five years have been as follows:

	Number
1984	9
1985	27
1986	11
1987	12
1988	21

As is customary in these cases all incidents were investigated by the state veterinary service.

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the number of salmonellae in eggs produced or marketed in Scotland, and on any survey he has instituted in order to compile such information.

Mr. Michael Forsyth: Precise information on the extent to which eggs produced or marketed in Scotland are

currently affected by salmonella is not available. The Government's concern is to eliminate the risk of infection at all stages of production and in the preparation of food in the home and in eating places. The steps which we have announced are directed to that end.

Mr. Home Robertson: To ask the Secretary of State for Scotland (1) if he will make a statement on the incidence of transmission of salmonella into eggs by trans-shell and transovarian routes, respectively; and if he has instituted any research into this question;

(2) if he will make a statement on the frequency with which hens infected with salmonella lay infected eggs; and if he has instituted any survey on that subject.

Mr. Michael Forsyth: As the recent report from the joint MAFF, DH and BEIC working group made clear, further information on both these aspects is required before definitive conclusions can be reached. Consideration is being given to how this might best be pursued.

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement concerning the action that would be necessary to achieve a long-term solution to the problems associated with salmonellae in poultry and eggs.

Mr. Michael Forsyth: I refer the hon. Member to the reply given by my right hon. Friend the Minister of Agriculture, Fisheries and Food to my hon. Friend the Member for Suffolk, Central (Mr. Lord) on 18 January at columns *214-15*. Action on a number of the proposals has already been taken. This includes further controls on protein processing plants; the imposition of restrictions on units where salmonella is suspected; and the compulsory slaughter of laying flocks where salmonella is confirmed. Taken together, these various measures underline our resolve to tackle the problem of salmonella.

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the distribution of salmonella infection in chicken flocks in Scotland; and if he has instituted any survey of such infection.

Mr. Michael Forsyth: Salmonella was reported on 21 poultry units in Scotland during 1988. In all cases the state veterinary service visited the premises and gave advice on hygiene and control measures.

Mr. Home Robertson: To ask the Secretary of State for Scotland on what date he received the information on eggborne salmonellosis in Scotland contained in appendix 2 of the joint report of the Minister of Agriculture, Fisheries and Food, Department of Health and BEIC working group; and if he will list the actions he has taken since then to advise the public about any risks and to promote the reduction of salmonella contamination in laying flocks.

Mr. Michael Forsyth: Appendix 2 lists seven incidents of salmonella food poisoning involving eggs. These isolated incidents, spread over 1987 and 1988, represented a small proportion of all salmonella incidents reported to the communicable diseases (Scotland) unit, Ruchill. Advice on the consumption of eggs was given to community medicine specialists and directors of environmental health in August and November, 1988. A press release was issued in August 1988 and advertisements were placed in the national press in mid-December. Regarding laying flocks, proposals designed to reduce salmonella contamination were announced by my right hon. Friend the Minister of Agriculture, Fisheries and Food on 18 January 1989.

Chlorofluorocarbons

Mr. Allen: To ask the Secretary of State for Scotland what support his Department is giving to local authorities who wish to reduce or eliminate their use of CFC's.

Lord James Douglas-Hamilton: I refer the hon. Member to the reply given today by my hon. Friend the Parliamentary Under-Secretary of State for the Environment (Mrs. Bottomley).

Student Awards

Mr. Fisher: To ask the Secretary of State for Scotland whether he will publish tables showing the number of discretionary awards to students attending *(a)* drama schools, *(b)* dance schools and *(c)* art colleges, made by each local education authority in Scotland in each of the last five years.

Mr. Michael Forsyth: The information requested by the hon. Member is not held by the Department and could not be obtained without disproportionate cost.

Theatre in Education

Mr. Fisher: To ask the Secretary of State for Scotland what information he has on the local education authorities in Scotland which give financial support to Theatre in Education companies.

Mr. Michael Forsyth: Information on this subject is not held centrally.

Rating Reform

Mr. Buchanan-Smith: To ask the Secretary of State for Scotland if he will arrange to collate centrally information on the processing of the community charge in relation to the proper completion of inquiry and registration forms and on the imposition of penalties for improper completion and for other offences.

Mr. Lang: My officials maintain regular contact with community charge registration officers to discuss general progress in compiling the community charge registers. I do not consider that a formal system for the central collection of data is practicable or necessary.

Mrs. Ray Michie: To ask the Secretary of State for Scotland whether he will give any advice or assistance to employers about payment of the community charge by employees in tied housing; and if he will make a statement.

Mr. Lang: The liability of people living in tied houses to pay community charges is no different from the liability of most other members of the community. I therefore have no plans to issue special guidance. Employers who provide tied housing will need to negotiate with their employees any changes in the conditions of employment under which such houses are provided, which may be required to take account of the effects of the abolition of domestic rates and the introduction of the community charge arrangements.

Nurses

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will give a breakdown by health boards in Scotland of the number of registered general nurses graded D who have more than one year's service.

Mr. Michael Forsyth: This information is not held centrally.

Debtors (Imprisonment)

Mr. Wilson: To ask the Secretary of State for Scotland how many people are in prison in Scotland for non-payment of debts, excluding non-payment of fines.

Lord James Douglas-Hamilton *[holding answer 9 February 1989]:* This information is not available in the form requested. In December 1988 the average daily population of civil prisoners in Scottish penal establishments was 0·6 persons. In the year 1987, 113 applications for civil imprisonment were disposed of by the courts; 98 of these were for non-payment of aliment.

Civil imprisonment has therefore been a relatively little used procedure for anything other than non-payment of aliment. Since the Debtors (Scotland) Act 1987 came into operation on 30 November 1988 there can be no civil imprisonment for rates, tax penalties or the majority of civil fines and penalties due to the Crown. Civil imprisonment has never been a competent penalty in respect of non-payment of community charges or of civil penalties imposed by community charges registration officers in Scotland.

Environmentally Sensitive Areas

Mr. Macdonald: To ask the Secretary of State for Scotland if he will state in respect of environmentally sensitive areas in Scotland *(a)* the total extent, in hectares, of each environmentally sensitive area, *(b)* the extent of agricultural land within each environmentally sensitive area, *(c)* the number of farmers eligible to enter into management agreements in each environmentally sensitive area, *(d)* the number of agreements concluded with farmers in each environmentally sensitive area and *(e)* the total area of land covered by agreements in each environmentally sensitive area.

Mr. Michael Forsyth *[holding answer 13 February 1989]:* The information is as follows:

	Total area (has)	*Estimated extent of agricultural land (has)*	*Estimated number of eligible farmers/ crofters*	*Concluded agreements*	*Area covered by agreements (has)*
Breadalbane	120,000	90,000	160	68	30,400
Loch Lomond	42,000	30,600	89	22	10,500
Whitlaw and Eildon	8,000	7,500	65	3	330
Stewartry	42,000	39,000	300	25	3,400
The Machair of the Uists, Benbecula, Barra and Vatersay	7,000	7,000	1800	69	900

[1] Plus 65 Grazing committees.

HEALTH

Child Abuse

Mr. Allen: To ask the Secretary of State for Health when he expects his Department's 1989-90 programme of research in the sexual abuse of children to be concluded and announced to the public.

Mr. Freeman: Current projects being undertaken cover the period 1987 to 1993. Each project will end as determined by its timetable. Projects in the 1989-90 programme have not yet been commissioned. Each individual project will be considered carefully and thoroughly through the Department's research commissioning mechanism. The precise start and finish dates are dependent on the research design and any changes needed in the light of professional, scientific or interdepartmental advice.

AIDS

Mr. Chris Smith: To ask the Secretary of State for Health (1) for what specific medical or public health purpose it is necessary to collect and report on AIDS surveillance clinical report forms submitted by clinicians to the PHLS communicable disease surveillance centre, the full names and addresses of people diagnosed with AIDS to the centre; what precautions are taken to protect this information during and after transmission to the centre; what information is stored in computer databanks and where; for what medical or public health purpose; and subject to what safeguards against unauthorised disclosure;

(2) what precautions are taken in respect of HIV and AIDS clinical report forms and data submitted by microbiologists or clinicians to the PHLS communicable disease surveillance centre to ensure that such information is not accessible to temporarily employed staff;

(3) in respect of AIDS surveillance clinical report forms submitted by clinicians to the PHLS communicable disease surveillance centre, to what extent the collection of data not necessary for specific medical or public health purposes has contributed to the national under-reporting of AIDS which has recently been identified and assessed by the centre and Office of Population Censuses and Surveys staff;

(4) in respect of AIDS surveillance clinical report forms submitted by clinicians to the PHLS communicable disease surveillance centre, what steps he proposes to take to limit data collection to that necessary to ensure the most comprehensive possible reporting of AIDS diagnoses and deaths.

Mr. Freeman: The system for reporting HIV and AIDS cases to the communicable diseases surveillance centre (CDSC) is designed to provide the data necessary for surveillance while safeguarding confidentiality.

The information collected consists of personal and clinical data required to identify the health district of residence and the clinical condition. The forms used for data collection are kept under review in the light of experience, and are currently being revised.

CDSC takes a number of steps to safeguard confidentiality. It urges reporting clinicians to encode surnames and provide assistance to them on the use of the soundex code. Addresses are not usually given as only the health district of residence is required. If addresses are given, CDSC encodes them. Only certain members of the staff have access to the written reports which are stored in lockable cabinets in particularly secure buildings. Data held on computer contains no names and addresses and access to it is protected by special security software. On starting employment, all staff have to sign a form drawing their attention to their responsibility to protect confidentiality.

Current evidence suggests that the reporting of known AIDS cases is reasonably complete. To improve the completeness of reporting further, we announced on November 30 that we were asking Dr. Joe Smith, director of the public health laboratory service, to make proposals for reducing under-reporting to a minimum.

General Practice

Mr. Allen: To ask the Secretary of State for Health how many general practitioner practices with more than 11,000 patients there are in *(a)* Nottingham district health authority, *(b)* Nottingham, North constituency, *(c)* the city of Nottingham and *(d)* the Rushcliffe constituency.

Mr. Kenneth Clarke: We collect the information requested from family practitioner committees, which are not necessarily coterminous with health authority boundaries. As at 1 October 1987 (the latest date for which figures are available) the number of partnerships in the area covered by the Nottingham family practitioner committee (which includes Nottingham district health authority) with 11,000 patients or more was 19. Information on Nottingham, North constituency, the city of Nottingham and the Rushcliffe constituency is not available centrally.

Medical Advisers

Mr. Allen: To ask the Secretary of State for Health what regulations govern the appointment of medical advisers to local authorities.

Mr. Freeman: There are no regulations governing such appointments, but the Department's advice on procedures for the appointment of community physicians extends to doctors who provide services to local authorities.

Select Committees (NHS Employees)

Mr. Allen: To ask the Secretary of State for Health what is his policy regarding the attendance of National Health Service employees at Select Committees; and if he will make a statement.

Mr. Freeman: The Department's policy on the attendance of National Health Service employees before Select Committees is that this should happen whenever it seems likely to be of material assistance to a Committee's inquiry. To date, National Health Service employees have appeared on a number of occasions before the Public Accounts Committee and the Social Services Committee, either at the request of the Committee concerned or, with the agreement of the Committee, to join witnesses from the Department of Health. We believe that they have made a useful contribution to the work of those Committees.

Dental Videos

Mr. Sean Hughes: To ask the Secretary of State for Health (1) what was the total cost of producing the second in the series of dental postgraduate education videos, "ALARA"; and whether this can be broken down, approximately, into cost per video;

(2) what was the total number of the dental education videos, "ALARA", distributed in Britain; and what was the regional distribution pattern in terms of dental practices supplied;

(3) what categories of dental personnel were involved in the making of the dental educational video, "ALARA"; and what were the total numbers;

(4) what arrangements have been made by his Department to collect and analyse responses to the second educational dental video, "ALARA"; and whether the results of such an analysis will be made available generally to the dental profession.

Mr. Freeman: The dental educational video, ALARA, was produced at a cost of approximately £41,500, just under £4 a copy, and distributed to all dental practices in England providing general dental services. The video has also been made available to dental practices in Wales, Scotland and Northern Ireland.

Twelve members of the profession took part in the production, including the president of the British Dental Association, a professor of dental radiology, a consultant dental surgeon, a postgraduate dental dean together with general dental practitioners and senior dental officers of the Department.

Arrangements have been made by the British Postgraduate Medical Federation, which commissioned the video, to receive dentists' comments. These will be analysed and the results published.

Children in Care

Mr. Chris Smith: To ask the Secretary of State for Health how many children there were in local authority care for each year since 1979.

Mr. Freeman: The numbers of children in local authority care for each year 1979-86 and provisional figures for 1987 are given in "Children in care of local authorities, year ending 31 March, England", published annually, copies of which are available in the Library of the House. Over this period the numbers in care have decreased.

General Practitioners (Budgets)

Mr. Cousins: To ask the Secretary of State for Health if he will provide exemplifications of the total cost of indicative prescriptions budget for general practitioners in each National Health Service region.

Mr. Kenneth Clarke: I will be publishing shortly a working paper which discusses arrangements for the introduction of indicative drug budgets.

Mr. Hannam: To ask the Secretary of State for Health (1) what steps he proposes to take to ensure that general practitioner practices accept chronically sick or disabled people on to their registers when cash limited budgets are introduced;

(2) what assessment he has made of the effect of cash-limited budgets for general practitioners upon chronically sick people in the community.

Mr. Kenneth Clarke: Practice budgets will be set to reflect the age and tendency to sickness of practice lists to ensure that doctors have no reason at all to refuse patients for financial reasons. In exceptional cases adjustments will be required in respect of individual patients who require more costly treatment. The practice budgets and drug budgets of GPs will therefore have no effect at all on the attractiveness of chronically sick or disabled people as potential patients.

Regional Health Authorities (Funding)

Mr. Cousins: To ask the Secretary of State for Health if he will provide exemplifications of allocations to regional health authorities on a weighted capitalisation basis for the 1988-89 financial year and also give the actual allocations made and the resources allocation working party targets for National Health Service regions in that year.

Mr. Kenneth Clarke: The table shows the initial 1988-89 revenue allocations to regional health authorities, together with their distances from RAWP targets. A comparison with allocations on a weighted capitation basis as set out in the White Paper "Working for Patients" is not possible in the absence for that year of any negotiations between regions about payments for cross-boundary flows.

1988-89 Revenue Allocations and Distance from RAWP Targets

Region	*Initial allocation*[1] *£ million*	*Distance from target per cent.*
Northern	758	−1·56
Yorkshire	851	−1·39
Trent	1,058	−2·70
East Anglian	451	−3·99
North West Thames	878	4·46
North East Thames	1,084	7·29
South East Thames	949	1·69
South West Thames	768	0·97
Wessex	633	−1·79
Oxford	499	−2·58
South Western	749	−1·39
West Midlands	1,214	−1·32
Mersey	609	1·48
North Western	1,039	−1·35

[1] Includes RAWP allocation, joint finance and earmarked sums eg supra-regional services, AIDS, breast cancer screening. But excludes later additions for review body pay award.

Sanitary Tampons

Ms. Walley: To ask the Secretary of State for Health if he will take steps to change the status of the sanitary tampon and redefine it as a medical appliance.

Mr. Freeman: No.

Organochlorines (Human Milk and Tissue)

Ms. Ruddock: To ask the Secretary of State for Health if he will make a statement following the World Health Organisation investigation into the levels of PCBs, PCDDs and PCDFs in breast milk.

Mr. Freeman: The draft report of the World Health Organisation into the levels of polychlorinated biphenyls, polychlorinated dibenzoparadioxins and polychlorinated dibenzofurans in breast milk is among the data being considered by the Department's committee on toxicity of chemicals in food, consumer products and the environment. It has been asked to advise on the possible health effects from all dioxins.

Ms. Ruddock: To ask the Secretary of State for Health if he will make a statement on the presence of organochlorines in infant body tissues.

Mr. Freeman: Organochlorine compounds persist in body fat which is therefore a good indicator of exposure of body tissues. Surveys of human fat for these compounds were done in the United Kingdom between 1963 and 1977 as well as more recently between 1982 and 1983. These surveys dealt with persons aged five years and over but the 1982-83 survey also looked at four samples of fat from infants aged from five days to three months. The results confirmed that residues of organochlorine compounds (OCCs) might occur in newly born infants but the results were too few to allow further interpretation. A further survey of human fat is being planned and it is intended to look at samples from infants where available. The levels of OCCs found in these human fat samples show a downward trend and are unlikely to result in any adverse health effects.

Ms. Ruddock: To ask the Secretary of State for Health what information is available to his Department on the presence of organochlorines in breast milk and umbilical cord tissue.

Mr. Freeman: Surveys of organochlorine compounds in breast milk were carried out in the United Kingdom in 1979-80 and 1983-84, the results being published in MAFF food surveillance papers No. 9 (1982) and 16 (1986). Copies of these are in the Library.

There are no United Kingdom data on levels of organochlorine compounds in placental tissue and umbilical cord blood, but limited information from other countries, available in the published scientific literature, shows that organochlorine compounds do cross the placenta into the foetus. However, these compounds are highly fat-soluble and greater exposures occur postnatally via breastmilk than prenatally via the placenta.

The independent expert committee advising the Government on these matters, the committee on the toxicity of chemicals in food, consumer products and the environment, has stated that the toxicological information available is not adequate to exclude the possibility of effects on infant health from exposure to organochlorine compounds in breast milk, and recommended continued monitoring of human milk samples in the United Kingdom. A further survey has been planned.

Meningitis

Ms. Walley: To ask the Secretary of State for Health what research has been conducted into a possible link between sea water pollution and cases of meningitis.

Mr. Freeman: I am not aware of any such research. The research projects into meningitis supported by the Medical Research Council were listed in the reply given on 21 December by my hon. Friend the Parliamentary Under-Secretary of State for Education and Science at column 292.

Sanitary Tampons

Ms. Walley: To ask the Secretary of State for Health what research has been undertaken on the effects on women's health of dioxins in sanitary tampons; and if he will make a statement.

Mr. Freeman: Research in Sweden has shown that the level of dioxins in sanitary tampons is extremely low. These levels are likely to present a negligible risk to women's health. The relevant trade association has been asked to provide information on levels found in products on sale in the United Kingdom and data on the bioavailability of dioxins in tampons. A further assessment of risks to health will then be made.

Dioxins

Ms. Ruddock: To ask the Secretary of State for Health (1) whether there is a declared safe level for TCDD (tetrachlorodibenzodoxin);

(2) whether there is a safe level of dioxins with regard to human health.

Mr. Freeman: The Department's committee on toxicity of chemicals in food, consumer products and the environment has been asked to advise on the possible health effects from all dioxins. One of these, TCDD, has been classified by the International Agency for Research into Cancer as a possible human carcinogen.

Legionnaire's Disease

Mr. Hannam: To ask the Secretary of State for Health if he will instruct local authorities and health authorities to provide the recently developed Legionnaire's disease rapid testing kits for use in water cooling systems to their engineers and environmental health officers.

Mr. Freeman: The latest advice available to me on this matter is from the expert advisory committee on biocides. Its report, published on 8 February, welcomed the appearance of this kit but considered a thorough evaluation of it was essential.

Rutland Memorial Hospital

Mr. Latham: To ask the Secretary of State for Health what representations he has received since September 1988 from residents of Rutland against the proposed closure of the maternity unit at the Rutland Memorial hospital, Oakham; what action he intends to take to prevent the Leicestershire health authority from proceeding with that closure; and whether he will make a statement.

Mr. Freeman: We have received 22 local representations on the matter.

Responsibility for the provision of local health services rests with the district health authority concerned.

Ministers are not involved in such decisions unless agreement cannot be reached locally.

Food Poisoning

Mr. Boswell To ask the Secretary of State for Health if he will give the scientific basis for the assumption in the report of the joint working group on salmonella in eggs that a multiplication factor of 100 is appropriate in estimating total salmonella infections from recorded cases.

Mr. Kenneth Clarke: The report does not make this assumption, but it does quote some American practice of using a multiplication factor of 100.

The public health laboratory service considers that there is considerable under-reporting of salmonella food poisoning, because not all affected persons consult a doctor, and those that do may not have a culture taken. Even when doctors secure positive results, the cases may not be reported. However, it is difficult to assess the degree of under-reporting of salmonella food poisoning in England and Wales as no specific studies of this question have been made.

There is therefore no multiplier which can be specifically applied to this country.

Mr. Robin Cook: To ask the Secretary of State for Health if he has any plans to establish an independent inquiry into food poisoning.

Mr. Kenneth Clarke: An expert committee is to be established on microbiological safety in food. It will report to me and my hon. Friend the Minister of Agriculture, Fisheries and Food, but it will have an independent chairman. Its members will include outside experts and Government advisers—for example, scientists or those with practical experience in the production, processing, retailing or preparation of food in the home or in catering. It will investigate issues referred to it by Departments, but it will also be able to initiate its own investigations. Its reports will be published.

Ambulance Service

Ms. Harman: To ask the Secretary of State for Health if he will make a statement on the future of the ambulance service under the proposals in the White Paper on the National Health Service.

Mr. Kenneth Clarke: I refer the hon. Member to my reply to the hon. Member for Sheffield, Brightside (Mr. Blunkett) on Wednesday 8 February at column 696.

National Health Service (Finance)

Mr. Robin Cook: To ask the Secretary of State for Health if he will publish a table showing the relevant figures in table 14.19 of Cm. 614 adjusted by the hospital and community health service pay and price deflator.

Mr. Freeman: Following is the information:

Hospital and community health services, United Kingdom—current expenditure

£ millions

	1983-84	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Cash figures table 14.19 Cm. 614					
Gross	11,070	11,706	12,348	13,249	14,604
Net	10,767	11,398	12,018	12,892	14,219
Figures adjusted by hospital and community health services pay and price deflator					
Gross	14,284	14,276	14,325	14,370	14,604
Net	13,893	13,900	13,942	13,983	14,219

The table sets out hospital and community health services current expenditure figures from 1983-84 adjusted by the hospital and community health services pay and price deflator for the years in which it is available. These figures do not take account of income from cash releasing cost improvements which, in the years shown, provided a significant contribution to the total resources available for service development.

Parkside Hospital

Mr. Marlow: To ask the Secretary of State for Health what information is taken from patients in Parkside hospital area concerning patients' nationality and country of origin.

Mr. Freeman: This information is not held centrally. My hon. Friend, however, may wish to contact the chairman of Parkside health authority for further details.

"Working for Patients"

Ms. Harman: To ask the Secretary of State for Health whether any hospital wards which have been closed in the last two years will be reopened under the proposals of the White Paper "Working for Patients".

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* Hospital wards may be closed for a variety of reasons including, for example, the development of better alternative facilities. But under the present funding arrangements a hospital which becomes more efficient and could treat more patients may be prevented from doing so because funds do not flow with the patients. The White Paper's proposals will make it easier for NHS hospitals to offer their services to their own and other districts in a way which enables them to attract the funds they need in line with the work they are asked to do.

Kidney Dialysis

Mr. Dobson: To ask the Secretary of State for Health if he will list those district health authorities which have contracted out kidney dialysis services to *(a)* charities and *(b)* commercial companies.

Mr. Freeman *[holding answer 30 January 1989]:* I am aware of only one district health authority which has contracted out hospital dialysis services in England. East Suffolk health authority has let a contract to Unicare Medical Services for provision of dialysis at Ipswich.

ENVIRONMENT

Public Health Act 1933

Mr. Evennett: To ask the Secretary of State for the Environment whether he has any plans to introduce legislation to amend section 33 of the Public Health Act 1933.

Mr. Moynihan: I understand that my hon. Friend is referring to section 33 of the Public Health Act 1936. I have no plans to introduce legislation to amend that provision.

Mortgage Repossessions

Mr. George Howarth: To ask the Secretary of State for the Environment if he will list the figures for 1979 to the present for mortgage repossessions in the north-west of England and each of the metropolitan boroughs of the north-west of England.

Mr. Trippier: The Department has no estimate for the numbers of mortgage repossessions in the north-west of England. The Building Societies Association publishes numbers of repossessions only for the United Kingdom, because the numbers are too small to break down by regions. My Department collects information on repossessions instigated in respect of mortgages made by local authorities, who made less than 1 per cent. of the total mortgage loans in the United Kingdom in 1987. In 1987-88 there were an estimated 90 repossessions in the north-west administrative region which were made by local authorities.

Building society repossessions, United Kingdom

	Number
1979	2,530
1980	3,020
1981	4,240
1982	5,950
1983	7,320
1984	10,870
1985	16,770
1986	20,930
1987	22,930
[1]1988	9,770

[1] First half.

Local authority mortgage repossessions, England

	Number
1981-82	1,100
1982-83	950
1983-84	840
1984-85	570
1985-86	630
1986-87	490
1987-88	330

Thames Water Authority (Prosecutions)

Mr. Chris Smith: To ask the Secretary of State for the Environment if he will indicate how many successful prosecutions were brought against the Thames water authority in *(a)* 1987 and *(b)* 1988, to the extent that information is available, for (i) causing pollution or (ii) in any other ways failing to meet their obligations as a water authority.

Mr. Moynihan: In 1987 there was one successful prosecution against Thames water authority for the failure of a sewage treatment works to comply with the terms of its discharge consent.

Tenants' Choice

Mr. Soley: To ask the Secretary of State for the Environment (1) how the appointed teller described in his Department's consultation paper "Tenants' Choice: Consultation and Voting" will be able to communicate in the manner described with a seaman on active service overseas serving on Her Majesty's submarines for extended periods in times of international tension;

(2) whether a service man or service woman on active service overseas who does not respond to the tellers' inquiries as described in "Tenants' Choice: Consultation and Voting", will have his or her home transferred to another landlord.

Mr. Trippier: The numbers of service personnel affected by tenants' choice will be small. Any who are, including submariners, will be enabled by regulations to cast an advance vote at any point in the 13-week consultation period if they expect to be absent during the vote itself. In addition, the independent teller will be able to contact virtually all service personnel overseas through the British Forces Post Office. Where the tenancy concerned is a joint one, a vote may be cast on behalf of all the joint tenants, including any service personnel on overseas duty. Tenants eligible to vote who did not do so would become tenants of the applicant if a tenants' choice transfer went ahead.

Mr. Madden: To ask the Secretary of State for the Environment what detailed advice he has given as to recommended procedures for balloting tenants to determine whether tenants wish to remain local authority tenants as provided under the Housing Act 1988.

Mr. Trippier: A consultation paper "Tenants' Choice —Consultation and Voting" was issued to interested parties on 8 December 1988; copies were placed in the Library. Secondary legislation is being prepared to give effect to this and other provisions of part IV of the Housing Act 1988.

Mr. Madden: To ask the Secretary of State for the Environment if he will place in the Library information showing the form of questions put, to date, by local authorities to tenants, in ballots to determine whether tenants wish to remain local authority tenants.

Mr. Trippier; Copies of ballot forms from the three authorities which have so far applied for consent to the sale of their housing stocks have been placed in the Library.

Climatic Change

Mr. Fraser: To ask the Secretary of State for the Environment what information he has on the extent to which the current mild winter is a result of climatic change.

Mrs. Virginia Bottomley: I am advised by the Meteorological Office that the current mild winter in the United Kingdom is a result of unusually persistent south-westerly winds. There is no evidence that this pattern heralds a lasting climate change.

Rating Reform

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what advice is being given to district councils about the best time to canvass for the information necessary for the community charge registers; and if he will make a statement.

Mr. Gummer: Charging authorities have been advised that we propose to bring the regulations which will place a duty on individuals to provide information to registration officers into effect on 22 May, following the distribution by the Government of a public information leaflet.

Dr. Cunningham: To ask the Secretary of State for the Environment if he will publish his best estimates of the costs of administration, per community charge account, of the community charge in England.

Mr. Ridley: Price Waterhouse estimated that the annual cost of collecting the community charge would be between £374 million and £430 million, an average of £9·40 to £10·70 per account. This is in line with the current unit cost of collecting rates.

Mr. Paice: To ask the Secretary of State for the Environment what has been the average domestic rate for each district in Cambridgeshire for each year from 1983-84 to 1988-89; and what the community charge would have been for each year if the system had been in place.

Mr. Gummer *[holding answer 6 February 1989]:* The information requested is given in the table.

The actual average domestic rate bill and poundage in each year is shown for each district together with the illustrative full community charge, where available.

Average domestic rate poundages and illustrative community charges in Cambridgeshire

		1983-84	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
Cambridge							
Average Domestic Rate Bill	(£)	307	345	357	481	513	552
Domestic Rate	(p)	124·5	139·5	144·5	194·0	206·0	221·0
Community Charge	(£)	n/a	95	110	154	190	213
East Cambridgeshire							
Average Domestic Rate Bill	(£)	205	233	244	333	357	378
Domestic Rate	(p)	119·8	134·9	140·7	190·1	201·1	211·0
Community Charge	(£)	n/a	84	104	150	182	196
Fenland							
Average Domestic Rate Bill	(£)	195	220	231	312	334	356
Domestic Rate	(p)	124·8	139·3	145·3	194·4	206·5	218·7
Community Charge	(£)	n/a	90	110	158	185	208

		1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
Huntingdonshire							
Average Domestic Rate Bill	(£)	246	276	288	382	406	429
Domestic Rate	(p)	126·0	140·3	145·8	192·6	202·9	213·5
Community Charge	(£)	n/a	96	117	157	181	203
Peterborough							
Average Domestic Rate Bill	(£)	254	282	295	384	408	435
Domestic Rate	(p)	139·5	154·5	161·5	209·5	221·5	234·5
Community Charge	(£)	n/a	125	141	182	214	231
South Cambridgeshire							
Average Domestic Rate Bill	(£)	308	351	364	493	526	554
Domestic Rate	(p)	121·4	137·6	142·0	191·2	201·4	211·6
Community Charge	(£)	n/a	80	104	135	167	186

n/a—No illustrative community charge figures available.

Palace of Westminster

Mr. Harry Greenway: To ask the Secretary of State for the Environment what areas of the Palace of Westminster remain to be cleaned and repaired; what is his estimate of the cost of this work; when he expects the work to be done; and if he will make a statement.

Mr. Chope: The repair, restoration and cleaning of the stonework of the Palace of Westminster is being carried out in a number of phases. The current phase, covering the Central Lobby tower, is scheduled for completion towards the end of this year.

The only sections of the external elevations then remaining to be tackled will be the Victoria tower and the south elevation, overlooking the Victoria tower gardens. These together will form the next phase of the programme. Work is scheduled to start early in 1990 and will take about two and a half years to complete. The cost is estimated at between £7 million-£8·5 million.

The final stage will be the repair, restoration and cleaning of the stonework in the inner courtyards. A preliminary estimate made last year indicated that the cost would exceed £15 million.

CFCs

Mr. Allen: To ask the Secretary of State for the Environment what support his Department is giving to local authorities who wish to reduce or eliminate their use of CFCs.

Mrs. Virginia Bottomley: Local authorities, in common with all other consumers, have an important contribution to make in achieving the objective of reducing use of chlorofluorocarbons (CFCs) and halons to the maximum possible extent. We welcome the steps they are already taking. The Department, in conjunction with the Scottish Office, Welsh Office and the Department of the Environment for Northern Ireland, will shortly be meeting representatives of the local authority associations to discuss practical ways of reducing CFC and halon use, including dissemination of information and guidance to local authorities.

Houses and Flats (Huyton)

Mr. George Howarth: To ask the Secretary of State for the Environment if he will list, by year for the last 15 years for which figures are available, the annual number of completions, within Huyton borough council area of *(a)* private sector houses and flats, *(b)* council houses and flats and *(c)* housing association houses and flats.

Mr. Trippier: Housebuilding completions, as reported by Knowsley metropolitan council for 1980 to 1987, appear in table 1 of "Housebuilding in England by local authority areas: 1980 to 1987". For earlier years figures appear in the following issues of "Local Housing Statistics".

Year	Issue number	Table
1974	33	5
1975	37	5
1976	41	5
1977	45	5
1978	49	5
1979	59	4(a)

Copies of these publications are available in the Library. Comparable figures for 1973 are not available because of the reorganisation of local government in 1974.

Water Cooling Systems

Ms. Walley: To ask the Secretary of State for the Environment what extra resources have been given to local environmental health officers to ensure that guidance notes and best practice advice are available to owners of water cooling systems.

Mr. Gummer: It is for local authorities to decide what resources to allocate to environmental health officers to enable them to meet the needs of their area. Central Government support local authorities' revenue spending by way of block grant. Entitlement to block grant is calculated on the basis of each authority's assessed expenditure needs, taking into account environmental health duties. The grant is, however, unhypothecated. It is for each authority to determine its expenditure priorities.

Dog Registration

Mr. Shersby: To ask the Secretary of State for the Environment what representations he has received concerning the desirability of establishing a dog registration scheme; whether he has any plans to introduce legislation to provide for such a scheme on the lines advocated by the RSPCA; and if he will make a statement.

Mrs. Virginia Bottomley: Since 24 May 1988 when the Local Government Act 1988 came into force 110 letters have been received from hon. Members and 130 letters from members of the public, local authorities and animal welfare organisations. The majority of the letters refer to a registration scheme. We have no plans to introduce a registration scheme.

Radiological Monitoring (Cumbria)

Mr. Flynn: To ask the Secretary of State for the Environment if he is satisfied with the levels of radiological monitoring and public protection for people living in Ravenglass and along the River Esk in Cumbria.

Mr. Redmond: To ask the Secretary of State for the Environment if he will make a statement regarding the levels of radioactive contamination found recently on the banks of the River Esk in Cumbria.

Mrs. Virginia Bottomley: I am satisfied with the level of radiological monitoring undertaken by the authorising departments and British Nuclear Fuels plc. Data obtained from this monitoring confirms that members of the public living in the Ravenglass/River Esk area are exposed to doses of radiation that are well within internationally recommended limits.

Winsor Housing Scheme, Newham

Mr. Spearing: To ask the Secretary of State for the Environment what approach or consultations he has had with the London Docklands development corporation concerning the cost of construction and level of rent of the Winsor housing scheme in the London borough of Newham; and if he will state his current determination of the level of affordable rent expressed as a range of percentages or a given percentage of mean or average income, or similar computation.

Mr. Trippier: The London Docklands development corporation has recently submitted proposals for the Winsor park housing scheme to the Department. All aspects of these are currently under consideration.

Water Suppliers

Mr. David Nicholson: To ask the Secretary of State for the Environment whether he has any proposals to require the Crown estates Commissioners to pay compensation for *(a)* the failure to supply water, *(b)* the provision of water of a harmful quality and *(c)* failure of water suppliers to respond to queries.

Mr. Moynihan: No.

South Bank Theatre of Dance

Mr. Fraser: To ask the Secretary of State for the Environment what discussions he has had with the chairman of the London residuary body about the preservation of a site for a south bank theatre of dance.

Mrs. Virginia Bottomley: None.

Planning Appeals (Durham)

Mr. Steinberg: To ask the Secretary of State for the Environment how many appeals against Durham city council's planning decisions were made to him in each of the last five years; and what proportion of these were successful in each case.

Mr. Chope: The number of planning appeals made against decisions of the Durham city council since 1 April 1984 (the earliest date for which such information is available) is shown in the table, together with the number of such cases decided and the number and proportion of these for which planning permission was granted.

Year	*Appeals received*	*Appeals decided*	*Appeals allowed*	*Per cent. allowed*
1984-85	11	8	0	—
1985-86	8	6	1	16·7
1986-87	16	11	6	54·5
1987-88	17	17	6	35·3

London Docklands Development Corporation

Mr. Leighton: To ask the Secretary of State for the Environment what is the London Docklands development corporation target for new jobs for residents in *(a)* the urban development area, and *(b)* the London borough of Newham, Tower Hamlets and Southwark in 1989.

Mr. Trippier: LDDC has set itself the target of bringing unemployment down to a minimum and at a faster rate than London and national trends. These and other employment aims are set out in an LDDC occasional paper, published on 10 February, which has been sent to the hon. Member. LDDC has not set targets for particular areas, but under its memorandum of agreement with the London borough of Newham it will help ensure that 25 per cent. of jobs in the Royal docks area will be taken by Newham residents.

Mr. Leighton: To ask the Secretary of State for the Environment what mechanism has been established to ensure that the memorandum of agreement between the London Docklands development corporation and the London borough of Newham is implemented.

Mr. Trippier: The memorandum represents a commitment by the LDDC and the London borough of Newham to work together to secure the benefits of regeneration for the area. Progress is reviewed by regular meetings at both officer and member level.

Mr. Leighton: To ask the Secretary of State for the Environment what percentage of London Docklands development corporation expenditure was spent in 1988; and what are the forecasts for future years on *(a)* community needs of the residential population and *(b)* transport infrastructure.

Mr. Trippier: Approximately half of LDDC's expenditure in 1988-89 will relate to transport projects. Firm forecasts are not available for future years. All of LDDC's expenditure on regeneration should benefit the local communities, directly or indirectly.

Thames House

Mr. Leighton: To ask the Secretary of State for the Environment when Thames house, the temporary annexe of Newham community college, will be up and running; and what is the basis of its capital and revenue funding.

Mr. Trippier: The LDDC expects to complete refurbishment of its former Thames house office by mid-June, but parts will be available for college use before then. Opening dates will be decided by the college.

The corporation is paying the costs of refurbishment, and will licence the building to the London borough of Newham on a peppercorn basis. In addition it will contribute 20 per cent. of revenue costs for five years, up to agreed cash limits. Annual revenue costs are expected to be approximately £1 million.

Dogs

Mr. Speller: To ask the Secretary of State for the Environment what he estimates to be the non-working dog population, and the number of dogs destroyed as sick or unwanted during the last 10 years for which statistics are available.

Mrs. Virginia Bottomley: The Department does not collect this information. I understand that the Pet Food Manufacturers Association estimate the total dog population in the United Kingdom to be 6·8 million. It is not known how many are working dogs, nor how many are destroyed as sick or unwanted.

D. Harvey

Mr. Barry Field: To ask the Secretary of State for the Environment what information he has as to how long the Nature Conservancy Council has been negotiating with D. Harvey, of Ninham Farm, Shanklin.

Mrs. Virginia Bottomley: I am advised by the Nature Conservancy Council that its negotiations with Mr. Harvey over a variety of proposed uses of the land commenced in March 1986.

Polycyclic Aromatic Hydrocarbons

Mr. Fearn: To ask the Secretary of State for the Environment what solutions his Department is seeking to reduce polycyclic aromatic hydrocarbons in tap water; and if he will make a statement.

Mr. Moynihan: At the request of the Department, water undertakers are conducting a major survey of their supplies to establish whether standards for polycyclic aromatic hydrocarbons (PAH) are being exceeded. If they are, remedial programmes will be needed comprising the flushing, relining or replacement of water mains.

Management Agreements

Mr. Barry Field: To ask the Secretary of State for the Environment what is the average waiting time for management agreements to be entered into by the Nature Conservancy Council.

Mrs. Virginia Bottomley: I am advised by the Nature Conservancy Council that the average time for negotiating agreements involving payments of under £5,000 per annum is slightly under six months. In cases involving higher payments negotiations can be complex and can take up to two years, or more, to complete. In such cases short term interim agreements can sometimes be agreed.

Dioxins

Ms. Ruddock: To ask the Secretary of State for the Environment (1) if there are any research proposals from his Department regarding sources of dioxin production;

(2) what research is carried out into the formation of TCDD from less harmful dioxins;

(3) whether the release of dioxins from hospital incinerators is monitored;

(4) what was the level of dioxins created by the chemical, plastics and pharmaceutical industries at the most recent date.

Ms. Walley: To ask the Secretary of State for the Environment what is the level of dioxins arising from the manufacture and use of pesticides, herbicides and slimicides.

Mrs. Virginia Bottomley: Detailed information is not available on the levels of dioxins created by hospital incinerators, the chemical, plastics and pharmaceutical industries, nor by the manufacture and use of pesticides, herbicides and slimicides. The Department of the Environment, in conjunction with the Department of Health, HSE, DTI and MAFF have been working for some time on a statement on the known sources of dioxins, their possible health effects and the expected exposure of the public to them. This statement will be published shortly.

There are 75 different dioxins of which 22 are TCDDs. Only one of these, 2,3,7,8-TCDD is considered particularly harmful. I understand that some research has been done on the formation of TCDDs from the other dioxins. It does not indicate that 2,3,7,8-TCDD is formed preferentially. This topic will be addressed in the report.

Sanitary Towels

Ms. Walley: To ask the Secretary of State for the Environment what action is currently taken to ensure that the legal provisions covering the disposal of sanitary towels are fully enforced.

Mrs. Virginia Bottomley: There are no specific legal requirements. Disposal is conducted within the general statutory controls of local authorities under the Control of Pollution Act 1974 over waste handling and disposal methods and standards.

Ms. Walley: To ask the Secretary of State for the Environment what statistics are available relating to the disposal via the sewage system of sanitary towels and tampons and the persistence of these items in coastal waters and on beaches.

Mr. Moynihan: None.

Sea Water (Pollution)

Ms. Walley: To ask the Secretary of State for the Environment what action is being taken to deal with the increasing appearance of pathogens resistant to the natural disinfectant action of sea water.

Mr. Moynihan: I am not aware of any evidence to suggest that the number of pathogens entering the sea, which are resistant to natural disinfectant processes, is increasing. If the hon. Member has any information on the subject she might wish to send it to me.

The Department continues to sponsor research to investigate the survival of human pathogens from sewage effluent in sea water.

Ms. Ruddock: To ask the Secretary of State for the Environment if he will make a statement on pollution of the sea by plastics.

Mrs. Virginia Bottomley: Discarded plastic at sea is a serious hazard to marine life, affecting seabirds, fish and mammals. The United Kingdom Government are committed to help prevent it. New regulations introduced by my right hon. Friend the Secretary of State for

Transport under the Merchant Shipping Act make it an offence to throw plastic overboard from any ship or boat. These regulations give effect in the United Kingdom to annex V of the international convention for the prevention of pollution from ships, 1973 and are being extensively publicised. Litter left on beaches or carried by rivers also contributes to this problem which everyone can help to tackle.

Paper Industry (Toxic Material)

Ms. Ruddock: To ask the Secretary of State for the Environment (1) what information he has as to which countries have tried to reduce or eliminate the use of chlorine in paper manufacture;

(2) if he will undertake a study on the effects on the environment during the production of paper pulp for use in the manufacture of disposable nappies at all points in the process from tree felling to pulping and bleaching;

(3) what representations he has received from environmental organisations over the production of dioxins associated with chlorine-bleached paper pulp; and if he will make a statement;

(4) what information he has on the United States paper industry dioxin strategy; and if he will make a statement.

Mrs. Virginia Bottomley: As far as is known, paper pulp for use in disposable nappies is not manufactured in the United Kingdom, and consequently a study on environmental effects is not called for.

Sweden and Canada have taken steps to reduce the use of chlorine in paper manufacture and are encouraging manufacturers to change to a mechanical pulp process which does not involve chlorine bleaching. This is primarily because of concern over the effluents discharged by pulp mills using chlorine bleaching. In the United Kingdom, pulp is manufactured solely by processes which do not involve the use of chlorine bleaching.

I have not received any representations from environmental organisations concerning the formation of dioxins during the chlorine bleaching pulp process.

Copies of the United States paper industry dioxin strategy are available and are being examined for their relevance to United Kingdom circumstances.

Ms. Walley: To ask the Secretary of State for the Environment what resources are available to monitor toxic effluent from paper mills.

Mr. Moynihan: Arrangements for authorising and monitoring waste effluents from paper mills and other industrial premises are currently matters for the regional water authorities.

Re-Chem

Ms. Ruddock: To ask the Secretary of State for the Environment if he will make a statement on environmental aspects of the closure of Re-Chem plants at Pontypool and Bonnybridge.

Mrs. Virginia Bottomley: The plant at Bonnybridge was closed for commercial reasons in October 1984 before an independent review group, appointed by my right hon. Friend the Secretary of State for Scotland reported in February 1985 that there was no substantive evidence of any abnormal environmental effects from the plant.

The plant at Pontypool is still in operation and is subject to an appropriate range of environmental controls.

Agent Orange

Ms. Ruddock: To ask the Secretary of State for the Environment if his Department has received copies of any United States studies on the effects of Agent Orange herbicide.

Mrs. Virginia Bottomley: Considerable information on the United States studies on the effects of Agent Orange herbicide has been published in scientific literature which is available to the Department.

Disposable Nappies

Ms. Ruddock: To ask the Secretary of State for the Environment what information he has on the percentage that disposable nappies form of domestic refuge as a whole.

Mrs. Virginia Bottomley: No precise figure is available but it is estimated that disposable nappies represent less than 1 per cent. by weight of total household waste.

Ms. Ruddock: To ask the Secretary of State for the Environment whether there have been any reports of viruses discovered in rubbish tips associated with soiled disposable nappies handled as normal domestic waste.

Mrs. Virginia Bottomley: We are not aware of any such reports. It would, however, be very difficult to determine whether or not viruses discovered in landfill sites are directly attributable to the presence of disposable nappies.

Ms. Walley: To ask the Secretary of State for the Environment if he will make a statement about the closed-circuit television monitoring of sewers; and if he will estimate the annual cost of drains blocked by disposable nappies.

Mr. Moynihan: The water authorities use mobile closed circuit television equipment extensively and successfully to make detailed surveys of the most critical sections of their sewage systems. It is neither necessary nor practicable to extend its use to monitor all public sewers.

WCs and private drainage systems are not designed to deal with disposable nappies. Maintenance and repair of these systems are the responsibility of the owners and no information is available centrally on which to base an estimate of the annual cost of clearing blockages in them.

Drinking Water (Pesticides)

Mr. Garrett: To ask the Secretary of State for the Environment, further to his answer of 7 February, if he will list in the *Official Report* the number and location of breaches in the precautionary standard for pesticides in drinking water in 1988 in supplies provided by the Anglian water authority.

Mr. Moynihan: During the period December 1987 to November 1988 there were breaches of the standard of 0·1 microgram per litre for pesticides, specified in the EC drinking water directive, in water supplies leaving 14 of Anglian water authority's treatment works. These were:

Alton, Ardleigh, Bedford, Clayhill, Covenham, Drove Lane, Etton, Foxcote, Grafham, Heigham, Houghton, Marham, Pitsford and Wing.

Local Authority Pension Funds

Mr. Garrett: To ask the Secretary of State for the Environment which local authority pension funds had

implemented the results of an interim valuation before 28 July 1988 and will therefore be covered by the protection offered by him in his letter of that date.

Mrs. Virginia Bottomley: The information requested is not available to the Department. I shall be writing in response to a letter which I have received from the hon. Gentleman on this subject.

Local Authorities (Funding)

Dr. Cunningham: To ask the Secretary of State for the Environment if he will publish, for each local authority in England, as available, its *(a)* cash backed, *(b)* non-cash backed and *(c)* total capital receipts as at 31 March 1988.

Mr. Ridley: My Department has now received accumulated capital receipts returns for 1987-88 from 99 per cent. of English local authorities. On the basis of these it is estimated that at the end of 1988-89 local authorities in England held accumulated receipts of £11·7 billion. Some of these receipts such as leasing disposals, were notional. The cash from much of the remainder had been used for such purposes as repaying debt and financing capitalised housing repairs. After allowing for such factors only £6·4 billion out of the £11·7 billion could be converted to cash.

I have today placed in the Library a table showing for each local authority which has provided a return, *(a)* the accumulated receipts and *(b)* the amount which could be converted into cash.

Football Hooliganism

Mr. Pendry: To ask the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Derbyshire, North-East (Mr. Barnes) of 1 February, *Official Report*, columns 56-60, whether he has received letters from Southampton or Fulham football clubs regarding the table of arrests for the 1987-88 football season.

Mr. Moynihan *[holding answer 9 February 1989]:* The chairman of Southampton football club wrote to me on 3 January about the 1987-88 arrest figures in respect of the club. I have received no correspondence from Fulham football club.

Water Charges

Mr. Madden: To ask the Secretary of State for the Environment if he will provide information showing *(a)* the range of rates paid, *(b)* rateable values and *(c)* water charges paid as a proportion of rates paid and rateable values prevailing in each water authority area in England and Wales (i) in 1979, (ii) in 1983 and (iii) for the last twelve months, to date; and if he will estimate, on the basis of recently announced increased water charges, the figures for the next 12 months.

Mr. Moynihan *[holding answer 10 February 1989]:* Information in the form requested by the hon. Member is not available centrally.

Rates Statistics

Mr. Clay: To ask the Secretary of State for the Environment if he will publish a table showing the relationship of domestic rates to net equivalent household income, assuming a 100 per cent. rate rebate broken down in to (i) income bands of under £75, £75 to £100, £100, to £150, £150 to £200, £200 to £250, £250 to £300, £300 to £350, £350 to £400, £400 to £500 and over £500, all showing how many households fall into each income band and (ii) decile groups, showing how many households fall into each decile group.

Mr. Gummer *[holding answer 13 February 1989]:* No. I have published illustrative community charge figures together with comparative figures for domestic rates on the basis of the latest tax and benefit rates. I have not been prepared to proceed by hypothetical example—either in forecasting the future or by "what-if" versions of history.

Sewage Works

Dr. Cunningham: To ask the Secretary of State for the Environment if, pursuant to his answer of 8 February, he will list for each water authority in England the number of sewage works which breached their discharge consents in 1987-88.

Mr. Ridley *[holding answer 13 February 1989]:* I refer the hon. Gentleman to the answer that I gave him on 20 December 198 at column *194*. Figures for 1988 are not yet available.

Environmental Health Officers

Ms. Walley: To ask the Secretary of State for the Environment (1) how many environmental health officer posts on the establishment of each local community are currently unfilled;

(2) if he will make additional funds available to local authorities for the purpose of employing additional environmental health officers;

(3) what discussions he has had concerning the level of training places for environmental health officers;

(4) how many environmental health officers are employed by Westminster city council; and how many posts are on the establishment.

Mrs. Virginia Bottomley *[holding answer 13 February 1989]:* Decisions on the resources to be made available within local authority budgets for the employment of environmental health officers, on the numbers of such posts to be created, on recruitment, and the timing of appointments to those posts, and on the training of such officers are all matters for the local environmental health authorities.

Water Authorities (Privatisation)

Mr. Norris: To ask the Secretary of State for the Environment what indication he has had of the European Commission's view of the Government's proposals for a golden share in the water authorities after privatisation.

Mr. Howard: The Government have never been in any doubt about the legality of our policy on competition and merger in the water industry, and our proposals for a "Golden Share" to protect the new water plcs from takeover in their first five years in the private sector.

In view of the quite unjustified doubts raised by some critics of water privatisation, I welcome the European Commission's clarification of the position.

In a statement on 7 February, the Commissioner responsible, Sir Leon Brittan, said that having looked into the matter, the Commission

"has not found anything . . . which would raise problems as far as the Community law is concerned in the fields of competition or company capital structure".

This is exactly as we had expected, since our proposal involves absolutely no element of discrimination as between different categories of potential investors. I recognise that this will disappoint those opposed to water privatisation and therefore opposed to this sensible and temporary protection of the new plcs and their customers. Our proposals will simply avoid major and potentially damaging upheaval too early in their private sector existence, and provide a long-term safeguard against loss of comparative competition.

Written Answers to Questions

Wednesday 15 February 1989

HOME DEPARTMENT

Warning and Monitoring Services

Mr. Redmond: To ask the Secretary of State for the Home Department, pursuant to his reply to the hon. Member for Don Valley of 7 December 1988, *Official Report*, column *205*, whether he will place a copy of the scientific research and development branch's technical review of the United Kingdom Warning and Monitoring Organisation in the Library.

Mr. John Patten: No. The report is a classified document.

Missing Persons

Mr. Janner: To ask the Secretary of State for the Home Department (1) whether he will meet the Commissioner of Police of the Metropolis to discuss the adequacy of the computer system in the missing persons bureau in New Scotland Yard for the tracing of missing persons; and whether he will place in the Library a copy of the report by the police working party referred to in his answer to the hon. Member for Leicester, West of 19 December 1988, *Official Report*, column *142*;

(2) whether he will discuss with chief officers of police the steps to be taken to seek EEC funding in order to comply with the Council of Europe recommendation R(79)6.

Mr. Douglas Hogg: No. We expect to receive a copy of the report commissioned by the Association of Chief Police Officers to review police procedures for dealing with inquiries relating to missing persons shortly. We will be happy to consider any recommendations which the police may put to us.

Publication of the report is a matter for the Association of Chief Police Officers.

Mr. Janner: To ask the Secretary of State for the Home Department whether he will publish the names, age and last known whereabouts of all persons missing in the Metropolitan area for more than three months and where such names have already been published by the Metropolitan police.

Mr. Douglas Hogg: No. I understand that the decision to publish details of a missing person would normally be taken by the division concerned and such cases are not separately identifiable from records held centrally by the Metropolitan police.

Mr. Janner: To ask the Secretary of State for the Home Department what steps he has taken during each of the years since 1979 to ensure compliance with the Council of Europe recommendation R(79)6.

Mr. Douglas Hogg: I refer the hon. Member to the reply which I gave to him on 19 December 1988 at column *143*.

Mr. Janner: To ask the Secretary of State for the Home Department whether he will take steps to require all police authorities to inform the police national computer bureau of every unidentified body found within their jurisdictions.

Mr. Douglas Hogg: I refer the hon. Member to the reply which I gave to him on 19 December 1988 at columns *142-43*.

Prisoners

Mr. Redwood: To ask the Secretary of State for the Home Department how many prisoners are remand prisoners.

Mr. Douglas Hogg: On 31 December 1988 there were about 8,850 untried and 1,490 convicted unsentenced prisoners in prison service establishments in England and Wales. A further 87 prisoners, most of whom were on remand, were held in police cells.

Mr. Redwood: To ask the Secretary of State for the Home Department what is the total number of prisoners.

Mr. Douglas Hogg: On 10 February 1989, 48,925 prisoners were held in prison service establishments in England and Wales. A further 209 prisoners were held in police cells.

Football (Arrests)

Mr. Steinberg: To ask the Secretary of State for the Home Department how many arrests were made inside the football grounds of *(a)* Newcastle United, *(b)* Sunderland, *(c)* Hartlepool, *(d)* Middlesbrough and *(e)* Darlington football clubs during 1988.

Mr. Douglas Hogg: The information relates to all games played at home by the first teams of the football clubs concerned during 1988:

Club	*Arrests*
Newcastle United	149
Sunderland	39
Middlesbrough	85
Darlington	2

Information is not available in the same form for Hartlepool where there were 21 arrests at league matches during the 1987-88 season. The figures do not distinguish between arrests made inside the ground and arrests directly connected with those matches made outside the ground. The total of 21 arrests corrects the figure of 12 previously understated in a return from the police to the Association of Chief Police Officers and given on 19 December in a reply to the hon. Member for Derbyshire, North-East (Mr. Barnes) at columns *55-60*.

Child Abuse

Mr. Allen: To ask the Secretary of State for the Home Department whether, further to his answer of 7 February, financial resources for the programme of research into child sexual abuse will be backdated to the beginning of the financial year.

Mr. John Patten: Financial resources for the Home Office research and planning unit's programme of research, including those projects concerning child sexual

abuse, for the financial year 1989-90 are available from 1 April 1989. The allocation of funds for individual projects is dependent on the starting dates of the projects and cannot be backdated.

Strip Searches

Ms. Richardson: To ask the Secretary of State for the Home Department how many strip searches were made of female arrestees in police custody during each month of 1988, giving the number of persons involved; what items of evidential value used in subsequent proceedings, class A drugs, weapons or things which could have been used to cause physical injury, were discovered in any search; in how many cases arrestees declined to be strip searched, and with what outcome; and what were the reasons for each search.

Mr. Douglas Hogg: This information is not collected centrally and could be provided only at disproportionate cost.

Youth at Risk Programme

Mr. Maclennan: To ask the Secretary of State for the Home Department what assessment he has made of the potential for combating juvenile delinquency and application in the United Kingdom of the youth at risk programme, details of which have been submitted to him; and if he will make a statement.

Mr. John Patten: I have seen a summary of the objectives and content of the youth at risk programme which operates in the United States and Home Office officials have seen a video film. The programme offers a distinctive way of dealing with young offenders and other young delinquents. Intensive intermediate treatment schemes which offer no less constructive and demanding programmes for juvenile offenders are available throughout England and Wales.

Parking Schemes

Mr. Shersby: To ask the Secretary of State for the Home Department what progress has been made by the working party considering parking problems in outer London and elsewhere; and when he expects to be able to make a statement of the Government's policy towards the introduction of controlled parking schemes and the employment of traffic wardens by local authorities.

Mr. Douglas Hogg: While I understand that the parking enforcement working party has not yet completed its report, I hope that it will be able to do so shortly.

WALES

Exchequer Grant

Mr. Blunkett: To ask the Secretary of State for Wales what has been the aggregate Exchequer grant paid to all local authorities in Wales in each financial year since 1978-79 *(a)* in cash terms and *(b)* at 1988-89 prices.

Mr. Grist: The information requested is given in the following table for all years from 1981-82 to 1988-89. It is not possible to provide figures on a comparable basis for years prior to the introduction of block grant in 1981-82.

Aggregate exchequer grant (£ million)

	in cash terms	*at 1988-89 prices*[1]
1981-82	873·1	1,251·9
1982-83	926·6	1,239·9
1983-84	962·9	1,232·5
1984-85	992·5	1,209·1
1985-86	1,022·7	1,182·2
1986-87	1,085·7	1,214·4
1987-88	1,167·2	1,240·2
1988-89	1,250·7	1,250·7

[1] Expressed in real terms using the GDP (market prices) deflator.

FOREIGN AND COMMONWEALTH AFFAIRS

Laos

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has as to whether the former king and the former crown prince of Laos are still alive or held in captivity; what representations he has received regarding their fate; and if he will make a statement.

Mr. Eggar: We have no independent or reliable knowledge as to the fate of the former King and the former Crown Prince of Laos. There have been persistent but unconfirmed reports of their deaths. The Lao Government claim that they are alive and "in retirement".

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding the continued occupation of Laos by Vietnamese troops; whether he will raise the matter with the Soviet and the Vietnamese governments; and if he will make a statement.

Mr. Eggar: We received one letter from a member of the public in 1988 on this issue. According to the Vietnamese Foreign Minister, all Vietnamese troops were to be withdrawn from Laos by the end of 1988. We have no independent means of verifying this claim.

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding allegations that Soviet military officers removed certain national treasures from Laos to the Soviet Union in 1975; and what response he is able to make.

Mr. Eggar: We received one letter from a member of the public in 1988 alleging that a statue was removed from the palace in Luang Prabang by Soviet military officers. According to a Lao official the statue is still on display in the palace museum.

Petty Officer John Black

Mr. Latham: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) whether Her Majesty's ambassador in Madrid has conveyed to the Spanish Government the report of the Metropolitan police regarding the death of Petty Officer John Black, RN; whether he has asked the Spanish Government to investigate the circumstances in which the allegedly defective water heater was removed from the apartment in which Mr. Black was found dead; and what response he has received;

(2) whether he will instruct Her Majesty's ambassador in Madrid to ask the Spanish Government to show the Metropolitan police report on the death of Petty Officer John Black to the two Spanish pathologists who gave evidence to the inquest in Portsmouth in May 1985; and whether the ambassador will request guidance from the Government of Spain on the conflict of evidence between the pathologists and the Metropolitan police officers.

Mr. Eggar: The report prepared by British police officers into the death of Petty Officer Black remains the property of and confidential to the Metropolitan police. It has not therefore been conveyed to the Spanish authorities.

Israel

Mr. Stott: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the use by Israeli armed forces of bullets consisting of a large steel ball bearing coated with rubber; how many fatalities have been caused by such bullets; and if he will raise the matter with the Israeli Government and the United Nations.

Mr. Eggar: We do not know how many fatalities have been caused by these bullets. The Israeli authorities are well aware of our concern at their use of excessive force against Palestinians in the occupied territories.

DEFENCE

Defence Exports

74. **Mr. Nellist:** To ask the Secretary of State for Defence if he will now make it his practice to publish figures on individual companies' defence exports.

Mr. Sainsbury: No.

Nuclear Waste

Mr. Flynn: To ask the Secretary of State for Defence if he will make it his policy to permit United Kingdom NIREX Ltd. to release its report on the radioactive inventory of nuclear waste produced in Ministry of Defence activities.

Mr. Sainsbury: No.

Petty Officer John Black

Mr. Latham: To ask the Secretary of State for Defence what further action he intends to take in the case of the late Petty Officer John Black, RN following the verdict of the inquest jury that he was unlawfully killed in Spain, and the Metropolitan police report that he died accidentally; and whether he will make a statement.

Mr. Neubert: Although my Department initiated an investigation into the death of Petty Officer J. A. Black, which was carried out by officers of the Metropolitan police, it has no further standing in the matter.

Defence Export Services Organisation

Mrs. Mahon: To ask the Secretary of State for Defence whether any personnel from the Defence Export Services Organisation visited Turkey, Chile or South Africa during 1988.

Mr. Sainsbury *[holding answer 9 February 1989]:* Representatives of DESO travel extensively and visited numerous countries during 1988. Because of the confidentiality of many of the matters involved it is not the practice to list individual countries which have been visited.

Army Equipment Exhibition

Mrs. Mahon: To ask the Secretary of State for Defence when the British Army equipment exhibition was held in 1988; and whether it will be held in 1989.

Mr. Sainsbury *[holding answer 9 February 1989]:* The British Army equipment exhibition was held at Aldershot during the week 26 June to 1 July 1988. It is a biennial exhibition and will not therefore be held this year.

International Organisations

Mr. Galbraith: To ask the Secretary of State for Defence if he will list those international organisations on which his Department is represented and the total cost of those commitments.

Mr. Archie Hamilton *[holding answer 8 February 1989]:* The Ministry of Defence is represented at numerous committees meetings under the auspicies of NATO, the independent European programme group, the Eurogroup and the Western European Union. In 1987-88 the MOD paid a contribution of £57,301,000 to the NATO military budget, and a net contribution of £113,640,000 to the NATO infrastructure budget.

Other international organisations to which the MOD pays subscriptions or grants are:

European Network of Ocean Stations
FINABEL Secretariat, Brussels
European Organisation for the Exploitation of Meteorological Satellites
International Hydrographic Organisation
World Meteorological Organisation
European Centre for Medium-Range Weather Forecasts
North Atlantic Ocean Stations Agreement
World Weather Watch Stations Overseas
International Institute for Scientific Studies
Commonwealth Advisory Aeronautical Research Council
International Institute for Strategic Studies
Ergonomics Society
British Commonwealth Ex-Servicemen's League
Inter Allied Confederation of Reserve Officers

In 1987-88 the cost of subscriptions and grants to these organisations was approximately £10,057,000.

ATTORNEY-GENERAL

Petty Officer John Black

Mr. Latham: To ask the Attorney-General whether, pursuant to recent reports of the Metropolitan police which have been submitted to Ministers, he intends to initiate action under the Coroners Act 1988 to recall an inquest, in the light of the verdict of the coroner's jury in Portsmouth on 23 May 1985 that Petty Officer John Black, RN, was unlawfully killed; and whether he will make a statement.

The Attorney-General: To date, interested parties have neither made any representations to me about the inquest held on 23 May 1985 nor requested my authority under section 13(1) of the Coroners Act 1988 for them to apply

to the High Court for an order quashing the inquest and requiring a new inquest to be held. I shall give careful consideration to any representations or requests which may be made to me.

HOUSE OF COMMONS

European Directives

Dr. Hampson: To ask the Lord President of the Council if he will list all Bills and Statutory Instruments approved by Parliament over the last five years which implement European directives.

Mr. Wakeham: I am arranging for a list of the 149 statutory instruments made under section 2(2) of the European Communities Act 1972 between 1 January 1984 and 20 November 1988 to be placed in the Library of the House. No list of statutes implementing a Community obligation or of statutory instruments implementing such an obligation but made under enabling powers other than section 2(2) of the European Communities Act 1972 exists. This information could be provided only at disproportionate cost.

EC Documents

Mr. Dykes: To ask the Lord President of the Council how many European Economic Community documents from the Commission were deposited in Parliament in 1988 or the most recent 12 months for which figures are available; of these, how many were draft or final regulations, how many draft or final directives and how many draft or final decisions; and how many of these were debated on the Floor of the House and how many in Committees upstairs.

Mr. Wakeham: In 1988, 770 European Community documents from the Commission and other sources were deposited in Parliament. Of these approximately 45 per cent. were proposals for Council regulations, 15 per cent. proposals for Council directives and 15 per cent. proposals for Council decisions. In the same year, following recommendations from the Commons Select Committee on European Legislation, 31 debates covering 92 documents—some of which would have been deposited before 1988—were held on the Floor of the House and eight debates covering 17 documents were held in Standing Committee.

NATIONAL FINANCE

Manufacturing Productivity

81. **Mr. Sumberg:** To ask the Chancellor of the Exchequer by what amount productivity has increased among manufacturing firms in the north-west over the last two years for which figures are available.

Mr. Major: Figures for productivity growth in the north-west are not available. Manufacturing industry throughout the regions has achieved significant improvements in productivity. In the three months up to November 1988, manufacturing productivity in the United Kingdom as a whole was 14½ per cent. higher than in the corresponding period two years earlier.

Productivity

82. **Mr. John Marshall:** To ask the Chancellor of the Exchequer whether he will make a statement about the trends in productivity in British industry.

Mr. Major: Manufacturing industry has made great efficiency gains in the 1980s. Productivity in the three months up to November 1988 was 58 per cent. higher than its average level in 1980. This is equivalent to an annual average growth rate of 5·6 per cent. significantly higher than the rate of 1·6 per cent. achieved in the 1970s and 3·1 per cent. in the 1960s. Since 1980 United Kingdom manufacturing productivity growth has been higher than in any other major industrialised country.

Balance of Payments

Mr. Ashton: To ask the Chancellor of the Exchequer what is his latest forecast for the balance of payments in 1989 and 1990.

Mr. Major: The Autumn Statement provided forecasts of the current account for 1988 and 1989 only. This year the current account deficit was forecast to be £11 billion. As usual a new forecast will be published on Budget day.

Information Gathering

Mr. Blunkett: To ask the Chancellor of the Exchequer if he plans to seek improvements in the information gathered by his Department on the economy.

Mr. Major: The Treasury is directly responsible only for statistics on official reserves, though it is also responsible jointly with CSO for the public sector debt repayment figures. It is always looking to improve its information gathering.

Group of Seven

Mr. Riddick: To ask the Chancellor of the Exchequer if he will make a statement on his last meeting with his counterparts in the Group of Seven.

Mr. Lilley: This was a useful meeting at which my right hon. Friend and his colleagues discussed developments in the world economy and the international debt situation.

Cheque Cashing (Controls)

Mr. McTaggart: To ask the Chancellor of the Exchequer if he has any plans to seek to extend to building societies the controls on cheque cashing which currently apply to banks.

Mr. Lilley: Statutory limitations on banking services also apply to building societies carrying on banking services.

Car Tax

Mr. Roy Hughes: To ask the Chancellor of the Exchequer what was the total revenue from tax on new cars in 1987-88; and what is the estimated revenue for 1988-89.

Mr. Lilley *[holding answer, 14 February 1989]:* The total revenue from tax (VAT and car tax) on new cars in 1987-88 is estimated to have been £3·4 billion. The VAT

element in this figure has been estimated from consumers' expenditure and businesses' purchases of cars, on which tax is not deductible.

Car tax revenue for 1988-89 is estimated at £1·3 billion. An estimate of VAT on new vehicles for 1988-89 is not available.

Value Added Tax

Mr. Roy Hughes: To ask the Chancellor of the Exchequer what was the total revenue from value added tax on fuel in 1987-88; and what is the estimated revenue for 1988-89.

Mr. Lilley *[holding answer 14 February 1989]:* The total VAT revenue on road fuel for 1987-88 is estimated from consumers' expenditure statistics to have been £1 billion. An estimate for 1988-89 is not available.

ENERGY

Nuclear Power

75. **Mr. Ronnie Campbell:** To ask the Secretary of State for Energy what will be the eventual annual cost to industry of the higher electricity prices arising from the requirement to develop nuclear power.

76. **Mr. Alan W. Williams:** To ask the Secretary of State for Energy what will be the eventual annual cost to industry of the higher electricity prices arising from the requirement to develop nuclear power.

77. **Dr. Reid:** To ask the Secretary of State for Energy what will be the eventual annual cost to industry of the higher electricity prices arising from the requirement to develop nuclear power.

Mr. Michael Spicer: Nuclear power makes an invaluable contribution to the secure supplies of electricity which are vital to keep industry running. The costs of nuclear power are already in the price of electricity; this will not change after privatisation.

Mr. Bermingham: To ask the Secretary of State for Energy what proposals he has for the continuance of research and development in nuclear power following privatisation; what is to be the future role of the United Kingdom Atomic Energy Authority; and if he will make a statement.

Mr. Michael Spicer: Research and development into nuclear power will continue to be needed by the privatised electricity supply industry. The UKAEA will continue to carry out contract research and development for the privatised esi as well as for its many other customers, as required.

Electricity (Advertising)

Mr. Bermingham: To ask the Secretary of State for Energy what proposals exist within the Electricity Council for mounting a pre-flotation corporate advertising campaign; what is its current corporate advertising budget; and if he will make a statement.

Mr. Michael Spicer: Corporate advertising is a commercial matter for the electricity industry. I have asked the chairman of the Electricity Council to write to the hon. Member.

Severn Barrage

Mr. Bermingham: To ask the Secretary of State for Energy what are the current propects for the Severn barrage scheme in view of latest calculations on generation costs; and if he will make a statement.

Mr. Michael Spicer: The studies on the Severn barrage are nearing completion, and a report is expected in a few months. The report will not include financing and related issues, which will be addressed in the timescale of electricity privatisation. Prospects for a barrage scheme will be a matter for commercial judgment under the terms of the Electricity Bill before the House. It would therefore be inappropriate for me to comment at this stage.

Pipeline and Storage System

Mr. Norris: To ask the Secretary of State for Energy what progress has been made concerning the transfer of the Government pipeline and storage system to the Ministry of Defence.

Mr. Peter Morrison: An Order in Council transferring to the Secretary of State for Defence all property, rights and liabilities relating to the Government oil and pipeline storage system has today been laid before Parliament. The order is due to come into force on 1 April 1989 on which day my right hon. Friend the Secretary of State for Defence will assume responsibility for the system.

NORTHERN IRELAND

Watercourses

Mr. Beggs: To ask the Secretary of State for Northern Ireland when the Taper Length river at Mill lane, Ballycarry, county Antrim, became a designated watercourse; for how long maintenance work thereon has been the responsibility of the Department of Agriculture (drainage division) Northern Ireland; what maintenance has been carried out during each of the last four years to this watercourse; if he plans to de-designate this watercourse; and what further maintenance-remedial work is planned for the Taper Length watercourse.

Mr. Viggers: The Redhall burn and Redhall branch drain (part of which is known historically as the Taper Length) were designated as minor watercourses by the Northern Ireland Drainage Council on 15 April 1969 and from that date the Department of Agriculture was responsible for deciding on the need for maintenance work.

No maintenance work has been carried out in the last 4 years.

The Drainage Council de-designated the watercourses on 7 November 1988 and from that date maintenance became the responsibility of the riparian landowners. The Department can therefore have no plans for further maintenance.

Land Registry

Mr. Beggs: To ask the Secretary of State for Northern Ireland what is the average length of time required by the Land Registry in Northern Ireland to process a transaction.

Mr. Needham: The completion times for dealings vary a great deal depending on the type of dealing, its complexity, the form in which it was submitted and its dependence on other related dealings.

Statistics on processing times are not maintained but, on the basis of a random sample of cases, the average times are as follows:

	Working days	
	Cases not queried	*Cases queried*
Dealings of whole	34	86
Transfers of part	81	143
Leases	94	200

Housing

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland, pursuant to his reply of 11 January, *Official Report*, columns *697-98*, if he will seek a report from the Northern Ireland Housing Executive as to why the lowest tender from a contractor, having been selected by the Northern Ireland Housing Executive as one of the 10 contractors suitable to tender for the scheme at Lower crescent, Comber, was not accepted.

Mr. Needham: This is a matter for the Northern Ireland Housing Executive. The chief executive has advised me that the lowest tender was not accepted as the tenderer had recently been awarded another Housing Executive contract which, together with the Lower crescent, Comber contract would have exceeded the financial capacity available to the tenderer.

Gipsy Caravans

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland, pursuant to his reply of 24 January, *Official Report*, columns *489-90*, what was the extent of support given towards the replacement of the two caravans which were burnt at the site at the junction of Middletown/Rookford roads, Armagh.

Mr. Needham: None.

Education and Library Boards

Mr. McCusker: To ask the Secretary of State for Northern Ireland if he will publish details of the youth training programme financial allocations to the education and library boards in Northern Ireland for 1989-90.

Dr. Mawhinney: Details should be available next month, and I shall then write to the hon. Gentleman.

Bovine Somatotropin

Mr. McCusker: To ask the Secretary of State for Northern Ireland how many dairy cows are being injected with bovine somatotropin in Northern Ireland.

Mr. Viggers: None.

Dogs

Dr. Cunningham: To ask the Secretary of State for Northern Ireland if he will publish the estimated costs of administration, per dog licensed, of the dog registration scheme currently operating in Northern Ireland.

Mr. Viggers *[holding answer 14 February 1989]:* The information requested could be obtained only at disproportionate cost.

Social Security Payments

Mr. Hume: To ask the Secretary of State for Northern Ireland what information he has on the number or total value of single payments made to single parents in the past four years.

Mr. Needham *[holding answer 13 February 1989]:* The available information is as follows:

	Single Payments[1]	
	Number	*Value £*
May 1985 to May 1986	56,500	6,961,000
May 1986 to May 1987	58,900	6,146,000

[1] Estimates based on a 5 per cent. sample.

I regret that corresponding figures are not available for 1987-88.

EDUCATION AND SCIENCE

Race Relations and Equal Opportunities

Mr. Cohen: To ask the Secretary of State for Education and Science if he will describe his Department's principal achievements in respect of race relations and equal opportunity since May 1979.

Mrs. Rumbold To enable women to maintain their careers the Department has developed arrangements for part-time working, job sharing, and working from home, and has a well-established scheme for the reinstatement of staff in all grades who resign for domestic or associated health reasons and wish to return to work within five years. The Department monitors the recruitment of ethnic minority staff.

To increase the awareness of staff, a majority of the training courses run by the Department now include sessions on equal opportunities. There are also a number of courses aimed specifically at women, including management training for women.

The Government have pursued a range of measures to improve the response of the education service to ethnic diversity. These include action on initial and in-service training to prepare teachers for teaching in a multi-ethnic society; measures to increase the supply of ethnic minority teachers; an Education support grant activity which has supported some 120 projects, many designed specifically to promote good race relations; measures to promote good practice in teaching English to pupils for whom it is not the mother tongue; GCSE criteria which require that syllabuses should be free of bias and should take account of ethnic and cultural diversity; and remits to the National Curriculum Council and the Schools Examination and Assessment Council which require them to take account of the ethnic and cultural diversity of British society and of the importance of promoting equal opportunities for all pupils regardless of ethnic origin and gender.

The Department is committed to equal opportunities for boys and girls in education and its policies for education are designed to reinforce them. Our White Paper "Better Schools" issued in 1985 made it clear that there is no place for discrimination in the curriculum on

the ground of sex. Our policy statement "Science 5-16," also issued in 1985, emphasised that career opportunities should be kept open for both boys and girls. The national curriculum will ensure that all pupils experience a coherent education, and prevent premature specialisation by either girls or boys.

Astronomy

Dr. Marek: To ask the Secretary of State for Education and Science what action he proposes to take as a result of resolution A2 on the adverse environmental impacts on astronomy passed at the XXth general assembly of the International Astronomical Union.

Mr. Jackson: Resolution A2 was sponsored by the Commission on the Protection of Observatories, of which the United Kingdom is a member. Britain has extensive experience of taking special measures to protect radio telescopes from harmful interference, under the oversight of a committee including representatives of the radioastronomy community. All the major British optical and infra-red telescopes are located abroad and special measures have been taken by the host states to minimise the level of background illumination. The United Kingdom, with its partners in the European Space Agency, is currently considering a report of a working group set up to consider the problems resulting from debris in space.

Crops Potential

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Science what research his Department is sponsoring on the potential of crops to replace the use of wood or fossil fuels in producing materials such as paint, plastics and paper; and if he will make a statement.

Mr. Jackson: Over recent years the Department has provided funds to the Agricultural and Food Research Council, through the science budget, to carry out research in molecular biology. This has led to the development of genetic engineering techniques for plants, and, in particular, gene insertion. This biotechnology can now be used to develop crops for specific industrial uses. My right hon. Friend's recent allocation of increased science budget funds to the AFRC will further support the research base in genetic engineering for such purposes. Some of this funding will be used to establish a Government-funded LINK programme of co-ordinated research on crops for industrial use involving AFRC, the Ministry of Agriculture, Fisheries and Food, the Department of Agriculture and Fisheries for Scotland, the Department of Trade and Industry, the Science and Engineering Research Council and several universities and industrial companies. Depending on the companies involved, the programme will be concerned with fibre production for paper pulp and construction materials, oil production for paints, plastics and lubricants and with the production of high value pharmaceuticals.

Top-up Loans

Mr. Andrew Smith: To ask the Secretary of State for Education and Science how many responses he has now received to the "Top-up Loans for Students" White Paper; how many of these were supportive and how many opposed; and if he will place the responses in the Library.

Mr. Jackson: My right hon. Friend has received some 140 formal responses to the White Paper, expressing a variety of views. It is for the persons and bodies who have responded to decide whether they wish to make their views available to the House. The responses have given us no reason to believe that our plans are not well-judged. We have had helpful views and suggestions on matters on which we particularly sought comment. We shall take these into account as we proceed in our discussions with financial institutions and other bodies to develop a top-up loans scheme for introduction in the autumn of 1990.

Mr. Alfred Morris: To ask the Secretary of State for Education and Science what representations he has had from Manchester Education Committee in regard to his White Paper "Top-up Loans for Students"; what reply he is sending; if there is any action he will be taking; and if he will make a statement.

Mr. Jackson: My right hon. Friend has received a letter from the chairman of Manchester Education Committee, which he is considering with all the other responses to the White Paper.

Olympus Satellite

Mr. Bermingham: To ask the Secretary of State for Education and Science what direct funding has been made for provision of the Olympus satellite education channel to institutions and other bodies in this country; how much indirect funding has been made through such sources as training boards; and if he will make a statement.

Mr. Butcher: The Department provides no direct funding for the Olympus satellite educational channel. The determination of any indirect funding would involve disproportionate cost. The satellite is due to be launched next summer. Free transmission time is being made available for nine hours per day to educational and training bodies for a period of two years.

Alpha Projects

Mr. Bermingham: To ask the Secretary of State for Education and Science whether the extra money allocated over the next three years to research councils to fund individual projects is designed to increase the proportion of high quality alpha projects which may be funded; and if he will make a statement.

Mr. Jackson: The extra money allocated by my right hon. Friend is intended to increase the number and value of high quality alpha projects funded by the research councils. Whether it will increase the proportion of alpha-rated projects which can be funded will depend on the total number of applications graded alpha and research council decisions concerning the sums to be allocated to research grants.

COMETT Program

Mr. Boswell: To ask the Secretary of State for Education and Science what action the Government propose to take in the light of the European Council's decision by majority vote to adopt a second phase of the COMETT program on the basis of article 128 of the European Community Treaty alone.

Mr. Jackson: As reported by my right hon. Friend, the Minister of State for Employment in his statement to the

House on 22 December 1988 at columns *468-79*, the second phase of the community action programme in education and training for technology was agreed by a majority vote at the Labour and Social Affairs Council on 16 December 1988, with a budget of £130 million over the five years 1 January 1990 to 31 December 1994.

COMETT is a potentially useful programme, but the Government consider that the legal base on which the second phase was adopted to be inadequate. The original COMETT programme was adopted on the basis of article 128 and article 235 of the Treaty of Rome. Article 235 requires unanimity for the adoption of a decision while article 128 requires a simple majority only. COMETT II was brought forward for decision on the basis of article 128 alone. In the Government's view, and that of a number of other member states, article 128 alone cannot properly be used as a basis for a decision including detailed implementing measures for spending programmes over several years. The United Kingdom was unable to secure a more appropriate legal base and therefore had to vote against the proposal. It is now preparing to institute formal proceedings against the Council in the European Court of Justice to have the decision annulled. The United Kingdom will, however, stand ready to discuss the adoption of a second phase of the COMETT programme on an appropriate legal base.

Preparation for the implementation of the decision will continue while the case is before the court. Pending the decision of the court, the United Kingdom will co-operate fully with the Commission in the implementation of the programme.

TRANSPORT

Missing Persons

Mr. Janner: To ask the Secretary of State for Transport whether he will make vehicle licensing bureau records available to the Salvation Army free of charge for the forwarding of communications of missing persons on behalf of their families.

Mr. Peter Bottomley: Information about keepers of vehicles is released free only to the police, local authorities investigating offences and the keepers themselves. Other enquirers must be law show reasonable cause for their inquiry and pay a £3·50 fee. Data protection principles require all inquiries to be treated on their individual merits.

I am writing to the hon. and learned Gentleman.

Severn Bridge

Mr. Butler: To ask the Secretary of State for Transport pursuant to his answer to the hon. Member for Wansdyke of 2 February, *Official Report*, columns *367-68*, whether his projection of the extinguishment of all debt on the Severn bridge by the year 2006 takes account of the diversion of a proportion of traffic from the existing Severn bridge to the new planed Severn bridge.

Mr. Peter Bottomley: No.

Roads (Expenditure)

Mr. Alexander: To ask the Secretary of State for Transport for what reasons the budget for local authority current expenditure on technical and supervisory services was combined with the budget for roads in table 8.1 of the public expenditure White Paper.

Mr. Peter Bottomley: The separate subhead for professional and technical services has been abolished and the expenditure charged out to roads and public transport expenditure to bring its treatment into line with that on local transport capital expenditure and with most other services. The change was agreed with the local authority associations.

Mr. Alexander: To ask the Secretary of State for Transport what are the reasons for the underspend on local authority capital expenditure on roads and parking for 1987-88 being revised from £145 million to £65 million in chart 8.23 of the public expenditure White Paper in 1988.

Mr. Peter Bottomley: The estimated underspend given in Cm. 288-11 was based on recorded expenditure for the first quarter of 1987-88 only.

In its evidence to the Transport Select Committee the Department (footnote to table 3, page 14 of the Committee's report, HC 442) drew attention to the uncertainty attached to these estimates.

The revised figure shown in chart 8.23 of Cm. 621 is based on spending returns for the four quarters of 1987-8.

The consolidated outturn figures for 1987-88 are not expected before mid-1989. They will be published in next year's public expenditure White Paper.

Channel Tunnel

Mr. Steinberg: To ask the Secretary of State for Transport what amount he plans to spend on road improvement schemes in association with the Channel tunnel.

Mr. Peter Bottomley: We plan to spend more than £220 million on a large programme of major trunk road improvements in Kent, some of which will help improve access to the tunnel. These schemes, some of which were brought forward for the tunnel, include major improvements to the M20, the main route between London and the tunnel.

In addition, based on current estimates, we expect to pay Kent county council approximately £38 million in the form of transport supplementary grant towards Channel tunnel-related schemes in its programme.

The impact of the Channel tunnel is one of many factors taken into account in the design of motorway and trunk road schemes.

Heavy Goods Vehicles

Mr. Squire: To ask the Secretary of State for Transport if there is a standard definition of heavy goods vehicles, for statistical and administrative purposes in each of the 12 EEC countries.

Mr. Peter Bottomley: There is no standard definition of heavy goods vehicle for administrative purposes in the 12 EEC countries. Each country has its own definition, mostly based on gross vehicle weight—for example, 2·8 tonnes in West Germany, 3·0 tonnes in France and 3·5 tonnes in the United Kingdom. For driver licensing purposes, most countries require a special licence only for

vehicles in excess of 7·5 tonnes gvw. The only statistical definition is that all goods vehicles over 6 tonnes gvw must be heavy goods vehicles. Again most countries adopt the same limit, which they use for administrative purposes.

OECD has proposed a standard definition in the road safety area that uses the 3·5 tonnes limit which is used in the United Kingdom.

A1 (Improvements)

Mr. Robert Banks: To ask the Secretary of State for Transport when he expects to make a statement following the public inquiry into improvements to the A1 between Wetherby and Dishforth in North Yorkshire.

Mr. Peter Bottomley: A decision will be announced when the Secretaries of State for Transport and for the Environment have completed their consideration of the inspector's report.

Free Transport

Mr. David Marshall: To ask the Secretary of State for Transport what information he has as to which member states of the European Economic Community provide free transport for *(a)* pensioners, *(b)* disabled people and *(c)* unemployed people on (i) buses and (ii) trains.

Mr. Portillo: The authorities of member states of the European Community run a variety of concessionary travel schemes for pensioners and the disabled. I do not, however, have up-to-date detailed information on these schemes or on whether there are any schemes for the unemployed. There are also some commercially operated schemes. These include a scheme for reduced fares for the elderly operated by 18 European railways including British Rail which is open to the elderly of all the countries concerned.

Roads (Lane Rental Contracts)

Mr. Patnick: To ask the Secretary of State for Transport what estimate he has made of the value to road users since 1984-85 of the use of lane rental contracts in road renewal programmes.

Mr. Peter Bottomley: Lane rental contracts for major maintenance schemes on trunk roads, including motorways, are estimated to have saved about 2,000 days of lane closures worth about £35 million in reduced delay costs to road users.

M1 (Closure)

Mr. Greg Knight: To ask the Secretary of State for Transport why two lanes of the northbound carriageway of the M1 motorway were closed to vehicular traffic on 20 January in the vicinity of junction 2.

Mr. Peter Bottomley: The closures were necessary, for safety reasons, to replace worn cats eyes. The work was over by 3 pm before the evening peak.

Mr. Greg Knight: To ask the Secretary of State for Transport if, due to the large volume of traffic attempting to leave London and travel north on Fridays, he will consider restricting maintenance work on the northbound carriageway of the M1 motorway to emergency workings only on such days.

Mr. Peter Bottomley: Wherever possible to already avoid peak period working. It is not practical to remove traffic management controls, such as contraflows, on Fridays when major maintenance works are in progress.

Further major maintenance work on the M1 is planned later this year in Bedfordshire.

Railways (State Assistance)

Mr. Adley: To ask the Secretary of State for Transport what information he has on the level of state assistance per head of population in pound sterling for each of the European Economic Community countries towards the publicly owned railway system in each country.

Mr. Portillo: The most recent information available to my Department on the public subsidy levels of European Community railway systems is contained in the ninth Commission report on the transposed annual accounts of railway undertakings for 1985, [COM (88)739 final], a copy of which is in the Library of the House. There are substantial variations between countries in accounting systems including the writing off of debt and in the arrangements for financial support, and the figures contained in the report provide only a broad comparison. Other things being equal, the railway which is the most efficient will need the least grant.

London Area Model

Mr. Bermingham: To ask the Secretary of State for Transport if he will outline the reasons for discontinuance of use of the London area model at the Transport and Road Research Laboratory; what are his responses to the report on sensitivity tests on the model; and if he will make a statement.

Mr. Peter Bottomley: The Department commissioned an audit by consultants. The results were received last spring.

These identified deficiencies with the London area model (LAM) including its representation of road and rail capacity levels, inadequate representation of peak demands, and an inability to reproduce travel patterns experienced in recent years—particularly the growth in travel demand which has taken place since travelcards were introduced.

It was decided to withdraw the model from further use. I will be placing a copy of the consultant's audit report in the Library.

The transport and road research laboratory's experimental London area model (LAM) was designed to assist in the analysis of strategic policy options. The London Planning Advisory Committee (LPAC) commissioned consultants to test four transport options using the model.

The base scenario portrayed in the report by LPAC's consultants did not represent current Government policies. The conclusions drawn were not a realistic assessment of the likely outcome. The base against which other policies are compared is ill-founded. The options described in the LPAC scenarios have included the impact of selective road improvements, stricter parking controls, selective radial rail improvements and new RER style railways. None was suitable for testing using LAM.

The sensitivity testing work was commissioned by LPAC. The Department received a copy of the report in late January. It is for LPAC to publish the results if they so wish.

London Underground (Crime)

Mr. Harry Greenway: To ask the Secretary of State for Transport what action is being taken to increase the effectiveness of the British Transport police and staff of London Underground Limited in preventing crime on London Underground.

Mr. Portillo: New area police stations will be opened at Finsbury Park, Wembley Park and Hammersmith by April. The increasing practice of allocating officers to area police stations allows much quicker response times. The complement of the Underground division of the British Transport Police in 1985 was 280. This was increased to 350 following the publication of my Department's report on crime on the Underground and I announced a further increase in December to 400. About 80 officers of the Metropolitan and City police forces are carrying out duties on the Underground while the division is being brought up to strength.

Under the "customer care initiative", staff of London Underground Limited are being trained to become more aware of customers needs and more available to the public. Courses for new recruits and refresher courses will now include specific training in passenger security. London Underground Limited has also recruited 28 additional staff to help carry out anti-crime measures being tested at 13 Underground stations. These schemes are examples of the measures being taken by London Underground to combat crime.

M1-A1 Link

Mr. Boswell: To ask the Secretary of State for Transport if he proposes to make any changes to the route of the proposed M1-A1 link road at Naseby; and if he will make a statement.

Mr. Peter Bottomley: It remains my right hon. Friend's intention to build the link road on the line authorised as a trunk road by the relevant orders. This will take the road north of Naseby. We are pressing on with the remaining statutory procedures for this section of the road. We expect to start site works in the spring for the section of road from east of Kettering to Thrapston.

Recent press reports stem from a judgement by the Court of Appeal which confirmed the validity of the decision by my right hon. Friend the Secretaries of State for the Environment and for Transport to adopt the published route. They took this decision after considering all the evidence including the report of the inspector who conducted a long and searching public inquiry into the matter in 1984-85.

Alternative routings at Naseby, and the importance of the battlefield, were discussed at length. The hard choice was between preserving the whole battlefield area and protecting the environment elsewhere.

My right hon. Friends were satisfied that even the effects on the battlefield and its historic claims did not outweigh environmental and other arguments.

The roads will cross the southern edge of the battlefield at low level in a natural valley. We do not propose to reopen the debate now.

We intend to complete construction of the whole link road as soon as possible.

Clapham Junction (Accident)

Mr. Bowis: To ask the Secretary of State for Transport when and where the public inquiry into the Clapham junction railway accident will be held.

Mr. Portillo: The formal investigation into the Clapham junction railway accident will be held before Mr. Anthony Hidden QC and will begin on Monday 20 February 1989 at 10.30 am in Westminster Central Hall, Storey's Gate, London SW1.

The investigation will be held in public. Advertisements are being placed in the press.

Transport Supplementary Grant (West Sussex)

Mr. Soames: To ask the Secretary of State for Transport if he will list the amount of transport supplementary grant paid to West Sussex county council for each of the last five years.

Mr. Peter Bottomley *[holding answer 13 February 1989]:* The information is as follows:

Year	*Grant (£ million)*
1989-90	1·526
1988-89	2·730
1987-88	3·089
1986-87	3·622
1985-86	3·241

Most major schemes in the county's TSG-supported programme are now complete or nearly complete. Expenditure has therefore tailed off. Expenditure on new schemes has not yet compensated for this reduction. The A259 Rustington bypass has been newly accepted for support in 1989-90.

Military Airports (Scotland)

Mr. Allen Adams: To ask the Secretary of State for Transport how many military airports there are in Scotland.

Mr. Neubert: I have been asked to reply.

There are four permanent Royal Air Force airfields in Scotland and one operated by the Procurement Executive of the Ministry of Defence. RAF Stornoway, which is normally operated as a civil airport by Highlands and Islands Airports Limited, is also activated as a military airfield for up to six weeks a year. In addition there are service units located at a number of other civil airfields from which regular military flying takes place.

SCOTLAND

Single European Market

73. **Mr. McAllion:** To ask the Secretary of State for Scotland what steps he is taking to prepare industry in Scotland for the advent of the single European market in 1992.

Mr. Lang: In addition to the Government's "Europe Open for Business" campaign which covers the whole of the United Kingdom, my Department is working closely with the Scottish Development Agency, enterprise trusts,

chambers of commerce, and other organisations in Scotland, and both Ministers and officials are taking part in an extensive series of seminars and business meetings throughout Scotland. My right hon. and learned Friend has also established the single market committee of the Scottish Economic Council to examine the impact of the Single Market on the economy of Scotland and to submit proposals to encourage those concerned to prepare for it. Our aim is to ensure that every sector of industry and commerce in Scotland is fully prepared for the challenges and opportunities which the single market will present.

Academic Tenure

Mr. Allan Stewart: To ask the Secretary of State for Scotland if he will take steps to end academic tenure in the central institutions.

Mr. Michael Forsyth: It is at only three central institutions where the contractual conditions of service appear to contain restrictive grounds for dismissal of academic staff ("academic tenure"). The 1987 agreement on salaries and conditions in the grant-aided colleges contained a statement of intent by both management and staff sides to agree a common set of conditions of service applying to all academic staff in the sector. We look to the management side to deal with anomalies such as "academic tenure" in the context of that exercise.

Labour Statistics

Mr. David Marshall: To ask the Secretary of State for Scotland what is his estimate of the number of unemployed young males and females in the Glasgow, Shettleston constituency and of the number of jobs, excluding YTS, available to them.

Mr. Lang: On 13 October 1988 (the latest date for which information is available) there were 1,248 male and 500 female unemployed claimants under the age of 25 in the Glasgow, Shettleston parliamentary constituency. Vacancy statistics are not available on a parliamentary constituency or age basis. However, the total numbers of vacancies notified and remaining unfilled on 7 October 1988 at the Glasgow, Central and Parkhead jobcentres, which inter alia serve residents of the Glasgow, Shettleston parliamentary constituency, were 1,379 and 445 respectively. It is estimated that only around one third of all vacancies nationally are notified to jobcentres.

This information is available in the Library.

Woodland Grants

Mr. Maclennan: To ask the Secretary of State for Scotland what is the estimated cost to public funds of the repeat consultation which the Forestry Commission is conducting, in respect of those schemes approved under the forestry grant scheme which have been transferred to the woodland grant scheme.

Lord James Douglas-Hamilton: These further consultations are normally very straightforward and consultees usually have little to add to their previous comments. Detailed records of the costs to public funds of these consultations are not kept separately, but they are marginal in relation to the total cost of operating the consultation procedures.

Mr. Maclennan: To ask the Secretary of State for Scotland what information he has as to the number of trees that will be lost from planting in 1988-89, in consequence of the repeat consultation required in respect of those schemes approved under the forestry grant scheme which have been transferred to the woodland grant scheme.

Lord James Douglas-Hamilton: Plans of operations approved by the Forestry Commission under its grant schemes cover a five-year period and do not specify planting by individual years. It is not therefore possible to say how many trees which might have been planted in 1988-89 under the forestry grant scheme will not now be planted in that year because the applicants have decided to transfer to the woodland grant scheme.

Water Charges

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what discussions have been held with representatives of *(a)* textile, *(b)* fish processing and *(c)* food processing industries about the implications of metered water charges to be levied from 1 April 1989 subsequent to the implementation of part V, section 25 and schedule 5 to the Abolition of Domestic Rates Etc. (Scotland) Act 1987.

Lord James Douglas-Hamilton: Metered water charges are set by the water authorities, the regional and islands councils, who are free to consult industries in their areas. The extent of discussions between the authorities and the particular industries mentioned is not known.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he has any plans to seek to amend part V, section 25 and schedule 5 to the Abolition of Domestic Rates Etc. (Scotland) Act 1987; and if he will make a statement on the effect of proposed metered water charges on *(a)* existing industries and *(b)* inward investment to Scotland.

Lord James Douglas Hamilton: There are no plans to amend part V, section 25 of and schedule 5 to the Abolition of Domestic Rates Etc. (Scotland) Act 1987.

The new arrangements require water authorities to adopt an even-handed approach which will be fair to all classes of consumer. This will not increase the total operating cost of supplying water but the cost to each class of consumer may vary. Metered charges have risen but for businesses and industries with low water consumption and high rateable values there could be reductions in costs, resulting from the abolition of the public water rate. Also, many who pay the non-domestic water rate, typically commercial and small business ratepayers, can expect to benefit.

Scotland remains an attractive location for companies seeking a European base. I would not envisage that the increased metered water charges would have a significant effect on the ability to attract new industries.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the metered water charges to be levied per cubic metre in each Scottish regional authority area after 1 April 1989 subsequent to the implementation of part V, paragraph 25 and schedule 5 to the Abolition of Domestic Rates Etc. (Scotland) Act 1987; and if he will show the percentage increase or decrease in each case from charges in the financial year 1988-89.

Lord James Douglas-Hamilton: The new charges set by the regional councils and the percentage increases are:

	Metered water charge from 1 April 1989 pence per cubic metre	*Increase over the charge in 1988-89 per cent.*
Borders	28·00	27
Central	21·00	24
Dumfries and Galloway	28·20	64
Fife	26·00	18
Grampian	43·00	110
Highland	33·50	72
Lothian	28·70	53
Strathclyde	27·84	69
Tayside	32·00	39

In Borders, Dumfries and Galloway, Grampian, Highland and Strathclyde, the abolition of the public water rate will provide some offsetting savings in charges. For some consumers, these savings will more than compensate for the increase in metered charges.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the number and source of representations he has received: *(a)* supporting, and *(b)* opposing proposed metered water charges to be levied after 1 April 1989, subsequent to the implementation of part V, paragraph 25 and schedules to the Abolition of Domestic Rates Etc. (Scotland) Act 1987.

Lord James Douglas-Hamilton: Representations expressing concern about the planned meter water charges have been received on behalf of nine trade and business associations and six companies.

Water Supply (Aluminium Levels)

Dr. Godman: To ask the Secretary of State for Scotland what research his Department has commissioned into the effect upon humans of water supplies containing levels of aluminium in excess of the level stated in EEC directives.

Lord James Douglas-Hamilton: Departments take note of research carried out by the water industry and other bodies and obtain the advice of a specialist medical committee on health aspects. Research into the effects of aluminium in drinking water has not been commissioned directly by the Scottish Office.

Local Authority Finance

Mr. Blunkett: To ask the Secretary of State for Scotland if he will list for each district council area in Scotland *(a)* the value of the grant safety net payable in 1989-90, *(b)* the estimate of population which was used when calculating the community charge which would be levied in 1988-89, *(c)* the needs assessments on which the projections of 1988-89 community charge levels were based and *(d)* the average rate bill per adult in 1988-89.

Mr. Lang: The information requested is set out in the table. The figures in column 1 represent a transitional supplement to grant paid both to regional and district councils in respect of the population of the district area. This will be phased out within three to five years. The projections of community charge levels for 1988-89 were calculated on the basis of projected budgeted expenditure not client group assessments.

	Column 1 Value of safety net at taxpayer level £	*Column 2 Adult Population*	*Column 3 Average rate bill per adult 1988-89* £
Berwickshire	0	14,424	214
Ettrick and Lauderdale	0	25,710	205
Roxburgh	0	27,319	209
Tweeddale	0	11,391	224
Clackmannan	0	35,137	237
Falkirk	0	108,102	226
Stirling	0	61,958	297
Annandale and Eskdale	0	27,604	210
Nithsdale	0	43,882	210
Stewartry	0	17,929	235
Wigtown	0	23,002	199
Dunfermline	0	96,081	244
Kirkcaldy	0	111,497	254
North East Fife	0	52,114	292
Aberdeen City	0	170,657	231
Banff and Buchan	0	61,455	192
Gordon	0	50,767	221
Kincardine and Deeside	0	35,266	224
Moray	0	63,301	182
Badenoch and Strathspey	0	8,100	243
Caithness	0	20,138	174
Inverness	0	45,662	230
Lochaber	0	14,154	213
Nairn	0	7,604	234
Ross and Cromarty	0	34,405	213
Skye and Lochalsh	0	8,648	165
Sutherland	0	10,207	164
East Lothian	0	63,731	317
Edinburgh City	0	351,866	333
Midlothian	182,570	60,695	275
West Lothian	0	101,686	271
Argyll and Bute	1,235,658	49,474	277
Bearsden and Milngavie	0	30,453	423
Clydebank	664,843	37,381	241
Clydesdale	417,660	43,447	257
Cumbernauld and Kilsyth	752,861	44,521	271
Cumnock and Doon Valley	635,754	32,545	221
Cunninghame	3,143,844	100,964	283
Dumbarton	1,356,316	58,450	309
East Kilbride	375,107	61,879	280
Eastwood	0	42,311	399
Glasgow City	29,151,857	561,698	274
Hamilton	367,478	78,449	280
Inverclyde	0	73,531	263
Kilmarnock and Loudoun	1,214,346	60,702	259
Kyle and Carrick	0	87,133	303
Monklands	510,925	77,834	255
Motherwell	0	109,686	251
Renfrew	1,882,902	153,443	284
Strathkelvin	151,070	65,976	280
Angus	0	69,926	242
Dundee City	0	136,383	278
Perth and Kinross	0	95,464	255

Mr. Blunkett: To ask the Secretary of State for Scotland what has been the aggregate Exchequer grant paid to all local authorities in Scotland for each financial year since 1978-79 *(a)* in cash terms and *(b)* at 1988-89 prices.

Mr. Lang: The information requested is set out in the table:

£ million

	Cash terms	*1988-89 prices*
1978-79	1,125	2,453
1979-80	1,300	2,425
1980-81	1,577	2,484
1981-82	1,693	2,427
1982-83	1,799	2,408
1983-84	1,920	2,457
1984-85	1,888	2,300
1985-86	1,937	2,239
1986-87	1,904	2,129
1987-88	2,092	2,222
1988-89	2,371	2,371

Notes:

1. The figures for 1986-87 to 1988-89 will be varied following the next rate support grant order. The figures reflect selective and general abatement of grant, except that for 1988-89 no adjustment has been made for grant penalties since they will be restored for authorities which bring their expenditure down to guidelines on outturn.
2. The GDP deflator has been used to convert RSG to 1988-89 prices.

Forestry

Mr. Maclennan: To ask the Secretary of State for Scotland (1) what plans he has for the sale of Forestry Commission forests after 31 March when the present programme of rationalisation comes to an end; and if he will make a statement;

(2) what are the current criteria which define the conditions under which Forestry Commission forests may and may not be sold; and whether it is his intention to apply those criteria in respect of any proposed Forestry Commission disposals after 31 March.

Lord James Douglas-Hamilton: The Forestry Commission's land disposals programme is at present being reviewed. My right hon. and learned Friend will make a statement to the House when the review has been completed.

The main considerations that the Forestry Commissioners are currently required to take into account in selecting areas for sale have been set out in the form of ministerial guidelines. These are reproduced in appendix V to the commission's 1981-82 annual report, a copy of which is available in the Library.

Flood Damage

Mr. Kennedy: To ask the Secretary of State for Scotland if he is yet in a position to estimate the total cost of the damage and for reparation to those areas of banking which were breached as a result of the recent flooding at the river Conon, Rosshire; and if he will make a statement.

Mr. Michael Forsyth: My noble Friend the Minister of State has called for detailed reports of floodbank and other damage on the river Conon and elsewhere. He will wish to give these reports careful consideration before he is in a position to make any statement.

Universities

Sir Nicholas Fairbairn: To ask the Secretary of State for Scotland whether he has yet responded to the invitation from the chairman of the Standing Committee of the Scottish Universities to end the requirement that the courts of the four ancient Scottish universities should be chaired by the rector.

Mr. Rifkind: I replied yesterday to Principal McNicol's request by confirming that a provision is included in the Self-Governing Schools Etc. (Scotland) Bill, introduced today, to end the automatic right of the rector to chair the court of the universities of St. Andrews, Aberdeen, Glasgow and Edinburgh. Given the role of the court, I agree that it would be more appropriate that the court as a whole should be able to choose its own chairman from among those members who are neither staff nor students at the university.

Rating Reform

Mrs. Ray Michie: To ask the Secretary of State for Scotland how many police officers in tied housing by district in Scotland will have to pay the personal community charge.

Lord James Douglas-Hamilton *[holding reply 14 February 1989]:* All police officers, whether or not they occupy accommodation provided by the police authority, will have a statutory liability to pay the personal community charge. On 31 December the total number of officers occupying accommodation provided by police authorities in Scotland was 2,169; the information held centrally does not provide a breakdown by district.

EMPLOYMENT

Engineers and Scientists

79. **Mr. Martlew:** To ask the Secretary of State for Employment which Organisation for Economic Co-Operation and Development countries have a greater number of engineers and scientists per 100,000 of the employed work force than the United Kingdom.

80. **Mr. Jack Thompson:** To ask the Secretary of State for Employment which Organisation for Economic Co-Operation and Development countries have a greater number of engineers and scientists per 100,000 of the employed work force than the United Kingdom.

Mr. Cope: International comparisons of numbers of engineers and scientists on a common definition are not available.

"Employment for the 1990s"

Mr. Patnick: To ask the Secretary of State for Employment how many representations he has received so far following the publication of the White Paper, "Employment for the 1990s"; and if he will make a statement.

Mr. Cope: To date, over 600 organisations and individuals have made representations about the White Paper "Employment for the 1990s". The overwhelming majority have expressed interest in and support for the establishment of the new training and enterprise councils.

Youth Employment

Mr. Greg Knight: To ask the Secretary of State for Employment if he will make a statement on his proposals to remove the barriers to the employment of 16 to 18-year-olds.

Mr. Cope: Clause 8 of the Employment Bill will repeal the mass of archaic legislation restricting the hours young persons over minimum school-leaving age but under 18 can work. It will also remove other unnecessary restrictions on their employment and related administrative burdens on employers. This will increase the employment opportunities available to young persons and remove barriers to flexibility in business. Necessary health and safety protections for young persons will not be affected.

Working Women

Mr. Matthew Taylor: To ask the Secretary of State for Employment if he will make a statement on the differential between the number of full-time working women in Cornwall earning less than £100 per week and the figure for the United Kingdom as a whole.

Mr. Lee: Estimates from the new earnings survey in April 1988 indicate that some 31 per cent. of full-time female employees in Cornwall on adult rates, whose gross earnings were not affected by absence, earned less than £100 per week. The equivalent figure for the United Kingdom as a whole is 16 per cent. Differences in the mix of occupations and industries between Cornwall and the United Kingdom as a whole contribute to regional differences in the distribution of earnings.

Employment Training

Mr. Kennedy: To ask the Secretary of State for Employment if he has any plans to revise the current operations of the employment training scheme, with specific regard to the position of those going into the scheme who are in receipt of income support or unemployment benefit; and if he will make a statement.

Mr. Nicholls: My right hon. Friend has no present plans to do so.

Ms. Walley: To ask the Secretary of State for Employment if he will list the number of filled places on the employment training programme *(a)* nationally and *(b)* in north Staffordshire.

Mr. Nicholls: At 3 February 1989 there were 137,100 people on employment training in Great Britain. Figures

are not separately available for north Staffordshire, but there were about 2,600 people training in Staffordshire as a whole on the same date.

Ms. Walley: To ask the Secretary of State for Employment how many of the employment training programme's filled places are *(a)* project-based and *(b)* employment-based (i) nationally and (ii) in north Staffordshire.

Mr. Nicholls: The information is not available in the precise form requested. It is not possible to give information based only on the number on employment training and the estimates provided in the following table include those people on community programme conditions who are training with employment training managers. Figures are not separately available for north Staffordshire and have been provided for Staffordshire and a whole.

Employment Training: Estimated Division of Filled Places at 3 February 1989

	National	*Staffordshire*
Project-ased	98,133	2,183
Employment-based	37,839	615
Other	33,839	276
Total	169,195	2,074

Disabled People

Mr. Bowis To ask the Secretary of State for Employment if he will make a statement on the employment and training opportunities for disabled people.

Mr. Lee: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Mid-Kent (Mr. Rowe) on 6 December 1988 at column *141*.

Industrial Relations Training

Mr. Allen: To ask the Secretary of State for Employment if he will make it is his policy to make industrial relations training available to local authorities.

Mr. Nicholls: My right hon. Friend has no plans to make special provision for local authorities.

Restart

Mrs. Short: To ask the Secretary of State for Employment how many restart interviews were conducted for each employment service region, between May 1988 and January 1989.

Mr. Lee: The number of restart interviews conducted in each employment service region between May 1988 and January 1989 is shown in the table.

Region	*Number of interviews*
Northern	110,000
Yorkshire and Humberside	150,000
East Midlands and Eastern	132,000
London and South East	330,000
South West	70,000
Wales	89,000
West Midlands	161,000
North West	242,000
Scotland	182,000
GREAT BRITAIN	1,466,000

Ms. Short: To ask the Secretary of State for Employment in the most recent 12 month period, how many claimants called for restart interview have failed to attend their interview; how many of those failing to attend are believed to have found work; how many of those failing to attend have not found work; how many failing to atend have had their benefit stopped; how many of these have successfully appealed against the benefit decision; and how many failing to attend have subsequently re-registered as unemployed.

Mr. Lee: Between January and December 1988, a total of 2,970,000 people were called for a restart interview, of which 339,000 were referred to unemployment benefit offices for failing to attend that interview; 24,000 (7 per cent.) of these had their benefit or credits disallowed.

The other information requested is not available.

Ms. Short: To ask the Secretary of State for Employment what safeguards he has taken to ensure the confidentiality of personal information given to his staff by claimants during the course of restart interviews; and if he will make a statement.

Mr. Lee: It is the employment service's policy that information given to it by its clients, whether written or oral, is always treated in confidence. This policy covers the information given as a result of the restart process.

YTS (Accidents)

Ms. Short: To ask the Secretary of State for Employment what were the numbers of accidents on YTS, fatal, major and minor, for the period October to December 1988.

Mr. Cope: The table provides YTS accident figures for fatal, major and minor injuries for the period 1 October to 31 December 1988:

YTS Accidents 1 October—31 December 1988

Period	*[1] Accidents*		
	Fatalities	*[2] Major injuries*	*Minor injuries*
1 October 1988 to 31 December 1988	[3]3	164	803

[1] Training Agency figures have been compiled on a similar basis to those prepared by the Health and Safety Executive on employed persons. However, the Training Agency's figures will include a number of accidents to trainees in educational establishments and road traffic accidents which may not have been reportable to the Health and Safety Executive had the individuals been employed.

[2] Major injuries are classified according to the severity criteria laid down in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985.

[3] This figure includes two road traffic accidents.

Bridging Allowance

Ms. Short: To ask the Secretary of State for Employment how many 16 and 17-year-olds by region, were in receipt of bridging allowance at the end of November 1988, December 1988 and January.

Mr. Cope: Figures for the number of young people in receipt of bridging allowance by region are available only for the middle of each month and are provided in the table.

Bridging Allowance

	November (10 November 1988)	*December (8 December 1988)*	*January (12 January 1989)*
East Midlands	1,354	1,164	1,292
West Midlands	1,371	1,074	1,249
Wales	845	642	767
London and South-East	1,703	1,422	1,515
South West	680	540	623
Northern	1,028	742	930
Yorkshire and Humberside	1,836	1,392	1,571
Scotland	2,158	1,793	1,813
North West	2,183	2,015	2,234
TOTAL	13,158	10,784	11,994

YTS

Ms. Short: To ask the Secretary of State for Employment how many YTS trainees were in receipt of board and lodging allowance to undertake training away from their home at the end of November 1988, December 1988 and January.

Mr. Cope: I regret that the information requested can be obtained only at disproportionate cost.

Ms. Short: To ask the Secretary of State for Employment at the end of November 1988, December 1988 and January 1989, how many people of YTS eligible age, registered with jobcentres or the careers service were awaiting an offer of a YTS place; and, of them, how many were receiving bridging allowance or extended child benefit or income support.

Mr. Cope: I am satisfied that the Training Agency has more than sufficient YTS places available in all areas of the country for all those who apply for one.

Information on numbers receiving bridging allowance (which is available only for the middle of each month) or for those whose parents were receiving extended child benefit is provided in the table. Information on the number of young people receiving income support is not available.

	Numbers receiving Bridging Allowance	*Number whose parents receiving Extended Child Benefit*
November 1988	13,158	16,444
December 1988	10,784	15,641
January 1989	11,994	1,451

Unemployment Benefit

Ms. Short: To ask the Secretary of State for Employment (1) for each employment service region, how many claimants each month have been referred to the unemployment benefit service due to doubts over non-availability or doubts about their restricted availability since May 1988;

(2) if he will show, for the 12-month period to end of December 1988, the decisions of adjudication officers on doubtful fresh claims, renewal claims and reviewed claims for unemployment benefit showing the numbers allowed, disallowed, referred to a local tribunal, revised in favour of claimants, revised adversely to claimants and not revised in the following categories of questions *(a)* employed to full normal extent, *(b)* engaged in employment, *(c)* availability, *(d)* restricted availability, *(e)* leaving voluntarily, *(f)* for misconduct, *(g)* neglecting to avail of employment, *(h)* refusal of employment, *(i)* refusal or premature termination of training, *(j)* refusal to carry out written recommendations and *(k)* restart.

Mr. Lee: Information is not available in the precise form requested. The relevant statistics have been compiled by the Department of Social Security on a six-monthly basis since January 1988, and no figures are yet available for the period ending December 1988. Statistics relating to individual regions of the employment service are not readily available, and could be obtained only at disproportionate cost.

All decisions on claims for unemployment benefit are made by the independent adjudicating authorities and no statistics are kept as to the manner in which the entitlement doubt arose.

Figures on the numbers disallowed for failure to attend a restart interview are not compiled separately.

Subject to these qualifications, the table sets out the available information requested.

Six months ended 30 June 1988

	Allowed	*Disallowed*	*Referred Direct to Local Tribunal*	*Review Cases Revised in favour of claimant*	*Revised adversely to claimant*	*Not Reviewed/ Revised*
Employed to full normal extent	32,656	11,826	48	150	233	74
Engaged in employment	2,315	12,699	11	150	4,501	161
Availability	37,166	38,141	69	1,199	971	713
Restricted availability	33,992	10,149	22	416	333	435
Leaving voluntarily	86,078	140,368	189	2,407	481	1,279
For misconduct	52,800	45,769	353	621	137	426
Neglecting to avail for employment	2,958	1,733	6	47	10	18

	Allowed	Disallowed	Referred Direct to Local Tribunal	Review Cases Revised in favour of claimant	Revised adversely to claimant	Not Reviewed/ Revised
Refusal of employment	2,724	1,205	10	38	6	7
Refusal or premature termination of training	1,657	2,822	10	123	55	52
Refusal to carry out written recommendations	14	28	—	2	1	—

Labour Statistics

Ms. Short: To ask the Secretary of State for Employment (1) if he will show, from the 1988 labour force survey, by region, including Greater London, and by male and female, the numbers of people who were *(a)* without jobs and who looked for work in the four weeks before their labour force survey interview and were available to start work within two weeks, who wanted full time jobs, the number who wanted part time jobs and the number who had no preference, *(b)* unemployed according to the standard labour force survey definition who were looking for full time jobs and the number looking for part time jobs and the number who had no preference, *(c)* in part time jobs who were looking for a different job with longer hours or looking for an additional job, *(d)* looking for a different job with shorter hours, *(e)* claimants not unemployed by the definition using broad International Labour Organisation guidelines on the grounds that they were employed and *(f)* claimants not unemployed by the conventional labour force survey definition on the grounds that they were employed;

(2) if he will show, from the 1988 labour force survey by region including Greater London, and by male and female, the number of people not counted as unemployed by the definition using broad International Labour Organisation guidelines on the grounds that they had not looked for a job in the four weeks prior to interview, but who stated that they would like a job if one was available, and *(a)* were available to start work within two weeks and *(b)* were not available to start work within two weeks;

(3) if he will, from the 1988 labour force survey, publish a table for each Great Britain region and Greater London, by male and female, and claimant status, the numbers of people without work who had looked for a job in the four week reference period, and were available to start work within two weeks.

Mr. Lee: Results from the 1988 labour force survey are not yet available.

Ms. Short: To ask the Secretary of State for Employment if he will show by region, including Greater London, and by male and female, the number of self-employed people in June 1979, June 1983, June 1984, June 1985, June 1986, June 1987 and June 1988, and show by region, including Greater London, and by male and female the number of people in the working population in June 1979, June 1983, June 1984, June 1985, June 1986, June 1987 and June 1988.

Mr. Lee: Table A shows the estimated numbers of self-employed people for the areas and dates specified. Table B gives the available information for the civilian work force, which is the sum of employees in employment, the self-employed, participants in work-related Government training programmes and claimant unemployed.

Table A
Self-employed in Great Britain

Thousand

June	South East	Greater London[1]	East Anglia	South West	West Midlands	East Midlands	Yorkshire & Humberside	North West	North	Wales	Scotland
1979											
Male	544	n/a	64	111	124	99	107	161	61	98	128
Female	107	n/a	15	35	17	17	27	53	16	26	32
All	651	n/a	79	146	141	116	134	214	77	124	160
1983											
Male	567	220	72	161	137	127	130	163	64	94	137
Female	163	59	22	52	40	30	39	61	27	32	42
All	730	279	94	213	177	157	169	224	91	126	179
1984											
Male	647	256	83	171	151	129	159	183	73	108	145
Female	211	74	26	62	36	37	44	75	19	36	40
All	858	330	109	233	187	166	203	258	92	144	185
1985											
Male	686	280	86	186	145	124	162	193	79	111	151
Female	217	80	28	65	40	33	60	74	25	35	49
All	903	360	114	251	185	157	222	267	104	146	200
1986											
Male	667	260	81	193	144	127	163	196	79	120	165
Female	237	86	24	63	43	40	53	71	26	34	40
All	904	346	105	256	187	167	216	267	105	154	205

June	South East	Greater London[1]	East Anglia	South West	West Midlands	East Midlands	Yorkshire & Humberside	North West	North	Wales	Scotland
1987											
Male	778	303	88	206	164	144	176	209	78	105	152
Female	254	95	39	72	45	45	60	70	30	43	42
All	1,032	399	127	278	209	189	236	279	108	148	194
1988											
Male	813	317	91	210	169	149	184	216	80	108	157
Female	274	103	43	77	47	48	64	73	32	46	45
All	1,087	419	134	287	216	197	248	289	112	154	202

[1] Included in South East.
n/a = Not available.

Table B
Civilian workforce in Great Britain

Thousands

June	South East	Greater London[1]	East Anglia	South West	West Midlands	East Midlands	Yorkshire & Humberside	North West	North	Wales	Scotland
1979											
Male	5,019	n/a	502	1,093	1,542	1,063	1,380	1,831	882	769	1,445
Female	3,345	n/a	308	734	951	676	873	1,241	554	461	984
All	8,364	n/a	810	1,828	2,493	1,740	2,253	3,072	1,436	1,230	2,429
1983											
Male	5,058	2,452	526	1,138	1,518	1,076	1,349	1,747	829	722	1,422
Female	3,444	1,630	330	764	949	689	870	1,203	537	454	981
All	8,503	4,081	856	1,902	2,467	1,766	2,219	2,950	1,366	1,177	2,403
1984											
Male	5,161	2,487	542	1,161	1,529	1,086	1,366	1,753	834	733	1,426
Female	3,629	1,680	348	806	977	727	903	1,243	552	470	1,008
All	8,790	4,168	890	1,967	2,506	1,813	2,269	2,996	1,387	1,203	2,433
1985											
Male	5,249	2,521	566	1,189	1,535	1,128	1,374	1,755	849	736	1,442
Female	3,733	1,703	368	830	1,008	753	942	1,262	563	470	1,029
All	8,981	4,225	934	2,019	2,543	1,881	2,316	3,017	1,412	1,206	2,470
1986											
Male	5,231	2,502	579	1,190	1,542	1,126	1,384	1,731	852	734	1,442
Female	3,834	1,730	377	845	1,033	774	952	1,273	582	468	1,026
All	9,065	4,232	956	2,035	2,575	1,900	2,336	3,004	1,434	1,202	2,468
1987											
Male	5,287	2,501	598	1,196	1,554	1,134	1,383	1,708	847	703	1,416
Female	3,909	1,747	406	870	1,052	790	973	1,278	588	478	1,037
All	9,196	4,248	1,005	2,066	2,605	1,924	2,356	2,986	1,435	1,181	2,454
1988											
Male	5,238	2,468	614	1,173	1,528	1,128	1,359	1,663	835	689	1,381
Female	3,970	1,755	416	869	1,064	800	982	1,268	592	486	1,038
All	9,207	4,224	1,029	2,042	2,591	1,928	2,342	2,932	1,427	1,175	2,420

[1] Included in South East.
n/a = Not available.

Tourism

Mr. Robert Banks: To ask the Secretary of State for Employment if he will announce the date for the publication of the review of the English tourist authorities; and if he will make a statement.

Mr. Lee: The tourism review report is still under consideration. A response will be made in due course.

Mr. Bermingham: To ask the Secretary of State for Employment when the review on the section 4 aid scheme to the English tourist board will be completed; if he has any proposals for interim funding whilst aid is suspended; and if he will make a statement.

Mr. Lee: The tourism review report is under consideration. There are no plans for interim funding.

Mr. Bermingham: To ask the Secretary of State for Employment what grants were made out of the section 4 aid scheme to the North-West tourist board for the last year that figures are available; and if he will make a statement.

Mr. Lee: During the financial year 1987-88 the English tourist board made offers of assistance under section 4 of the Development of Tourism Act 1969 totalling £2·062 million to 73 projects in the North-West tourist board area.

Wages Councils

Mr. Nigel Griffiths: To ask the Secretary of State for Employment if he will list in the *Official Report* those

respondents to the wages councils consultative document who supported total abolition of the system and, separately, those who responded otherwise.

Mr. Nicholls: It is not the Government's practice to disclose the positions of respondents to consultation documents except where the individuals or organisations concerned have themselves publicised their views.

Mr. Nigel Griffiths: To ask the Secretary of State for Employment how many of the respondents to the wages councils consultative document supported total abolition of the system; and how many responded otherwise.

Mr. Nicholls: Nearly 400 responses have been received. Not all express a clear preference for abolition or retention. An analysis cannot be published until all the responses have been properly categorised.

Workplace and Environment

Mr. Oakes: To ask the Secretary of State for Employment how many factory inspectors he estimates will be necessary to enforce the European workplace and environmental directives.

Mr. Nicholls: Until current draft directives emerge in their final shape from negotiations, it is not possible to state what, if any, implications they might have for requirements for factory inspectors. Resources for the Health and Safety Executive are reviewed annually.

Health and Safety

Mr. Oakes: To ask the Secretary of State for Employment how many factory inspectors there were to enforce the Health and Safety at Work Regulations in each of the years 1986, 1987, 1988 and at the present time, respectively.

Mr. Nicholls: On 1 April in each year the total number of factory inspectors responsible for enforcing health and safety at work regulations, who are employed in the Health and Safety Executive's area offices, were:

	Number
1986	540
1987	538·5
1988	514·5
1989[1]	533

[1] 1 February 1989.

In addition to those employed in area offices, at 1 February 1989, a total of 77 factory inspectors were working elsewhere in HSE, in management work in factory inspectorate headquarters, or contributing to policy and standards development. Recruitment to the factory inspectorate is currently under way.

SOCIAL SECURITY

Pensioners

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list the number of pensioners, and the percentage of all pensioners, claiming one or more means-tested benefits run by his Department.

Mr. Peter Lloyd: I refer the hon. Member to my reply to the hon. Member for Derby, South (Mrs. Beckett) on 18 January at columns *241-42*. There is no current way of identifying those pensioners who are in receipt of family credit, but the number is likely to be very small.

Members' Correspondence

Mr. Steinberg: To ask the Secretary of State for Social Security what was the average time taken to reply to hon. Members' letters in each of the last six months for which figures can be calculated.

Mr. Moore: From August 1988 to January 1989 a total of 7,852 letters were received for ministerial reply. The average time taken to reply over this period is as follows, with DHSS figures for a year earlier shown in brackets.

(Calendar days)

Month	*Average time*	*Previous year*
August 1988	28	(31)
September 1988	31	(34)
October 1988	28	(35)
November 1988	29	(33)
December 1988	30	(39)
January 1989[1]	44	(53)

[1] January figures reflect the reduction in activity over the Christmas and new year holiday period. For replies issued in the first 10 days of February 1989, the average time was 33 days.

Income Support

Ms. Short: To ask the Secretary of State for Social Security how many 16 and 17-year-olds, by region, had made applications for income support on grounds of extreme harship; how many had been granted at the end of November 1988, December 1988 and January; and how many at the same dates had been granted income support on grounds of being within exempted categories, shown by category.

Mr. Peter Lloyd: The numbers of 16 and 17-year-olds granted income support because they fell within one of the groups defined in regulations ceased to be collected after October 1988 and could be obtained only at disproportionate cost. The number of applications from 16 and 17-year-olds on grounds of "severe hardship", and the number of directions given to enable benefit to be paid at each of the dates specified are in the table:

Cumulative totals period ending	*London North*	*London South*	*Midlands*	*North East*	*North West*	*Wales and South West*	*Scotland*	*Great Britain*
25 November 1988								
Aplications received	138	104	188	279	214	159	378	1,460
Directions given	101	75	143	184	137	104	236	980
30 December 1988								
Applications received	209	153	291	467	368	221	691	2,400
Directions given	143	107	212	319	242	150	454	1,627

Cumulative totals period ending	London North	London South	Midlands	North East	North West	Wales and South West	Scotland	Great Britain
27 January 1989								
Applications received	281	213	382	705	516	328	1,067	3,492
Directions given	181	143	279	482	320	209	718	2,332

Notes:
1. Based on 100 per cent. count of applications received.
2. Information relates to the number of applications received rather than to the number of individual young people involved. Some individuals may have received more than one direction.
3. Figures are cumulative to the last Friday in each month.

Dr. Godman: To ask the Secretary of State for Social Security how many people are receiving income support by way of the Department of Social Security offices in Greenock and Port Glasgow; and what were the comparable figures for those in receipt of supplementary benefit in *(a)* 1979 and *(b)* 1983.

Mr. Peter Lloyd: I refer the hon. Member to my reply to him on 26 January 1989 at columns *708-10*.

Benefits (Disqualification)

Ms. Short: To ask the Secretary of State for Social Security if, further to his reply of 25 January, to the hon. Member for Birmingham, Ladywood, *Official Report*, columns *613-14*, he will provide the information on referrals and disallowances with reference to non-availability for work separately for men and women.

Mr. Peter Lloyd: These statistics are not kept separately for men and women.

Fraudulent Claims

Mr. Greg Knight: To ask the Secretary of State for Social Security if, in order to prevent fraudulent claims, he will consider requiring all claimants for social security benefit to attend to collect it in person at least once a month, or to provide a doctor's note stating why such attendance is not possible.

Mr. Peter Lloyd: No. This is not considered to be an effective or efficient means of preventing fraudulent claims.

Overseas Visitors

Mr. Greg Knight: To ask the Secretary of State for Social Security (1) what instructions he has given to social security staff on dealing with a claimant who is a visitor to Britain and who alleges benefit is necessary because his or her sponsor has withdrawn sponsorship;

(2) if he will take steps to withdraw eligibility for benefit from visitors from abroad whose sponsors have withdrawn sponsorship.

Mr. Peter Lloyd: There are no provisions for a sponsor to withdraw sponsorship. A sponsored person enters Britain as an immigrant and is typically an elderly parent of the sponsor, who undertakes to provide him with full support including housing. Sponsorship creates a permanent legal liability for a sponsor to maintain the person he has sponsored and this liability is enforced wherever necessary. When, exceptionally, a sponsored immigrant claims income support, social security staff have instructions to contact the sponsor to ensure that he continues to fulfil his undertaking where he has the means. The Department can take proceedings to recover benefit from him if he withdraws support without good cause. These arrangements provide a good safeguard against abuse of the social security system and we have no proposals to change them.

Housing Benefit

Mr. Clay: To ask the Secretary of State for Social Security if he will publish figures for public expenditure in 1987-88 prices on standard housing benefit between the years 1982-83 and 1990-91 in the manner of his answer to the hon. Member for Sunderland, North, *Official Report*, 31 October 1988, column 494.

Mr. Peter Lloyd: The information requested is in the table. The figures are consistent with those given in my earlier reply. Standard housing benefit was introduced in 1983-84. Prior to this, assistance with housing costs was through the rent rebate and allowance scheme run by the Department of Environment.

£ Million 1987-88 prices Great Britain

	Standard Housing Benefit	Housing Benefit to people not on Income Support
1983-84	1,030	—
1984-85	1,100	—
1985-86	1,110	—
1986-87	1,160	—
1987-88	1,200	—
1988-89	—	1,130
1989-90	—	1,100
1990-91	—	1,100

The relevant information for 1982-83 is contained under the headings "rent rebate" and "rent allowance" in the table given in my earlier reply.

Social Fund

Mr. Allen: To ask the Secretary of State for Social Security what is the percentage of the annual social fund budget allocated for each month of 1988-89 for grants and loans in those offices covering the Nottingham, North constituency; what other social fund claims and payments have been made to date broken down into (i) the number for social fund claims issued and returned for each of grants, budget loans and for crisis loans, (ii) the number of awards, partial awards and refunds for other grants and loans, (iii) the average payment and (iv) the number of awards successful on review; and if he will give the loans for claimant groups E, A and pensioners.

Mr. Peter Lloyd: The local offices of the Department which serve the Nottingham, North constituency are Nottingham David lane and Nottingham Shakespeare street but their boundaries are not conterminous.

Details of the numbers of applications for social fund loans and grants processed and awarded, listed by local office, including information on budget allocations and expenditure, is available from the information held in the Library. Local offices do not have monthly budgets. To assist local office management there is a national profile of anticipated monthly expenditure which may be adjusted to reflect local demands. Details of the national profile were given in my predecessors reply to the hon. Member for Derby, South (Mrs. Beckett) on 11 July 1988 at column *61*.

No statistics are maintained on the number of claim and application forms issued to potential social fund claimants and applicants and their representatives. Details of claimants and applicants are not recorded in the format of claimant groups E, A and pensioners.

An analysis of loans awarded by client groups, and details of the number of applications successful on review for each social fund client group in the offices requested for the period to the end of December 1988 are shown in the tables.

A. The number of social fund applications successful on review

Local office	*Number*	*Amount awarded*
David lane	53	£13,404·61
Shakespeare street	50	£9,679·57
Total	103	£23,084·18

B. Loans awarded to social fund clients group

Client group	*01*	*02*	*03*	*04*	*05*
Loans awarded	16	16	140	16	219
Amount awarded	£2,805·86	£3,266·22	£16,937·95	£3,529·33	£33,561·14

Client group	*06*	*07*	*08*	*09*	*10*
Loans awarded	85	1,697	32	60	838
Amount awarded	£11,961·09	£252,542·95	£5,611·92	£5,887·10	£134,602·04

Client group	*11*	*12*	*13*	*15*
Loans awarded	1,367	43	288	119
Amount awarded	£114,902·94	£7,517·46	£22,855·56	£6,712·27

C. List of social fund client group codes

Code	*Client group*
01	Aged over 80 with higher pensioner premium
02	Aged 60-79 disabled with higher pensioner premium
03	Aged 60-79 with ordinary pensioner premium or over 60 without pensioner premium
	Applicant and partner aged under 60
04	Lone parent with disability premium
05	Family with disability premium
06	Other with disability premium
07	Lone parent without disability premium
08	Unemployed with family premium—signing quarterly
09	Unemployed without family premium—signing quarterly
10	Unemployed or with training allowance—with family premium
11	Unemployed or with training allowance—without family premium
12	Others with family premium
13	Others without family premium
15	Applicants not receiving Income Support

Social Fund

Mr. Madden: To ask the Secretary of State for Social Security if he will publish for all the social security offices in the Bradford and Keighley area the information on loans awarded by client group and awards successful on review under the social fund provided in his answer of 30 January, *Official Report*, columns *67-68*.

Mr. Peter Lloyd: Details of the numbers of social fund loans awarded, and the number of awards successful on review for the offices in the Bradford and Keighley area for the period 11 April 1988 to 31 January 1989 are shown in the tables.

A. The number of social fund awards successful on review

Local office	*Number*	*Amount awarded £*
Bradford East	37	£8,810·53
Bradford South	55	£10,095·46
Bradford West	41	£8,797·53
Keighley	48	£7,058·54
Total	181	£34,762·06

B. Loans awarded to social fund client groups

Client group	*01*	*02*	*03*	*04*	*05*
Loans awarded	18	21	266	25	442
Amount awarded	£3,082·01	£3,825·86	£33,201·21	£5,489·58	£62,547·72

Client group	*06*	*07*	*08*	*09*	*10*

Client group	01	02	03	04	05
Loans awarded	193	2,982	72	257	1,229
Amount awarded	£26,830·62	£411,456·78	£13,224·95	£30,230·54	£182,152·08

Client group	11	12	13	15
Loans awarded	2,395	110	730	458
Amount awarded	£221,709·59	£14,037·81	£56,304	£21,737·14

C. List of social fund client group codes

Code	Client group
01	Aged over 80 with higher pensioner premium
02	Aged 60-79 disabled with higher pensioner premium
03	Aged 60-79 with ordinary pensioner premium or over 60 without pensioner premium
	Applicant and partner aged under 60
04	Lone parent with disability premium
05	Family with disability premium
06	Other with disability premium
07	Lone parent without disability premium
08	Unemployed with family premium—signing quarterly
09	Unemployed without family premium—signing quarterly
10	Unemployed or with training allowance—with family premium
11	Unemployed or with training allowance—without family premium
12	Others with family premium
13	Others without family premium
15	Applicants not receiving Income Support

Mr. Madden: To ask the Secretary of State for Social Security if he will update the information on loans for special needs under the social fund and comparable figures for single and urgent needs payments contained in his reply to the hon. Member for Great Grimsby (Mr. Mitchell), *Official Report*, 18 July 1988, columns *484-86*.

Mr. Peter Lloyd: The information on single and urgent needs payments for the period 1 July 1987 to 8 April 1988 is given in the table. Information on social fund loans for the period from 1 July 1988 may be obtained from the information in the Library.

Supplementary benefit	1 July 1987 to 28 July 1987	29 July 1987 to 25 August 1987	26 August 1987 to 22 September 1987	23 September 1987 to 20 October 1987	21 October 1987 to 17 November 1987
Single payments awards 000s	182	188	180	206	233
Expenditure £ million	14·700	15·300	14·300	16·000	17·800
Urgent needs payments single payments decisions	1,056	1,076	1,027	1,140	1,337
Expenditure £ million	0·980	0·102	0·106	0·107	0·140

Supplementary benefit	18 November 1987 to 15 December 1987	16 December 1987 to 12 January 1988	13 January 1988 to 9 February 1988	10 February 1988 to 8 March 1988	9 March 1988 to 8 April 1988
Single payments awards 000s	236	145	263	298	311
Expenditure £ million	17·900	11·400	19·700	22·200	23·800
Urgent needs payments single payments decisions	1,313	933	1,375	1,440	1,501
Expenditure £ million	0·136	0·970	0·132	0·155	0·142

Flooding (Highlands)

Mr. Kennedy: To ask the Secretary of State for Social Security if, following the recent flooding damage in the Scottish Highlands he will *(a)* now introduce emergency regulations to widen the criteria for eligibility to grants or loans under the current social fund allocation at Inverness Department of Social Security and *(b)* increase the size of the Inverness Department of Social Security's current social fund allocation; and if he will make a statement.

Mr. Peter Lloyd: Social fund crisis loans are available to help people meet costs arising from an emergency or disaster where no other help is immediately available. It is not a requirement that the applicant has to be on income support. Budgeting loans and community care grants may also be available in certain circumstances. The manager of the Department's Inverness office has been in touch with the local authority and local police throughout the emergency and has arranged local radio and press publicity about the help available from the social fund. As at 13 February one application for a crisis loan had been made as a result of the flooding. A loan was offered, but the applicant subsequently refused to take it up. There have also been three applications for community care grants, one of which has been awarded, and the other two are under consideration. There is no indication that the office's social fund budget allocation for the current year will be insufficient and we have at present no plans to increase it nor to extend the eligibility criteria.

National Insurance

Mr. Burns: To ask the Secretary of State for Social Security if he has completed his review of national insurance contribution rates for 1989-90.

Mr. Scott: We have reviewed the national insurance contribution rates paid by serving members of Her Majesty's forces, by share fishermen and by volunteer development workers. Following a review by the Government Actuary, the special rates of national insurance contributions paid by members of Her Majesty's forces will be changed. The rate of abatement will be reduced by 0·15 per cent. for both employees and employers to 0·65 per cent. and 0·70 per cent. respectively with effect from 6 April 1989. The special class 2 rate of contributions paid by share fishermen will be reduced from £6·55 a week to £5·80 a week for the 1989-90 tax year.

The special rate of contributions paid by volunteer development workers will be set at the combined class 1 national insurance contribution payable by an employee and his employer at the lower earnings limit for each tax year. The rate payable in the 1989-90 tax year will be £4·30 a week.

TRADE AND INDUSTRY

Business Seals

18. **Mr. Bellingham:** To ask the Chancellor of the Duchy of Lancaster if he will outline steps he plans to take to improve markets for companies involved in the manufacture of business seals.

Mr. Maude: None.

British Shipbuilders

19. **Mr. Clay:** To ask the Chancellor of the Duchy of Lancaster when he last met the chairman of British Shipbuilders; and what matters were discussed.

Mr. Newton: I last met the chairman of British Shipbuilders on 12 January. We discussed matters of current interest to the corporation.

Inner Cities

20. **Mr. Squire:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the progress of his Department's inner cities initiatives.

Mr. Newton: The inner city task forces have made good progress in meeting their objectives of securing more jobs and training for local people and encouraging local enterprise. Since the task forces began their work in 1986 they have committed about £33 million in support of nearly 1,100 projects. These will generate, or safeguard, nearly 4,000 jobs, facilitate over 23,500 training places and provide support for over 2,600 businesses. Over 450 private sector companies have supported task force projects.

27. **Mr. Butler:** To ask the Chancellor of the Duchy of Lancaster how many projects have been supported by his Department's inner city task forces.

Mr. Forth: The inner city task forces have made good progress in meeting their objectives of securing more jobs and training for local people and encouraging local enterprise. Since the task forces began their work in 1986 they have committed about £33 million to supporting nearly 1,100 projects. These will generate, or safeguard, nearly 4,000 jobs, facilitate over 23,500 training places and provide support for over 2,600 businesses. Over 450 private sector companies have supported task force projects.

66. **Mr. Curry:** To ask the Chancellor of the Duchy of Lancaster what contact he has had with voluntary organisations regarding their work in inner city regeneration.

Mr. Newton: I am in regular contact with voluntary organisations and am well aware of their important contribution to urban regeneration. Since taking up my post as Chancellor of the Duchy of Lancaster I have had meetings with the National Council of Voluntary Organisations, and Outset, and I have spoken at Save the Children and Community Projects Foundation functions.

Companies (Decision-making)

21. **Mrs. Clwyd:** To ask the Chancellor of the Duchy of Lancaster if he has any plans to increase the power of shareholders in company decision-making.

Mr. Maude: No, but the Government intend to bring forward amendments to the Companies Bill which will enable shareholders of private companies to decide whether certain internal procedures should apply in their company. Similarly the Government intend to bring forward amendments to widen the scope of section 459 of the Act so that a shareholder may apply to the court for an order on the ground that the company's affairs are being, or have been, conducted in a manner which is unfairly prejudicial to the members of the company in general.

Companies (Political Donations)

22. **Mr. Hood:** To ask the Chancellor of the Duchy of Lancaster if he has any plans to bring forward legislation further regulating grants from companies to political parties.

34. **Mr. Ron Davies:** To ask the Chancellor of the Duchy of Lancaster if he has any plans to bring forward legislation further regulating grants from companies to political parties.

Mr. Newton: I refer the hon. Gentlemen to the answer that I gave today to the hon. Member for Knowsley, South (Mr. Hughes).

Mr. Wareing: To ask the Chancellor of the Duchy of Lancaster if he has any plans to bring forward legislation further regulating grants from companies to political parties.

Mr. Maude *[holding answer 9 February 1989]:* No.

Consumer Credit

23. **Mr. John Hughes:** To ask the Chancellor of the Duchy of Lancaster what has been the increase in personal consumer credit in the last year.

Mr. Maude: About £5·9 billion.

EC (Competition Policy)

24. **Mr. Ian Taylor:** To ask the Chancellor of the Duchy of Lancaster when he expects to meet the new European Community Commissioner responsible for competition policy.

Mr. Maude: I expect to see Sir Leon Brittan later this month.

59. **Sir David Price:** To ask the Chancellor of the Duchy of Lancaster what advice he is offering the European Commission on developing its policies for dealing with monopoly and restraint of trade.

Mr. Maude: My Department is in regular contact with the European Commission on a range of matters concerning the development and implementation of EC competition policy. In common with other member states, the United Kingdom also has a formal role in advising the Commission on individual cases and policy proposals through the advisory committee on restrictive practices and dominant positions.

61. **Mr. Butterfill:** To ask the Chancellor of the Duchy of Lancaster whether he has discussed the harmonisation of monopolies and mergers legislation with the responsible European Commissioner; and if he will make a statement.

Mr. Maude: My right hon. and noble Friend the Secretary of State discussed competition policy issues with Commissioner Sir Leon Brittan on 30 January.

Electronics and Telecommunications

25. **Dr. Hampson:** To ask the Chancellor of the Duchy of Lancaster if he will rank the major American, Japanese and European companies in the electronics and telecommunications markets by total group sales.

Mr. Forth: According to the 1988-89 edition of "The Times 1000" publication, the international ranking by group sales or turnover of the top 10 major electronics and telecommunications companies, excluding postal and telephone systems operators, is as follows:

	Group sales £ billion
1. IBM (United States of America)	31·7
2. General Electric (United States of America)	22·9
3. Hitachi (Japan)	21·8
4. Matsushita (Japan)	18·0
5. Siemens (Germany)	16·5
6. Philips (Netherlands)	15·0
7. Toshiba (Japan)	14·5
8. CGE (France)	12·1
9. NEC (Japan)	10·7
10. Mitsubishi Electric (Japan)	9·2

Multi-fibre Arrangement

26. **Mr. Anthony Coombs:** To ask the Chancellor of the Duchy of Lancaster what was the result of recent European Economic Community negotiations with China on the multi-fibre arrangement; and if he will make a statement.

Mr. Alan Clark: The negotiations between China and the European Community for a new bilateral textile agreement under the multi-fibre arrangement were concluded in December 1988. The text of the agreement reached is set out in the annex to Council decision 88/656/EEC which is published in the *Official Journal* of the European Communities, dated 31 December 1988, reference OJL 380, which is available in the Library of the House.

Full details of the application of the agreement in each member state, in the form of an EEC implementing regulation, are still awaited from the Commission. The agreement has been provisionally applied by the Council of Ministers from 1 January 1989. The agreement will be submitted to Council for final approval in due course.

Manufactured Trade

28. **Mr. Clelland:** To ask the Chancellor of the Duchy of Lancaster what is his latest estimate of the deficit in manufactured trade for 1988-89.

Mr. Alan Clark: The balance of trade in manufactured goods in 1988 is provisionally estimated to have been in deficit by £14·3 billion.

41. **Mr. Win Griffiths:** To ask the Chancellor of the Duchy of Lancaster what is his latest estimate of the deficit in manufactured trade for 1988-89.

Mr. Alan Clark: The balance of trade in manufactured goods in 1988 is provisionally estimated to have been in deficit by £14·3 billion.

"Action for Cities"

29. **Mr. Carrington:** To ask the Chancellor of the Duchy of Lancaster how many offers of assistance have resulted from the "Action for Cities" presentations.

Mr. Newton: More than 400 of the firms represented at the seven "Action for Cities" working breakfasts held during 1988 expressed an interest in supporting the Government's inner city initiatives.

Chatlines

30. **Mr. Roger King:** To ask the Chancellor of the Duchy of Lancaster what discussions he has had with Oftel regarding the provision of chatline services.

Mr. Atkins: Both my right hon. and noble Friend the Secretary of State for Trade and Industry and I meet the Director of Telecommunications from time to time. At those meetings many significant telecommunications topics, including chatline services, have been covered.

Companies Bill

31. **Mr. Steinberg:** To ask the Chancellor of the Duchy of Lancaster what representations he has received on the terms of the Companies Bill *[Lords]*.

Mr. Maude: I refer the hon. Member to the reply that I gave to the hon. Member for Nottingham, North (Mr. Allen) on 9 February at column *754*.

42. **Mr. Winnick:** To ask the Chancellor of the Duchy of Lancaster what recent representations he has received on the terms of the Companies Bill *[Lords]*.

Mr. Maude: I refer the hon. Member to the reply that I gave to the hon. Member for Nottingham, North (Mr. Allen) on 9 February at column *754*.

Securities and Investments Board

32. **Mr. McCrindle:** To ask the Chancellor of the Duchy of Lancaster when he last met the chairman of the Securities and Investments Board; and what matters were discussed.

Mr. Maude: My right hon. and noble Friend and I will be meeting the chairman of the Securities and Investments Board today. A range of topics concerning the regulation of financial services will be discussed.

Mergers

33. **Mr. Morgan:** To ask the Chancellor of the Duchy of Lancaster what estimate he has of spending on mergers by companies in 1989.

52. **Mr. Ted Garret:** To ask the Chancellor of the Duchy of Lancaster what estimate he has of spending on mergers by companies in 1989.

Mr. Maude: Information for 1989 is not yet available. Statistics of acquisitions and mergers by industrial and commercial companies within the United Kingdom in 1988 were published in *British Business* on Friday 10 February.

Public Purchasing

35. **Mr. Key:** To ask the Chancellor of the Duchy of Lancaster if he will seek to ensure that public purchasing from abroad should be on terms which do not unfairly or illegally disadvantage home producers.

Mr. Alan Clark: Yes, indeed.

EC Trade Mark Office

36. **Dr. Goodson-Wickes:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the progress in London's bids to host the European Economic Community trade mark office.

Mr. Newton: Ten states originally submitted bids to host the Community trade mark office. London was included in a shortlist of four drawn up by the European Commission in 1987. The final choice, which requires unanimity, will be made by the Council of Ministers. It is not possible to predict when it is likely to reach a decision.

Personal Communications

37. **Mr. Robert G. Hughes:** To ask the Chancellor of the Duchy of Lancaster what response he has had to his Department's consultation paper entitled "Personal Communications in the 1990s".

Mr. Atkins: The publication of this document on 26 January has stimulated much interest. More than 700 copies have been distributed on request. Recipients have until 28 April in which to return comments.

Overseas Companies

38. **Mr. Neil Hamilton:** To ask the Chancellor of the Duchy of Lancaster how many overseas companies set up operations in Britain in 1988.

Mr. Atkins: According to the latest figures known to the Invest in Britain Bureau, during the first three quarters of 1988, 263 inward investment decisions were made to locate in the United Kingdom. These include the establishment of a new business, expansion or acquisition of an existing business and involvement in joint venture.

New Businesses

39. **Mr. Harry Greenway:** To ask the Chancellor of the Duchy of Lancaster how many new businesses started in the past year employed *(a)* up to 10 people, *(b)* up to 100 people and *(c)* more than 100 people; what are the comparable figures for the year up to 3 May 1979; and if he will make a statement.

Mr. Atkins: In 1987, the latest year for which estimates were published, the number of new businesses registering for VAT in the United Kingdom was 205,000. In 1980, the earliest available year, the comparable figure is 158,000. Although information on the numbers of people employed is not recorded at registration, the estimates of turnover suggest that most employed less than 100.

Chambers of Commerce

40. **Mr. Paice:** To ask the Chancellor of the Duchy of Lancaster when he last met representatives of the chambers of commerce; and what matters were discussed.

Mr. Newton: I met representatives of the Association of British Chambers of Commerce on 25 January. A wide range of matters were discussed.

Companies (Performance)

43. **Mr. Cousins:** To ask the Chancellor of the Duchy of Lancaster what measures he proposes to take to enable investors to make fair comparisons of company performance.

Mr. Maude: The Companies Bill contains provisions that will make it easier for investors to compare the performance of different companies. The Bill will implement the European Community's 7th directive on company law, thereby harmonising disclosure requirements for consolidated accounts, helping to tackle the problem of off-balance sheet financing, and improving the presentation of the effects of mergers and acquisitions in some company accounts. The Government will also continue to support the efforts of the accountancy profession to make it easier to compare financial statements by the development of accounting standard.

Trade Deficit

44. **Mr. Allan Roberts:** To ask the Chancellor of the Duchy of Lancaster which Organisation for Economic Co-operation and Development countries are running a larger trade deficit as a percentage of gross domestic product than the United Kingdom.

Mr. Alan Clark: In 1987 Greece, Portugal, Turkey, Spain, Austria and the United States had larger visible trade deficits than the United Kingdom in relation to their gross domestic product.

The OECD figures for 1988 are not yet complete, but we already know that at least four countries will have deficits larger than the United Kingdom when measured on this basis.

Motor Industry

45. **Mr. Hoyle:** To ask the Chancellor of the Duchy of Lancaster when he last met the chairman of the Ford Motor Company (UK) to discuss the state of the motor industry.

Mr. Atkins: I have not met the chairman of the Ford Motor Company Ltd. since taking up office, but my Department is in regular contact with the company.

Export Promotion

46. **Mr. Bevan:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress on recent initiatives on export promotion.

Mr. Alan Clark: We have completed the export services review foreshadowed in the White Paper "dti—the department for Enterprise". Its constituent parts are detailed in the written reply given on 17 January by myself to my hon. Friend the Member for Stroud (Mr. Knapman) at columns *106-8*.

Recycled Paper

47. **Mrs. Gillian Shephard:** To ask the Chancellor of the Duchy of Lancaster what estimates have been made of the cost savings that could be made if his Department used recycled paper.

Mr. Atkins: My Department uses paper having recycled content where this is consistent with operational efficiency and offers good value for money. Recycled paper can be more expensive than other types of paper of comparable quality, but I am reviewing the scope for making increased use of recycled material in the light of recent market developments.

Liquidators

48. **Mr. Holt:** To ask the Chancellor of the Duchy of Lancaster what plans he has to control and regulate the activities of liquidators.

Mr. Maude: The Insolvency Act 1986, which came into operation on 29 December 1986, requires all persons to be suitably qualified and authorised before acting as insolvency practitioners. This includes being appointed to the office of liquidator.

There are no plans to regulate further their activities.

Industry-School Links

49. **Sir Fergus Montgomery:** To ask the Chancellor of the Duchy of Lancaster what steps his Department has taken to improve links between industry and schools.

Mr. Forth: My Department has a keen interest in promoting partnership between business and schools. Last year we launched the enterprise and education initiative, which is an ambitious programme that will extend the benefits of partnership activity to all schools. Working with organisations already active in the partnership area, DTI's 145 local advisers on enterprise and education will approach employers to ensure that there are places for all pupils to have at least two weeks work experience before leaving school. In addition, we are setting up a programme under which 10 per cent. of teachers will each year be given the opportunity to gain first hand experience of the world of business. My Department also supports much other partnership activity, including initial teacher training, both on a national basis and through our regional office network.

Interest Rates

50. **Mr. McWilliam:** To ask the Chancellor of the Duchy of Lancaster what has been the cost to industry of the rise in base rates since April 1988.

Mr. Newton: I refer the hon. Member to the answer that I gave today to the hon. Member for Dumbarton (Mr. McFall).

70. **Mr. Leadbitter:** To ask the Chancellor of the Duchy of Lancaster what representations he has had from industry on the effect of interest rate policy on the trade deficit.

Mr. Alan Clark: Contacts which my Department has with industry often involve discussions concerning interest rate policy.

Regional Policy

51. **Mr. Meale:** To ask the Chancellor of the Duchy of Lancaster whether any review of regional policy will take place in the run-up to 1992.

Mr. Atkins: Regional policy is under constant review.

Trade Barriers

53. **Mr. Oppenheim:** To ask the Chancellor of the Duchy of Lancaster what action the Government are taking to ensure that the European Community does not erect protectionist trade barriers.

Mr. Alan Clark: The Community's common commercial policy is determined by the Council of Ministers on the basis of proposals from the Commission. The United Kingdom plays a full and vigorous part in this process in the light of our experience of the beneficial economic effects of competition and deregulation. The Community is negotiating in the Uruguay round of GATT negotiations for a substantial liberalisation of trade worldwide.

Japanese Companies

54. **Mr. Dunn:** To ask the Chancellor of the Duchy of Lancaster how many people are employed in the United Kingdom by subsidiaries of Japanese companies.

Mr. Atkins: According to the census of production for 1986 there were 7,800 people employed by Japanese-controlled manufacturing enterprises in the United Kingdom.

Rural Post Offices

55. **Mr. Amos:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on what directions he has given to the Post Office on the future level of provision of post offices in rural areas.

Mr. Forth: None; decisions on the appropriate level of service provision in particular areas are an operational matter for the Post Office chairman and board. As far as the general extent of the network is concerned, we have made it clear on a number of occasions that the Government remain committed to a network of offices adequate to enable the Post Office to fulfil its statutory duty to have regard to economy and efficiency and to the social, industrial and commercial needs of the United Kingdom.

Manufacturing Output

56. **Mr. Galloway:** To ask the Chancellor of the Duchy of Lancaster which Organisation for Economic

Co-operation and Development countries have shown a greater increase in manufacturing output since 1979 than the United Kingdom.

Mr. Atkins: Between 1979 and 1987 (latest available), the following OECD countries are recorded as showing a greater increase in manufacturing output than the United Kingdom:

Canada, USA, Japan, Australia, Austria, Belgium, Finland, Germany, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and Yugoslavia.

62. **Mr. Gerald Howarth:** To ask the Chancellor of the Duchy of Lancaster what are the latest figures he has for the levels of output of the manufacturing industry.

Mr. Atkins: Manufacturing output in the fourth quarter of 1988 was at a level of 117·0, based on 1985 equal to 100. This was the highest ever quarterly level, over 10½ per cent. above its 1979 average level and nearly 6 per cent. above the previous all-time peak of 1973.

Internal Market

57. **Mr. Graham:** To ask the Chancellor of the Duchy of Lancaster how many standards set under the development of the internal market are based on British standards; and how many are based on *(a)* German standards, *(b)* French standards and *(c)* those of other European Community countries.

Mr. Maude: The European standards bodies, CEN and CENELEC, adopt, wherever appropriate, agreed international (ISO and IEC) standards. Very few European standards are based on an existing standard of any one Community country.

Single European Market

58. **Mr. Moss:** To ask the Chancellor of the Duchy of Lancaster, what is the latest evidence he has of awareness in the business community about the opportunities presented by the completion of the single European market in 1992.

Mr. Maude: DTI's survey of business response to the single market show that over 90 per cent. of firms throughout the country are aware of the single market challenge.

Mr. Tom Clarke: To ask the Chancellor of the Duchy of Lancaster what is the current percentage of United Kingdom businesses exporting to European Economic Community countries; and what effect he expects the 1992 European single market campaign to have on that figure.

Mr. Alan Clark *[holding answer 14 February 1989]:* It is not possible directly to answer the hon. Member's question in percentage terms. In 1988 European Community countries accounted for 50 per cent. of total United Kingdom exports. The effects of the 1992 single European market campaign on that figure depend on the extent to which United Kingdom businesses take full advantage of the opportunities opening up to them.

Industrial Regeneration (Sunderland)

60. **Mr. Devlin:** To ask the Chancellor of the Duchy of Lancaster what progress has been made on the package of measures he announced in December to assist industrial regeneration in Sunderland.

Mr. Newton: I am pleased to say that good progress is being made on the package of measures that I announced to the House on 7 December last.

My right hon. Friend, the Secretary of State for the Environment, is at present consulting in the European Commission on the proposals for an enterprise zone. In the meantime discussions are taking place with local bodies in Sunderland on boundaries.

English Estates North has drawn up plans for building the first phase of a new business park on the Hylton riverside site in conjunction with the Tyne and Wear development corporation. Work will start in early summer and be completed by the end of the year.

A new company has been formed to undertake counselling, placement and training of employees affected by the NESL closure. A total of £5 million has been set aside for this. To date, over 1,000 people have received counselling and out of those more than 200 have been successfully placed. A further £5 million of the fund is to be administered via a recently launched initiative led by the private sector, with the participation of the Sunderland borough council and Tyne and Wear development corporation. This body, the Wearside Opportunity, will concentrate on local initiatives to help regenerate industry by encouraging local enterprise through project support and business leadership. An experienced official from my Department has been seconded to the Wearside Opportunity to provide administrative back-up. Progress is being made in identifying projects requiring support.

In addition to these measures, I have made available, via the city action team, a further £1·5 million during the current financial year for 13 enterprise and training projects in Sunderland.

Funeral Costs

63. **Mr. Kirkwood:** To ask the Chancellor of the Duchy of Lancaster what action he is taking in response to the report published by the Office of Fair Trading on funeral costs.

Mr. Forth: I refer the hon. Member to the reply that I gave to the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) on 1 February at columns *263-64*.

Imperial Weights and Measures

64. **Mr. Beith:** To ask the Chancellor of the Duchy of Lancaster what responses he has received in favour of the continued availability of imperial weights and measures.

Mr. Maude: Some 700 trade, industry, local authority and consumer organisations were consulted last autumn on proposals to phase out the remaining imperial units of measurement for most trade purposes by the end of 1994 subject to certain exemptions, including the pint for sales of draught beer and cider and milk in returnable bottles; the troy ounce for bullion dealing; and the mile for speed and distance measurement. Only two organisations responded opposing the general principle of further metrication. However, 22 requests were received to continue the use of imperial units for certain other specific purposes.

Knitwear and Hosiery (Leicester)

65. **Mr. Janner:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the current state of the knitwear and hosiery industries in Leicester.

Mr. Atkins: While I recognise the difficulties facing many firms in this sector, the hosiery and knitwear industries have made a major contribution to Leicester's economic and industrial development. I am confident that they will continue to adapt to technological and other changes to the further benefit of the local and national economies.

Cellular Radio

67. **Mr. Nicholas Bennett:** To ask the Chancellor of the Duchy of Lancaster what steps his Department has taken to relieve congestion in the cellular radio network.

Mr. Atkins: As I announced on 26 January we are extending the availability to the cellular radio operators of 400 radio channels, until now reserved for MOD use except in the area of central London, out to the area embraced by the M25 and five miles beyond. The use of these channels will be on a pre-emptible basis.

Enterprise Initiative

68. **Mr. John Greenway:** To ask the Chancellor of the Duchy of Lancaster how many applications have been received for consultancy projects through the enterprise initiative.

Mr. Newton: Since the launch of the scheme in January 1988 over 18,000 applications for assisted consultancy had been received up to the end of January 1989.

Civil Research and Development

69. **Mr. Worthington:** To ask the Chancellor of the Duchy of Lancaster which Organisation for Economic Co-Operation and Development countries spend a greater proportion of gross domestic product on civil research and development than the United Kingdom.

Mr. Forth: The available information is for 1985 and relates to gross expenditure on research and development (R&D), excluding R&D for defence purposes funded by national defence ministries as a percentage of gross domestic product. This showed that the following countries spent a greater proportion than the United Kingdom in 1985.

Federal Republic of Germany
Japan
Netherlands
Sweden
Switzerland
United States

Thirteen other OECD member countries spent a smaller proportion than the United Kingdom.

Balance of Payments

71. **Mr. Wall:** To ask the Chancellor of the Duchy of Lancaster what is now his estimate for the deficit on the balance of payments for 1988.

Mr. Alan Clark: The deficit on the current account of the balance of payments for 1988 is provisionally estimated to be £14·3 billion.

Takeover Bids

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many takeover bids were considered by the Office of Fair Trading in 1988.

Mr. Maude: In 1988 the Office of Fair Trading considered 306 merger situations qualifying under the terms of the Fair Trading Act 1973 for reference to the Monopolies and Mergers Commission.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many takeover bids were recommended for referral to the Monopolies and Mergers Commission in 1988.

Mr. Maude: Ten qualifying merger situations were recommended for reference to the Monopolies and Mergers Commission in 1988.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many takeover bids were referred to the Monopolies and Mergers Commission in 1988.

Mr. Maude: Ten qualifying merger situations were referred to the Monopolies and Mergers Commission in 1988.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many letters he received from hon. Members on takeover bids in 1988.

Mr. Maude: During 1988 hon. Members sent in a considerable number of letters on this subject, but a precise count is not feasible.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many parliamentary questions he answered on takeover bids in 1988.

Mr. Maude: In 1988 more than 50 parliamentary questions were answered on mergers and related issues.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster if he will list in order of priority the factors he takes into account in reaching decisions to refer takeover bids to the Monopolies and Mergers Commission.

Mr. Maude: In making his decision on whether or not to refer a merger situation to the Monopolies and Mergers Commission my right hon. and noble Friend the Secretary of State takes account of all aspects of a merger which might have a bearing on the public interest.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many letters were sent by hon. Members to the Director General of Fair Trading on takeover bids in 1988.

Mr. Maude: The Director General of Fair Trading received a considerable number of letters from hon. Members in 1988 about takeover bids. A precise count is not feasible.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many deputations of hon. Members the Director General of Fair Trading saw on takeover bids in 1988.

Mr. Maude: The Director General received three deputations of hon. Members on takeover bids and also met other hon. Members during 1988.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster what consideration he gives to early-day motions on takeover bids.

Mr. Maude: I give due consideration to all such early-day motions.

Regional Assistance

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster whether he will publish in the *Official Report* data for regional preferential assistance in 1987-88 on the same basis as in table 12.9 in "Regional Trends 1988"; and whether he will also state the total assistance to each standard region since 1978-79 at both current and 1987-88 prices.

Mr. Atkins: The information requested is as follows:

Government expenditure on regional preferential assistance to industry[1] 1987-88

	Great Britain	North	York and Humber-side	East Midlands	South West	West Midlands	North West	England	Wales	Scotland
Regional development grants	118·7	29·0	6·4	0·7	2·4	—	22·6	61·1	22·8	34·8
Old special development area	78·9	22·8	—	—	0·4	—	16·7	39·9	13·0	26·1
Old development areas	39·8	6·2	6·4	0·7	2·0	—	5·9	21·2	9·8	8·7
Old intermediate areas	—	—	—	—	—	—	—	—	—	—
New regional development grants	151·9	32·7	11·4	6·4	4·6	—	23·1	78·2	30·6	43·2
New development areas	151·9	32·7	11·4	6·4	4·6	—	23·1	78·2	30·6	43·2
New intermediate areas	—	—	—	—	—	—	—	—	—	—
Selective financial assistance[2]	148·5	24·4	14·1	2·2	4·3	18·3	19·4	82·7	28·1	37·6
Old special development area	27·2	6·7	—	—	0·4	—	2·4	9·5	3·5	14·2
Old development areas	23·3	0·4	3·8	0·9	1·0	—	0·3	6·4	13·3	3·6
Old intermediate areas	3·6	—	0·7	0·0	0·2	—	1·2	2·1	0·4	1·1
New development areas	49·2	15·2	1·8	0·7	0·5	—	9·7	27·9	5·2	16·2
New intermediate areas	45·2	2·1	7·8	0·6	2·2	18·3	5·8	36·8	5·7	2·7
Expenditure by English estates on land and building	46·7	22·6	6·7	—	3·4	0·5	13·5	46·7	—	—
New development areas	38·1	21·1	3·4	—	2·4	—	11·3	38·1	—	—
New intermediate areas	8·5	1·5	3·3	—	1·0	0·5	2·2	8·5	—	—
Expenditure by Scottish and Welsh development agencies[3] on land and factories	64·3	—	—	—	—	—	—	—	44·2	20·1
Development board for rural Wales	6·5	—	—	—	—	—	—	—	6·5	—
Highlands and Islands development board	16·4	—	—	—	—	—	—	—	—	16·4
Total	552·9	108·7	38·6	9·3	14·7	18·8	78·6	268·7	132·2	152·1

[1] All figures are gross and include payments to nationalised industries. Data are presented in terms of the old definitions of Assisted Areas for those payments resulting from applications made up to 28 November 1984, and in terms of the new definitions for the payments resulting from applications after 28 November 1984.

[2] Under Section 7 of the Industrial Development Act 1982.

[3] It has not been possible to provide a split by Assisted Area status for expenditure by the WDA. The comparable expenditure figures of £20·1 million for the SDA comprised £16·9 million in new development areas and £2·5 million in new intermediate areas.

Government expenditure on regional preferential assistance to industry at current prices[1]

£ million

Region	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88
Northern	158·9	147·8	145·4	175·1	158·5	124·7	122·2	94·4	137·1	108·7
Yorkshire and Humberside	37·4	32·1	52·2	61·6	52·9	35·5	41·9	34·3	41·4	38·6
East Midlands[3]	3·4	4·1	4·6	8·6	13·7	17·6	10·1	8·3	10·5	9·3
South West	9·6	10·7	11·5	14·8	16·4	11·9	13·7	11·8	22·2	14·7
West Midlands[4]	0·4	0·1	—	—	—	—	—	5·5	10·0	18·8
North West	[6]114·0	[6]86·7	[6]130·2	[6]174·8	[6]123·8	[6]104·2	[6]101·6	85·9	128·5	78·6
England	323·7	281·5	343·9	434·9	365·3	293·9	289·5	240·2	349·8	268·7
Wales	132·1	100·2	171·3	198·1	182·2	116·8	146·0	137·7	150·4	132·2
Scotland	153·6	130·5	192·8	231·9	369·4	227·8	179·2	204·7	241·6	152·1
Great Britain[2]	609·4	512·2	708·0	864·9	917·0	638·5	614·6	582·6	741·8	552·9

Government expenditure on regional preferential assistance to industry at 1987-88 prices[1,5]

£ million

Region	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88
Northern	325·5	259·3	215·3	236·3	199·5	150·2	140·0	102·7	144·3	108·7
Yorkshire and Humberside	76·6	56·3	77·3	83·1	66·6	42·8	48·0	37·3	43·6	38·6
East Midlands[3]	7·0	7·2	6·8	11·6	17·2	21·2	11·6	9·0	11·1	9·3
South West	19·7	18·8	17·0	20·0	20·6	14·3	15·7	12·8	23·4	14·7
West Midlands[4]	0·8	0·2	—	—	—	—	—	6·0	10·5	18·8
North West	[6]233·5	[6]152·1	[6]192·8	[6]235·9	[6]155·8	[6]125·5	116·4	93·5	135·3	78·6
England	663·1	493·9	509·1	587·0	459·8	354·1	331·7	261·3	368·2	268·7
Wales	270·6	175·8	253·6	267·4	229·3	140·7	167·3	149·8	158·3	132·2

Region	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88
Scotland	314·6	228·9	285·4	313·0	464·9	274·5	205·3	222·7	254·3	152·1
Great Britain[2]	1,248·3	898·6	1,048·2	1,167·3	1,154·1	769·3	704·2	633·9	780·8	552·9

[1] All figures are gross and include payments to nationalised industries.
[2] The Great Britain total does not always equal the sum of the component parts due to the inclusion of expenditure which cannot be allocated to regions and because of rounding.
[3] Includes some minor expenditure in west midlands in respect of Oswestry TTWA which ceased to be an assisted area in 1982-83.
[4] Certain TTWAs in the west midlands were designated as Assisted Areas on 29 November 1984.
[5] Expenditure on a 1987-88 price basis for each year is calculated by applying the appropriate deflator to expenditure at current prices.
[6] Includes expenditure in Cumbria, otherwise shown within the totals for the northern region.

The items included in the expenditure are regional development grants and regional selective assistance, expenditure on land and factories by the English Industrial Estates Corporation, the Scottish and Welsh Development Agencies, the Development Board for Rural Wales, and the Highlands and Islands Development Board.

Inward Investment

Mr. Jack: To ask the Chancellor of the Duchy of Lancaster what proportion of inward investment to the United Kingdom has come from Japan in 1979, 1983 and 1988.

Mr. Atkins: The available information relates to direct investment. Net direct investment by Japanese companies in the United Kingdom was £51 million in 1979, £170 million in 1983 and £15 million in 1986, the latest year for which figures are available. Japanese direct investment accounted for 3 per cent., 8 per cent. and ½ per cent. respectively, of total net inward direct investment in those years.

Industrial Investment

Mr. Cohen: To ask the Chancellor of the Duchy of Lancaster which Organisation for Economic Co-operation and Development member countries have shown a greater increase in industrial investment since 1979 than the United Kingdom.

Mr. Atkins: Comparable statistics for industrial investment are available only up to 1986 and do not cover all Organisation for Economic Co-operation and Development countries. Of the countries for which comparisons are available, the following have shown a greater increase between 1979 and 1986 than the United Kingdom:

United States of America
Denmark
Finland
Iceland
Netherlands
Norway
Sweden

Franchising Companies

Mr. Speller: To ask the Chancellor of the Duchy of Lancaster how many franchising companies he estimates there are in the United Kingdom retail sales and service sector; how many of these have been the subject of any investigation by his Department; and if he will make a statement upon the growth of the franchisor and franchisee business in the past 10 years.

Mr. Forth: There are no official statistics. Private studies estimate that there are some 230 business format franchisors with some 16,000 franchisees. Separate records are not kept of the number of franchise businesses investigated by the Department. A properly constructed franchise business operation can encourage enterprise.

Research and Development

Mr. Straw: To ask the Chancellor of the Duchy of Lancaster if he will publish tables showing the percentage of gross domestic product accounted for by *(a)* Government expenditure and *(b)* all expenditure on civil research and development for each Organisation for Economic Co-operation and Development country, for the years 1974, 1979, 1983, 1986, 1987 and 1988.

Mr. Forth *[holding answer 14 February 1989]:* The available information relates to gross expenditure on research and development (R and D) in the fields of science, technology, social science and humanities and Government financing of it, as a percentage of gross domestic product (GDP). It is given in the following tables:

Gross expenditure on R & D as a percentage of GDP

	1974	1979	1983	1986
Australia	..	..	..	[2 5]1·2
Austria	..	..	[3]1·3	[2]1·3
Belgium	..	1·3	[2]1·5	1·6
Canada	1·1	1·1	1·3	1·4
Denmark	1·0	1·0	1·2	1·3
Finland	..	1·1	1·3	[2]1·6
France	1·8	1·8	2·1	2·3
Germany	2·1	[1]2·4	2·5	..
Greece	..	0·2	[1 2]0·3	0·3
Iceland	..	0·7	0·7	[2]0·7
Ireland	0·8	[1]0·7	0·7	0·9
Italy	0·7	0·7	1·0	1·1
Japan[4]	2·0	2·1	2·6	2·8
Luxembourg	..	..	..	..
Netherlands	2·0	1·9	2·0	2·2
New Zealand	0·9	0·9	[2]0·9	..
Norway	1·3	1·3	1·4	[2]1·8
Portugal	..	..	..	[5]0·5
Spain	0·3	0·4	0·5	[5]0·6
Sweden[3]	..	1·9	2·5	..
Switzerland	2·3	2·4	[1]2·3	[1]2·9
Turkey	..	..	0·8	0·6
United Kingdom	..	..	2·3	2·4
United States	2·3	2·3	2·6	2·7
Yugoslavia	..	0·9	0·9	0·9

Source: OECD.
.. not available.
[1] break in the series.
[2] national estimate adjusted to meet OECD norms.
[3] excludes R & D in social sciences and humanities.
[4] based on overestimated data.
[5] provisional.

Gross expenditure on R and D, financed by Government as percentage of GDP

	1983	1979	1983	1986
Australia	..	..	..	..
Austria[2]	..	..	0·6	0·6
Belgium	..	0·4	..	0·5
Canada	0·7	0·6	0·7	0·7
Denmark	0·6	0·5	0·6	..
Finland	..	0·5	0·6	..
France	1·0	0·9	1·1	1·2
Germany	1·1	[1]1·0	1·0	..
Greece	..	0·2	[2]0·2	0·2
Iceland	..	0·5	0·5	..
Ireland	0·5	[1]0·4	0·4	0·4
Italy	0·3	0·3	0·5	0·6
Japan[4]	0·6	0·6	0·6	0·6
Luxembourg	..	..	..	..
Netherlands	0·8	0·9	1·0	..
New Zealand	0·7	[2]0·8	0·8	..
Norway	0·8	0·8	0·7	[2]0·8
Portugal	..	..	..	[5]0·3
Spain	0·1	0·2	0·2	[5]0·3
Sweden[3]	..	0·7	0·9	..
Switzerland	0·4	0·6	[1]0·5	[1]0·6
Turkey	..	..	..	..
United Kingdom	..	..	1·2	1·0
United States	1·3	1·2	1·3	1·4
Yugoslavia	..	0·3	0·4	0·4

Source: OECD.
.. Not available.
[1] Break in the series.
[2] National estimate adjusted to meet OECD norms.
[3] Excludes R and D in social science and humanities.
[4] Based on overestimated data.
[5] Provisional.

HEALTH

Hospitals (Northern Region)

Mr. Steinberg: To ask the Secretary of State for Health how many of the hospitals in the Northern regional health authority he expects to become self-governing under the proposals in the White Paper, "Working for Patients".

Mr. Kenneth Clarke: It is too early even to estimate numbers. Over time, I expect that as many hospitals as are willing and able to do so will become self-governing.

Child Care Workers

Ms. Richardson: To ask the Secretary of State for Health what proportion of his Department's appropriate grant aid budget has been allocated to the training of child care workers over the last five years to date.

Mr. Freeman: Training for child care workers is primarily the responsibility of local authorities, and information on the proportion of rate support grant used for such purposes is not held centrally. The Department introduced in 1986 a central training initiative on child abuse to fund a range of projects aimed at developing training for workers from a number of disciplines and professions concerned with child abuse. Expenditure on that initiative was £10,000 in 1986-87, £205,000 in 1987-88 and is expected to be £375,000 in 1988-89; and that programme is continuing.

In addition, my right hon. Friend, the then Minister for Health announced on 6 July 1988 at column *1062* the introduction of additional grants of £7 million in support of expenditure of £10 million for social services child care staff in 1989-90.

Hip Operations (Stockport)

Mr. Andrew F. Bennett: To ask the Secretary of State for Health if he will make a statement on the scale of hip operations by Stockport district health authority.

Mr. Freeman: Stockport health authority's record on the waiting list for hip replacement operations is one of the best in the country. Any income it obtains from the sale of hip replacement operations will be used to further improve services for National Health Service patients locally.

Out-patients

Mr. John Marshall: To ask the Secretary of State for Health how many out-patients were treated by the National Health Service in 1987-88; and what was the figure in 1978-79.

Mr. Freeman: The information is given in the table.

New out-patient attendances, NHS hospitals, England. 1987-88 and 1978.

	Number
[1]1987-88	8,529,759
[2]1978	7,711,912

Source: SH3: 1978, KH09 and KH18: 1987-88.
[1] Patients not seen by a doctor are no longer counted. The figure for 1987-88 is for the financial year.
[2] The figure for 1978 is for the calendar year.

Doctors

Mr. Jack: To ask the Secretary of State for Health what was the number of doctors in the National Health Service in 1979 and in the latest available year.

Mr. Freeman: The information requested is set out in the table.

Table: Doctors in the NHS hospital and community health services[1] and family practitioner services: England, number.

	1979	1987
Hospital[2]	32,607	36,212
Community Health Services[3]	5,095	5,542
Family Practitioner Services[4]	23,062	27,023
Total	60,764	68,777

[1] Includes permanent paid and honorary staff as at 30 September each year.
[2] Excludes hospital practitioners and those employed under para 94 of the Terms and Conditions of Service ("clinical assistants") to avoid double counting of staff who are also family practitioners.
[3] Excludes Community Medicine and all occasional sessional staff.
[4] As at 1 October each year.

Mr. Sean Hughes: To ask the Secretary of State for Health (1) whether, in the light of paragraph 3.12 of the White Paper, "Working for Patients", Cm 555, it is his intention to extend local settlements of pay and conditions to those employed in the general dental service;

(2) whether he envisages setting up an audit system for general dental practitioners similar to that proposed for general medical practitioners, with a role for dental practice advisers.

Mr. Kenneth Clarke: The Government's policy for the General Dental Service was set out in chapter 4 of the White Paper on primary care (Cm 249) "Promoting Better Health". This included proposals to introduce part time

practice advisers in a number of FPC areas as a means of improving quality control procedures and to begin discussions with the profession on changes to the dental practitioners' contract including new arrangements to assist dentists with the costs of setting up practices in area where there are too few dentists.

Doctors' and Dentists' Pay

Mr. Sean Hughes: To ask the Secretary of State for Health whether, in the light of the proposed local settlement of pay and conditions as outlined in paragraph 3.12 of the White Paper, "Working for Patients", it is his intention to terminate the operation of the doctors and dentists review board machinery.

Mr. Kenneth Clarke: No.

Cockroaches

Mr. Butler: To ask the Secretary of State for Health whether he will make a statement about the role of cockroaches in the spread of human disease.

Mr. Freeman: In the terminology of communicable disease, a "carrier" is a person or animal that harbours a specific infectious agent in the absence of discernable clinical disease and serves as a potential source of infection. Cockroaches may become carriers and can be deleterious to human health by mechanically transmitting infection. For example, a cockroach that has been in contact with infected material and then comes into contact with food can contaminate food. The Department is sponsoring research into the effectiveness of hydromethylnon in eradicating cockroaches and the development of juvenile hormone analogue which would aim to prevent the development of cockroaches to the adult stage. The results of this work are expected by the end of 1989.

Central Health Monitoring Unit

Mr. Dobson: To ask the Secretary of State for Health, pursuant to his reply of 16 January, *Official Report*, column *34*, if he will list the numbers, grades and hours of staff working in the unit set up to monitor the health of the nation; and if any additional resources are planned to collect new forms of morbidity data.

Mr. Kenneth Clarke: The central health monitoring unit is in the process of being established. A full-time director has been appointed at senior medical officer level but the final staffing arrangements have not yet been completed. The need for the collection of new forms of morbidity data is one of the issues the unit will address during the course of its work. The question of resources for any new data collection will be dealt with as issues arise.

NHS Funding

Mr. Cousins: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Newcastle upon Tyne, Central on 6 February, *Official Report*, column *495*, if he will publish a table showing *(a)* the actual allocations made to regional health authorities in 1988-89, *(b)* the notional allocation to regional health authorities if the 1988-89 distribution had applied to the 1989-90 total, *(c)* the notional percentage cash increase to each region, *(d)* the actual allocation to each region made for 1989-90, *(e)* the actual percentage cash increase to each region and *(f)* a table showing the percentage cash increases in *(c)* and *(e)* adjusted for the effects of inflation between 1988-89 and 1989-90.

Mr. Freeman: The information requested is given in the table.

Region	*1988-89 main provision*[1]	*Notional distribution of 1989-90 main provision*[2] *in line with 1988-89 allocations*	*Difference percentage column 1 and 2*	*Actual 1989-90 main provision*[3]	*Percentage cash increase over 1988-89*	*Increase adjusted for inflation*[4] *percentage*	
						Column 3	*Column 5*
	£ million	*£ million*		*£ million*			
	(1)	*(2)*	*(3)*	*(4)*	*(5)*	*(6)*	*(7)*
Northern	735·3	832·6	13·2	832·4	7·7	7·8	2·5
Yorkshire	829·7	939·5	13·2	937·4	7·7	7·8	2·5
Trent	1,010·1	1,143·9	13·2	1,147·2	8·0	7·8	2·9
East Anglian	437·7	495·6	13·2	497·1	8·3	7·8	3·1
North West Thames	811·1	918·5	13·2	912·9	7·7	7·8	2·5
North East Thames	1,013·1	1,147·3	13·2	1,137·0	7·7	7·8	2·5
South East Thames	899·9	1,019·1	13·2	1,018·3	7·7	7·8	2·5
South Western Thames	747·1	846·0	13·2	843·7	7·7	7·8	2·5
Wessex	614·6	695·9	13·2	699·1	7·7	7·8	2·5
Oxford	482·4	546·3	13·2	557·6	9·0	7·8	3·8
South Western	731·6	828·4	13·2	832·4	7·7	7·8	2·5
West Midlands	1,185·6	1,342·5	13·2	1,340·1	7·7	7·8	2·6
Mersey	586·3	663·9	13·2	663·8	7·7	7·8	2·5
North Western	1,006·4	1,139·6	13·2	1,140·1	7·7	7·8	2·5
Total	11,090·7	12,559·1	13·2	12,559·1	7·8	7·8	2·7

[1] 1988-89 initial cash limit main provision. Excludes earmarked sums but includes special fund of £15 million allocated to regions which received lowest increases under RAWP. Excludes additional funding for 1988 review body pay awards.
[2] Excludes sums earmarked eg supra-regional services, AIDS, breast cancer screening.
[3] Includes savings resulting from reduction in employers' superannuation costs.

* Gross domestic product deflator.
Note:
Figures may not sum due to roundings.

Hip Fractures

Mr. Burns: To ask the Secretary of State for Health what is the number of people aged 65 years or more admitted to hospital suffering from hip fractures in 1988 in each regional health authority area in England who were operated on within *(a)* 24 hours of admittance, *(b)* 25 to 48 hours of admittance, *(c)* 49 to 72 hours of admittance, and *(d)* over 72 hours of admittance.

Mr. Freeman: We do not currently hold this information centrally. From 1990, information supplied by regional health authorities will include duration of stay in hospital both on a pre and post-operation basis.

Mr. Burns: To ask the Secretary of State for Health what is the number of people aged 65 years or more admitted to hospital suffering from hip fractures in 1988 in each regional health authority area in England.

Mr. Freeman: The information requested for 1985 (the latest year for which data is available centrally) is given in the table:

Estimated number of in-patients aged 65 and over with main diagnosis as shown discharged from NHS non-psychiatric hospitals, by region of treatment, England 1985

County	*Fracture of femur*	*Fracture of other parts of femur*
ICD Code[1] (3 Digit)	820	821
Northern	2,390	380
Yorkshire	3,390	380
Trent	3,720	390
East Anglia	1,730	130
North West Thames	1,970	260
North East Thames	3,030	280
South East Thames	3,350	550
South West Thames	2,510	230
Wessex	2,340	430
Oxford	1,270	200
South Western	3,270	290
West Midlands	4,560	630
Mersey	1,960	390
North Western	3,320	370
SHA's	(20)	0
England	38,840	4,890

[1] ICD—International Classification of Diseases; 9th revision.
Figures in brackets should be treated with caution as they are based on small sample numbers.
The England total may not equal to the sum of the regions due to roundings.

Mental Handicap Services

Mr. Wigley: To ask the Secretary of State for Health what specific measures he proposes to encourage general practitioners to act as gatekeepers to social services, social security and housing for their patients with mental handicaps.

Mr. Kenneth Clarke: It is the Government's aim that all the statutory authorities concerned with the provision of services for mentally handicapped people should co-operate in providing access to a comprehensive and integrated range of services to meet the individual needs of mentally handicapped people and their families. I am sure general practitioners will continue to help to achieve this aim.

Mr. Wigley: To ask the Secretary of State for Health if he will make it his policy to provide earmarked additional funding for the development of mental handicap services; and if he will make a statement.

Mr. Freeman: No. The development of mental handicap services is already one of the priorities for the statutory authorities responsible for their provision. The statistical bulletin "Personal Social Services: Provision for Mentally Handicapped People in England 1976-86" a copy of which is in the Library and which was issued last year, describes the progress that has been made in increasing residential and day provision in the community.

Mr. Wigley: To ask the Secretary of State for Health if he will publish a paper setting out the short and long term implications of "Working for Patients" for (i) the National Health Service contribution to mental handicap services, (ii) the National Health Service partnership with other statutory services, and (iii) voluntary sector mental handicap services.

Mr. Kenneth Clarke: We are examining the future organisation and management of services for mentally handicapped people as part of our wider consideration of community care policy, following Sir Roy Griffiths' report and taking into account the implications of "Working for Patients". We are also looking at ways of strengthening collaboration between the NHS and other statutory and voluntary agencies in the provision of those services.

Mr. Wigley: To ask the Secretary of State for Health if he will invite the Audit Commission to work closely with the national development team in monitoring the quality and quantity of health and local authority mental handicap services.

Mr. Freeman: The Audit Commission remains a wholly independent body but does, of course, have access to the published reports of the national development team as part of the body of knowledge to be taken into account when approaching value for money exercises on mental handicap services. The two bodies already have informal links.

Mr. Wigley: To ask the Secretary of State for Health whether mental handicap hospitals will be eligible to form themselves into National Heath Service hospital trusts; if such trusts would have responsibility for community mental handicap services; and whether they would be authorised to charge for non-hospital residential care.

Mr. Kenneth Clarke: Any hospital which meets the criteria in chapter 3 of the White Paper "Working for Patients" would be eligible to become an NHS hospital trust, and trusts will be able to run community services, where this is sensible. NHS hospital trusts will be subject to the provisions on charging for residential care which apply to the NHS generally.

Mr. Wigley: To ask the Secretary of State for Health if he will make a statement on the National Health Service White Paper proposals for greater flexibility across health authority boundaries, and their effects on the Department's policy for comprehensive and integrated local services for people with mental handicap.

Mr. Kenneth Clarke: It remains my Department's policy to encourage the development of comprehensive and integrated local services for people with a mental handicap. The greater flexibility and other proposals in the White Paper "Working for Patients" will further assist the implementation of this policy.

Mr. Wigley: To ask the Secretary of State for Health if, as a result of "Working for Patients", there will be any substantial extension of the role of the private health sector in catering for the general or special needs of people with mental handicap.

Mr. Kenneth Clarke: The private and voluntary sectors in collaboration with the statutory services play an essential role in provision for mentally handicapped people, and I hope this will continue to expand when its is for the benefit of mentally handicapped people and their families.

Mr. Wigley: To ask the Secretary of State for Health if the revised funding arrangements proposed in "Working for Patients" will take account of the transitional and long-term costs of funding higher quality mental handicap services.

Mr. Kenneth Clarke: The White Paper proposals will fund health authorities for the populations they serve rather than for particular services they provide. By providing greater choice and flexibility the new arrangements will promote access to better standards of service.

Mr. Wigley: To ask the Secretary of State for Health if he will issue up-to-date guidance to health authorities on the positive use, for the individual's own benefit, of accumulated funds held by health authorities on behalf of patients in mental handicap hospitals.

Mr. Freeman: We know that many hospitals are devising imaginative schemes within the existing guidelines to use patients' own money for their personal benefit and to enhance their quality of life. There are no plans to issue new national guidelines.

Mr. Wigley: To ask the Secretary of State for Health if he will extend the requirement for peer group review and professional audit to those parts of the mental handicap service which are led by psychologists, nurses or social workers.

Mr. Kenneth Clarke: Not at present, although I would expect all professional staff providing services to mentally handicapped people to keep the quality and effectiveness of those services under continuous review.

"Working for Patients"

Mr. Wigley: To ask the Secretary of State for Health what measures he proposes to improve liaison between health authorities and local authorities, following changes in the composition of health authorities and the abolition of some district health authorities, as proposed in "Working for Patients".

Mr. Kenneth Clarke: Health authorities and local authorities are statutorily obliged to collaborate in the development of services, and mechanisms exist for encouraging liaison between them. Ways in which those mechanisms can be made to work more effectively are being examined as part of our consideration of the Sir Roy Griffiths report "Community Care: Agenda for Action", and we shall be taking account of "Working for Patients" in those deliberations.

Prescription Charges

Mr. Harry Barnes: To ask the Secretary of State for Health what instructions he has issued to determine when the charges for a doctor's prescription are to be at a single or multiple rate.

Mr. Freeman: Part XVI of the drug tariff sets out the circumstances where more than one prescription charge is payable. The drug tariff is issued monthly to all National Health Service general medical practitioners and pharmacy and appliance contractors.

Pharmaceutical Prices

Mr. Bermingham: To ask the Secretary of State for Health if he has any proposals to review the pharmaceutical price regulation scheme; and if he will make a statement.

Mr. Freeman: The revised pharmaceutical price regulation scheme, which began in October 1986, was scheduled to operate for six years, although provision is made for an interim review at the request of either party (Government or industry) after not less than three years. That stage has not yet been reached.

Mr. Bermingham: To ask the Secretary of State for Health if he intends to make publication of specific budget targets in respect of prescription pricing policy; and if he will make a statement.

Mr. Freeman: The Prescription Pricing Authority, in common with other health authorities, is set a cash limit each year and this is published in the supply estimates. The next estimates will be published in March.

Mr. Bermingham: To ask the Secretary of State for Health if there are any proposals to improve international comparisons on pharmaceutical products pricing policy to the standard of the United Kingdom PACT in the light of 1991; and if he will make a statement.

Mr. Freeman: The European Commission intends to compile a data bank containing prices of medicines in different member states. On that, I have nothing to add to the reply by my hon. and learned Friend of 26 January to my hon. Friend the Member for Bristol, East (Mr. Sayeed) at column 712. The purpose of the PACT system is to provide NHS general medical practitioners with detailed information about their prescribing patterns and costs.

Abortion

Mr. Alton: To ask the Secretary of State for Health what percentage of abortions at 18 weeks, 19 weeks and 20 weeks gestation were performed during 1987 because the child was likely to be born handicapped.

Mr. Freeman: The information is shown in the table.

Notifications of abortions which took place with a gestation period of 18, 19 and 20 weeks, showing the number with a mention of ground 4 of the 1967 Abortion Act, which states

"there is a substantial risk that if the child was born it would suffer such physical or mental abnormalities as to be seriously handicapped"
for England and Wales—1987.

Weeks	A All grounds total	B Ground 4 total	Percentage B of A
18	2,800	195	7·0
19	1,725	121	7·0
20	1,363	126	9·2
Total	5,888	442	7·5

Accident and Emergency Services

Mrs. Mahon: To ask the Secretary of State for Health (1) whether, under the health review, Calderdale district health authority will have to provide an accident and emergency operational facility in Calderdale;

(2) whether Calderdale district health authority will be able to direct its accident and emergency patients to Bradford and pay the Bradford authority for their treatment.

Mr. Kenneth Clarke *[holding answer 13 February 1989]:* It will continue to be the responsibility of Calderdale district health authority to decide how best to meet the need for a locally available accident and emergency service for people resident within the district. The White Paper proposals do not alter this responsibility.

Mrs. Mahon: To ask the Secretary of State for Health (1), pursuant to the answer to the hon. Member for Halifax, 7 February, *Official Report*, column 799, if district health authorities and the self-governing hospitals will have to provide an operational base for accident and emergency within their locality;

(2) pursuant to the answer to the hon. Member for Halifax, 7 February, *Official Report*, column 799, whether district health authorities will be able to pay a neighbouring authority to treat patients in the operational accident and emergency facilities of the neighbouring authority.

Mr. Kenneth Clarke *[holding answer 13 February 1989]:* District health authorities will be required to ensure that accident and emergency services, which are core services, are available locally. They may, if they choose, arrange for these services to be provided in their own authority area or in a neighbouring authority area depending on what is more convenient for patients. Self-governing hospitals which provide accident and emergency services will continue to provide them unless the district agrees to their relocation.

Food Poisoning

Mr. Ashley: To ask the Secretary of State for Health what responsibility his Department has for ensuring that foodstuffs are safe for human consumption and carry no risk of food poisoning; in what way this responsibility is carried out; how many and what type of staff are required; what is the annual cost to his Department; and what has been the change in the number of staff and the annual cost to his Department in each of the last five years.

Mr. Kenneth Clarke *[holding answer 15 December 1988]:* My Department has joint responsibility with the Ministry of Agriculture, Fisheries and Food for ensuring that foodstuffs are wholesome and fit for human consumption. We exercise this responsibility through legislation and the issue of guidance. Under the Food Act 1984, the food trade and industry has primary responsibility for ensuring that its products are safe.

Local authorities are primarily responsible for enforcing this legislation. Food safety issues which have more than a local impact will usually involve my Department in liaison with the Ministry of Agriculture, Fisheries and Food, the food industry, the public health laboratory service and other relevant interests. My Department also acts as the point of contact with the European Community on food safety issues related to food imported into or exported from the United Kingdom.

In addition, my Department provides medical and other professional advice directly or through providing support to various expert committees in areas such as microbiology, toxicity and nutrition. Further detailed information could be provided only at disproportionate cost.

AGRICULTURE, FISHERIES AND FOOD

Foodstuffs

78. **Mr. Michael:** To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the effects on employment, turnover and investment in the food retailing and manufacturing industry of the plans to complete the internal market in foodstuffs.

Mr. Ryder: The completion of the internal market will undoubtedly bring changes in the climate under which the food retailing and manufacturing industries operate. However, it is the individual companies themselves which are best placed to determine precisely what the impact will be on their own business and to invest accordingly. Government's role is in providing the information which companies need to do this, by promoting awareness of the changes in prospect and of the challenges and opportunities these changes present.

Broiler Birds (Excreta)

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food whether his Department has any estimate of the proportion of excreta from broiler birds which is blown out of the broiler house as airborne dust and vapour.

Mr. Donald Thompson: Less than 1 per cent.

Deer

Mr. William Ross: To ask the Minister of Agriculture, Fisheries and Food whether farmed deer are tested for tuberculosis or any other disease as a routine.

Mr. Donald Thompson: Farmed deer are not required to be routinely tested for any disease, but the industry has been asked to consider a voluntary deer health scheme based on tuberculosis attestation to which could be added monitoring for other diseases.

Mr. William Ross: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table in the *Official*

Report showing for each of the last five years how many deer and of what species were imported into the United Kingdom; how many were imported for the purpose of deer farming or the improvement of stocks of British deer; from what countries they came; what procedures were carried out to determine if they were free from disease; whether any tests were carried out for tuberculosis and whether any strains of tuberculosis are specific to deer.

Mr. Donald Thompson: The table provides the number and species of deer imported into the United Kingdom and the countries of origin in the last five years. The purpose of these imports is not available.

		Country of origin								
Year	*Species*	*Austria*	*Denmark*	*West Germany*	*Hungary*	*Norway*	*Poland*	*Sweden*	*Yugoslavia*	*Yearly total*
1984	Red	21	—	157	44	—	—	29	—	270
	Reindeer	—	—	—	—	19	—	—	—	
1985	Red	6	20	217	141	—	—	106	9	551
	Fallow	—	—	3	12	—	—	37	—	
1986	Red	14	32	75	200	—	—	—	35	356
1987	Red	50	—	13	—	—	—	—	32	95
1988	Red	—	6	77	—	—	3	—	—	123
	Mesopotamian	—	—	9	—	—	—	—	—	
	Fallow	—	—	—	28	—	—	—	—	
Country totals		91	58	551	425	19	3	172	76	1,395

These deer were required to undergo a period of at least 60 days on-farm isolation on their premises of origin and, depending on the disease situation in the country of origin, a further period of not less than 14 days in officially supervised pre-export quarantine. Each consignment had to be accompanied by a health certificate signed by an official veterinary officer of the exporting country confirming that these requirements had been met and, depending on the disease status of the country of origin, that the deer concerned had been tested, with negative results, for the following diseases: avian and bovine tuberculosis, brucella abortus, foot and mouth disease, blue tongue, epizootic haemorrhagic diseast and leptospirosis. There are no tuberculosis strains which are specific to deer.

Milk

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food on what grounds he intends to stop the supply of unpasteurised milk direct from farm to consumer; and if he will make a statement.

Mr. Donald Thompson: My proposal reflects the fact that consumption of untreated milk poses a health threat since, even in the best run herds, clinical infections can be present in the milk even though no symptoms are shown by the cows. Effective heat treatment is the only way to minimise the risk of transmitting milk-borne diseases such as salmonellosis and cympylobacter infections to the consumer.

Frozen Foods

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food what studies have been done by or on behalf of his Department, and what regulations exist, to set standards for the handling, and transport, of frozen foods.

Mr. Ryder: The Ministry has funded many studies on all aspects of frozen foods. In particular, one large study examined the temperatures and quality of frozen food encountered in different commercial cold stores and retail outlets. A further project is in progress examining temperature distribution in retail display cabinets.

The Food Hygiene (General) Regulations 1970 and the Food Hygiene (Market Stalls and Delivery Vehicles) Regulations 1966 lay down the handling and transport hygiene requirements for most foods, including frozen food. These regulations are currently being reviewed by my right hon. Friend the Secretary of State for Health. International trade in frozen food is subject to the provisions of the agreement on the international carriage of perishable foodstuffs. In addition, regulations are being made to implement the EC directive on quick frozen foods, adopted on 21 December 1988 which lays down provisions controlling aspects of labelling, manufacturing, processing and storage of quick frozen food. Apart from their specific regulations the general provisions of the Food Act 1984 apply, which, inter alia, prohibit the sale of food which is not of the nature, substance or quality demanded by the purchaser.

Radiation (Cumbria)

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what action he has taken to protect farmers and other users of the river Esk in Cumbria, where findings recently of radiation doses three to four times above the generalised derived limits set by the National Radiological Protection Board have been discovered; and if he will make a statement regarding grazing cattle and sheep eating this contaminated vegetation and soil entering the human food chain with its subsequent dangers to health.

Mr. Ryder: As my hon. Friend the Member for Calder Valley (Mr. Thompson) made clear in his reply to the hon. Member for Copeland (Dr. Cunningham) on 9 February, *Hansard*, column *780*, substantial monitoring in this area

has made clear that doses of radiation, even to those receiving the highest external exposure, are well within the internationally recommended limits.

Potatoes

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food whether he will direct the Potato Marketing Board to reconsider its refusal to increase the quota allowed to organic growers in those cases where they can show they are unable to meet demand.

Mr. MacGregor: Responsibility for managing the potato quota system rests with the Potato Marketing Board and it would not be appropriate for me to intervene.

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food whether he will make it his policy to study the Dutch system of potato marketing and its success in exporting to different countries before reaching a decision upon the future of the Potato Marketing Board.

Mr. MacGregor: I am already aware of the Dutch arrangements.

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food how many tonnes of potatoes the potato processing industry has used for each of the last five years; and how many tonnes have been imported from the Netherlands for processing for the same years.

Mr. MacGregor: The following tonnages were used by the United Kingdom potato processing industry.

Crop year	*Thousand tonnes*
(July-June)	
1983-84	1,252
1984-85	1,404
1985-86	1,417
1986-87	1,466
1987-88	1,442

The import figures do not distinguish between imports for processing and other imports.

Animal Feedstuffs

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what representations he has had on the system of a statutory declaration of ingredients in animal feedingstuffs since 1 December 1988; and if he will make a statement.

Mr. Ryder: My Department consulted widely on the European Commission's proposal made in June last year to make compulsory some form of ingredient listing on the labels of animal feedingstuffs to supplement the detailed information already required. Representations from the National Farmers Union and the United Kingdom Agricultural Supply Trade Association have been received among those of many other organisations, and consultation is continuing as the discussions in Brussels progress.

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he will ban the use of farm excrement in compound feeds.

Mr. Donald Thompson *[holding answer 14 February 1989]:* The Diseases of Animals (Protein Processing) Order 1981 requires all protein material of animal origin for animal feedingstuffs to be manufactured free from salmonella. I have at present no plans to do so. However, discussions are under way between my officials and representatives of the animal feedingstuffs industry to consider the application of the present controls and any further measures which may be needed to reduce salmonella contamination in feedingstuffs.

Common Agricultural Policy

Dr. Hampson: To ask the Minister of Agriculture, Fisheries and Food if he will update the figures on the common agricultural policy given in his predecessor's answer to the then hon. Member for Billericay on 17 February 1983, *Official Report*, column *459*.

Mr. MacGregor: Following the European Council agreement in February 1988, the rate of growth of agricultural market support spending is legally restricted to 74 per cent. of the rate of growth of Community gross national product and its proportion of the EC budget is forecast to fall to about 59 per cent. by 1992.

Fruit and Vegetable Marketing Standards

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food when he expects to have completed his review of the enforcement of fruit and vegetable marketing standards.

Mr. MacGregor: It is expected that the review, which will be concerned with the impact of EC regulations on business, will be completed towards the end of the year.

Efficiency

Mr. David Shaw: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the benefits that consumers have derived from increases in the efficiency of the British agricultural industry in recent years.

Mr. MacGregor: Food prices are now 17 per cent. lower in real terms than in 1979 and consumers have a wider choice of foodstuffs at all price ranges than ever before.

Agriculture Council

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council in Brussels on 13 and 14 February; and if he will make a statement.

Mr. MacGregor: I attended this meeting, together with my hon. Friend the Parliamentary Secretary.

The Council discussed the Commission's proposals on farm support prices and related measues for 1989-90. The discussion was limited to an initial exchange of views, and the Council will return to these questions at its March meetings.

During the discussion, I took the opportunity to urge the need to combat the fraudulent use of funds under the common agricultral policy, to which the Commission had referred in bringing forward its proposals on farm prices. I pressed the Commission to make specific proposals in this area, on which member states could then take action; and I called for systematic follow-up to reports from the European Court of Auditors.

The Council agreed, subject to the opinion of the European Parliament, an amendment to its measure, adopted last year, for payments to farmers who extensify their production. The amendment, for which I had pressed on practical grounds, will enable member states to operate these arrangements on a pilot basis until the end of 1990.

Salmonella

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he intends to compensate those egg-producers banned from selling raw eggs due to infection of their flocks with salmonella; for how long such bans will be operational; and if he will make a statement.

Mr. Donald Thompson *[holding answer 8 February 1989]:* I refer the hon. Member to the reply that my right hon. Friend the Member for Norfolk, South (Mr. MacGregor) gave to my hon. Friend the Member for Hereford (Mr. Shepherd) on 10 February 1989 at column *831*.

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the frequency with which hens infected with salmonella lay infected eggs; and if he has instituted any survey on that subject.

Mr. Donald Thompson *[holding answer 14 February 1989]:* Any hen infected with an invasive strain of salmonella such as salmonella enteritidis is considered capable of producing a salmonella-contaminated egg, but information is not available on the frequency with which this actually occurs.

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the distribution of salmonella infection in chicken flocks; and if he has instituted any survey of such infection.

Mr. Donald Thompson *[holding answer 14 February 1989]:* Since salmonella enteritidis does not cause overt clinical disease in adult poultry it is not possible to determine the extent of the infection without extensive testing which, in the absence of a simple, rapid and sensitive test for salmonella enteritidis, is not possible.

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement concerning the action that would be necessary to achieve a long-term solution to the problems associated with salmonellae in poultry and eggs.

Mr. Donald Thompson *[holding answer 14 February 1989]:* I refer the hon. Member to the replies that I gave to my hon. Friend the Member for Suffolk, Central (Mr. Lord) on 18 January (*Hansard* columns *214-15*), and 1 February (*Hansard* column *247*), to my hon. Friend the Member for Daventry (Mr. Boswell) on 27 January (*Hansard* column *806*) and my hon. Friend the Member for Hereford (Mr. Shepherd) on 10 February (*Hansard* column *831*).

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the incidence of transmission of salmonella into eggs by trans-shell and transovarian routes respectively; and if he has instituted any research into this question.

Mr. Donald Thompson *[holding answer 14 February 1989]:* On transovarian infection of eggs, I refer the hon. Member to the reply that I gave to the hon. Member for Clwyd, South-West (Mr. Jones) on 22 December 1988 (*Hansard* column *440*).

It is clear from research which has already been conducted that, though the frequency of contamination by either route is not known precisely, transmission through the shell from faecal contamination is more common than transovarial transmission.

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the number of salmonellae in eggs produced or marketed in England, and on any survey he has instituted in order to compile such information.

Mr. Donald Thompson *[holding answer 14 February 1989]:* No extensive testing has been undertaken specifically on the number of eggs infected with salmonella in England.

From the 15,411 eggs from 500 flocks which have been examined for various purposes, however, in only one instance was salmonella enteritidis detected.

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the incidence of salmonella infected hens in chicken flocks; and if he has instituted a survey of such incidence.

Mr. Donald Thompson *[holding answer 14 February 1989]:* Since salmonella enteritidis does not cause overt clinical disease in adult poultry it is not possible to give precise figures of the extent of the infection without extensive testing, which in the absence of a simple, rapid and sensitive test for salmonella enteritidis, is not possible. However, the Zoonoses Order 1975 requires isolations of salmonella to be reported. Provisional figures indicate that 370 isolations of salmonella enteritidis in 1988 were reported.

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he will seek to give statutory backing to the code of practice for the control of salmonellae in commercial laying flocks prepared by his Ministry jointly with the British Poultry Federation.

Mr. Donald Thompson *[holding answer 14 February 1989]:* As I announced in my reply to my hon. Friend the Member for Suffolk, Central (Mr. Lord) on 18 January *Hansard* columns *214-15* I propose to introduce a requirement on operators to carry out regular bacteriological monitoring, together with strenghthened statutory requirements about the control of rodents, with provision for compulsory cleansing and disinfection and requirements for the hygienic handling of eggs.

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he will introduce a salmonella enteritidis eradication scheme for the poultry industry based on a slaughter policy with compensation.

Mr. Donald Thompson *[holding answer 14 February 1989]:* Salmonella organisms are widespread in the environment and their total elimination is virtually impossible. However, as one of the measures to deal with the problem of salmonella enteritidis, as I announced in my reply to my hon. Friend the Member for Hereford (Mr.

Shepherd) on 10 February *Hansard* column *831*, I shall shortly be making an order to provide where necessary for the compulsory slaughter of laying flocks in which salmonella has been confirmed. Compensation will be paid as required by the Animal Health Act 1981.

Dioxins

Dr. David Clarke: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the research projects he is funding to investigate the potential hazards of dioxins in food; and if he will make a statement;

(2) whether he is investigating the presence of and potential hazard of dioxins in food arising through contact with packaging from bleached paper products; and if he will make a statement.

Mr. Ryder *[holding answer 14 February 1989]:* I am currently funding three research projects on dioxins in food:

(i) an investigation into the possible occurrence of dioxins in food arising from the use of paper-based packaging materials;
(ii) a survey of dioxin levels in retail fatty foods;
(iii) a pilot study on dioxin levels in encompassing the major food groups in the United Kingdom diet.

Religious Slaughter

Mr. Crowther: To ask the Minister of Agriculture, Fisheries and Food what changes have taken place in Halal and Shechita slaughter since the publication of the Farm Animal Welfare Council report on the welfare of livestock when slaughtered by religious methods (1985).

Mr. Donald Thompson *[holding reply 14 February 1989]:* There have been no changes to the statutory provisions governing the religious slaughter of animals. I have been considering representations on the Government's response of 29 October 1987 to the Farm Animal Welfare Council's report on religious slaughter. I expect to issue proposals for new regulations on the welfare of all animals at slaughter shortly.

ENVIRONMENT

Public Works Contracts

72. **Mr. Ron Brown:** To ask the Secretary of State for the Environment how many small firms have gained contracts as a result of major public works contracts in the south of England in the most recent period for which figures are available; and if he will make a statement.

Mr. Trippier: This information is not held centrally.

Race Relations and Equal Opportunity

Mr. Cohen: To ask the Secretary of State for the Environment if he will describe his Department's principal achievements in respect of race relations and equal opportunity since May 1979.

Mr. Ridley: Apart from the internal management of the Department itself, my Department's main involvement in equal opportunities is in housing and inner cities policy.

In 1986, we commissioned research by Brunel university into local authorities' policies and practices in combatting racial harassment in housing and expect shortly to be publishing a good practice guide as a result. The Department co-funds the local authorities race relations information exchange and funds schemes aimed at encouraging the recruitment and training of ethnic minority staff in local authority housing departments and housing associations. The Housing Act 1988 extended section 71 of the Race Relations Act 1976 to cover the Housing Corporation and HATS, and gave the Commission for Racial Equality power to issue codes of practice on rented housing, which would be admissible in court proceedings. This power would be extended to all housing under a provision in the current Local Government and Housing Bill.

The urban programme enables my Department to support projects benefiting ethnic minorities and women in the inner cities. We give priority to projects designed to benefit disadvantaged minorities. Since 1980-81, around £220 million has been directed towards projects of specific benefit to ethnic minorities. In 1988-89, such projects account for approximately 11 per cent. of UP expenditure, supporting more than 1,100 projects at a cost of £29 million. Projects targeted on ethnic minorities cover a wide range of activities with expenditure being concentrated on economic development, training and health and welfare. The particular problems of women are recognised as priority issues in many local authority urban programme strategies, as is reflected in projects aimed at training and child care.

In the internal management of the Department, we have published policy statements on race relations and on equal opportunities for women; we have asked staff to participate in a survey of their ethnic origins as a basis for checking that our practices in recruitment, posting and promotion are fair; and we have taken a number of steps to help women combine a career with domestic responsibilities, including the provision of child care facilities, in cooperation with the trade unions concerned, on some residential training courses in the summer of 1987. This is to be repeated in the summer of 1989.

Nuclear Waste

Mr. Flynn: To ask the Secretary of State for the Environment what volumes of *(a)* low-level radioactive waste and *(b)* intermediate-level radioactive waste, arising from reprocessing of imported spent nuclear fuel at Sellafield, will be deposited in NIREX repository by the year 2030; and what proportion of the total waste in each category is this expected to constitute.

Mrs. Virginia Bottomley: Since 1976, BNFL's contracts for the reprocessing of overseas spent fuel have contained options for the return of wastes. The Government intend that reprocessing contracts with overseas customers should continue to contain such options, that the options should be exercised and that the wastes should be returned.

The total volumes of waste which are likely to arise from BNFL's pre 1976 contracts are 3,000m for intermediate level wastes and 20,000m for low level wastes representing respectively approximately 1 per cent. of the total operational wastes arising in the United Kingdom by the year 2030.

Aerial Surveys (Yorkshire)

Mr. Redmond: To ask the Secretary of State for the Environment which of the three counties of Yorkshire make use of aerial surveys to monitor mineral workings; if he will list all encroachments that have occurred during the last five years: what action has been taken by his Department where infringement has taken place; and if he will make a statement.

Mr. Chope: Day to day planning for mineral working, including the taking of measures to deal with unauthorised extraction, is the responsibility of the appropriate planning authority.

In North Yorkshire, the county council is the mineral planning authority. In the former metropolitan counties of South and West Yorkshire, this function is the duty of the respective metropolitan district councils.

My Department deos not collect information or keep records on the use made by local authorities of aerial surveys to monitor mineral working or the number of encroachments. Unauthorised working is not reported to my Department as a matter of course, but cases may come before the Secretary of State if there is an appeal against an enforcement notice or stop notice issued by a mineral planning authority.

Radiation (Cumbria)

Dr. Cunningham: To ask the Secretary of State for the Environment what data his Department has on radioactive contamination of the River Esk near Ravenglass, Cumbria, including by isotopes of americium and caesium; how and by whom the monitoring is carried out; and if he will make a statement.

Mr. Ridley: Data on levels of environmental radioactivity, including caesium and americium in the river Esk, Ravenglass estuary is provided by British Nuclear Fuels plc (BNFL) to my Department as a statutory requirement of their certificate of authorisation to discharge radioactive wastes. The most recent data supplied by BNFL is summarised on page 26 (table 7) of their annual report entitled "Radioactive Discharges and Monitoring of the Environment 1987". The most recent data from the Ministry of Agriculture, Fisheries and Foods's extensive environmental monitoring programmes is summarised on page 26 (table 10) of their aquatic environment monitoring report No. 19 for 1987. Both reports are published and copies have been placed in the Library of the House.

As part of the national environmental monitoring programme sponsored by my Department, mud from the Ravenglass estuary including the river Esk has been sampled for radiological analysis. This programme was started in 1988 and the results have not yet been published. When they are, a copy of the report will be placed in the Library of the House.

Radioactive Substances (Slough)

Mr. Watts: To ask the Secretary of State for the Environment what sites in the borough of Slough are licensed under the Radioactive Substances Act 1960.

Mrs. Virginia Bottomley: The information is as follows:

Thirty-three premises in the Slough area are registered under the Radioactive Substances Act 1960 to keep and use radioactive materials. These are as follows:

3M United Kingdom Limited, Photogard Laboratories, Unit 8, Building No. 1, Banbury Avenue, Slough.

Acton Plastics, Poyle Trading Estate, Colnbrook.

Asda Stores Limited, Telford Drive, Slough.

Auriema Limited, 442 Bath Road, Slough.

[1]Celltech Diagnostics Limited, 240-244 Bath Road, Slough.

Cecil H. Greville Limited, 60 Chalvey Road East, Slough.

[1]Celltech Limited, 216-222 Bath Road, Slough.

Combined Optical Industries Limited, 200 Bath Road, Slough.

Crane Packing Limited, 222 Berwick Avenue, Trading Estate, Slough.

Crane Packing Limited, 210-214 Bath Road, Slough.

CRC Information Systems Limited, 750-751 Deal Avenue, Slough Trading Estate, Slough.

Great Mills DIY Superstore, 217A Bath Road, Slough.

Guardian Royal Exchange Properties Limited, High Tech Industries Development, 185-187 Bath Road, Slough.

ITW Limited, 470-474 Bath Road, Chippenham, Slough.

Johnson & Johnson Limited, 6298/630 Ajax Avenue, Slough.

Kodak Limited, Colour Snaps, 144 High Street, Slough.

Mars Limited, Dundee Road Trading Estate, Slough.

Master Models (1983) Limited, 5 David Road, Poyle Trading Estate, Colnbrook, Slough.

McDonalds, 179 High Street, Slough.

McMichael Limited, Wexham Road, Slough.

Nevin Electric Limited, Arkwright Road, Colnbrook.

Nicholas Laboratories Limited, 225 Bath Road, Slough.

Non-Destructive Testers Limited, 514 Ipswich Road, Slough.

Satchwell Control Systems Limited, Farnham Road, Slough.[1]

Slough College of Technology, Wellington Street, Slough.

Slough Enamellers Limited, 128 Edinburgh Avenue Trading Estate, Slough.

Thames Water Authority, Wood Lane, Slough.

Vita-Tex Limited, 73 Buckingham Avenue Trading Estate, Slough.[1]

Wexham Park Hospital, Slough.

W. H. Smith Do It All Ltd., Farnham Road, Slough.

Wormald International Electronics, Station Estate off Mill Street, Slough.

Wykeham Farrance Engineering Limited, Weston Road Trading Estate, Slough.

Xenova Ltd., 545 Ipswich Road, Slough.

[1] Premises also authorised for the disposal of radioactive waste.

A list of all premises in England and Wales authorised under the Radioactive Substances Act 1960 to dispose of

radioactive waste was published by the Department in April 1988 and a copy was placed in the Library of the House.

Caravan Sites

Dr. Thomas: To ask the Secretary of State for the Environment if statistics are held centrally, on the number of caravan sites not licensed by local authorities operated under the auspices of voluntary organisations in England.

Mr. Trippier: Precise figures are not available. However, recreational organisations holding an appropriate certificate of exemption from the Department of the Environment have currently approved approximately 5,000 sites in England for no more than five caravans for use by their members. In addition they occupy about 145 sites in England on a permanent or seasonal basis for any number of touring caravans, for which they have obtained the informal approval of the local authority. Further sites are used on a temporary basis for holiday meetings and rallies for club members of up to five days, but no central records are kept of these temporary uses.

Dr. Thomas: To ask the Secretary of State for the Environment what is the total number of caravan sites licensed under the Caravan Sites (Control of Development) Act 1960 by local authorities in England.

Mr. Trippier: This information is not held centrally and could be obtained only at disproportionate cost.

Housing Stock

Mr. Butler: To ask the Secretary of State for the Environment if he will make a statement on the progress made in improving the housing stock since 1981.

Mr. Trippier: The results of the 1986 English house condition survey, published in November last year, showed that, overall, the conditions of the stock had improved since the last survey in 1981. Less than 3 per cent. of the stock lacked basic amenities compared with 5 per cent. in 1981. The proportion of the stock classified as unfit had been reduced from 6·3 per cent. to 5·6 per cent. The proportion in serious disrepair had remained broadly the same at about 6 per cent.

A copy of the report of the survey is available in the Library.

Liverpool Urban Development Corporation

Mr. Favell: To ask the Secretary of State for the Environment what contribution the urban development corporation in Liverpool has made to fighting urban decay.

Mr. Trippier: The Merseyside Development Corporation has made a significant contribution to fighting urban decay. The corporation was set up in 1981 to regenerate 865 acres of mostly derelict and disused docklands in the urban development area. To that end it has spent £186 million since its inception; 387 acres of land have been reclaimed; 2·3 million sq ft of buildings have been refurbished, including the Albert Dock, the largest collection of grade 1 listed buildings in the country; 259 business units have been provided, including the Brunswick business park in the South Docks where 0·5 million sq ft have been let; 2,500 jobs have been created, 1,100 safeguarded and on average 1,000 jobs every year have been generated by construction and related projects; 340 dwellings have been completed including the first phases of 240 residential flats provided by refurbishment and conversion schemes in partnership with the private sector at Albert Dock and Wapping Warehouse; £50 million of private sector investment has been secured so far and this is expected to double within the next year.

In November last year the designation order extending MDC's area came into effect. This will enable another 1,500 acres in Liverpool and Wirral to benefit from MDC's direct and determined approach.

More details of the Merseyside Development Corporation's activities are contained in its annual reports, copies of which are laid before Parliament.

Competitive Tendering

Mr. Oppenheim: To ask the Secretary of State for the Environment what assessment he has made of the potential to reduce the cost of local government services by means of competitive tendering.

Mr. Gummer: Experience of voluntary competitive tendering indicates that savings of 20-30 per cent. of previous costs may be achieved. With expenditure on the services covered by the Act approaching £3 billion, it is clear that major savings are available.

Employment Training

Ms. Short: To ask the Secretary of State for the Environment what guidelines he has issued concerning the joint funding of projects by both the urban programme and employment training, and if he will make a statement.

Mr. Trippier: The Department has issued a set of ministerial guidelines to partnership and programme authorities to help them in the preparation of their inner area programmes. These stress that that the urban programme should not generally be used to fund projects which are eligible for assistance under other programmes but that it may be used to complement expenditure, for example, under the employment training scheme.

Dog Wardens

Mr. Speller: To ask the Secretary of State for the Environment how many district councils provide a dog warden or similar scheme for the control of strays; and how many do not.

Mrs. Virginia Bottomley: This information is not collected by the Department. I understand that the Joint Advisory Committee on Pets in Society estimates that some 200 of the 401 local authorities at district level in England and Wales provide dog warden services.

St. Martin's Estate

Mr. Fraser: To ask the Secretary of State for the Environment when he will respond to the current application for inner area programme funding for the St. Martin's estate community project B9/207.

Mr. Trippier: I understand that Lambeth is currently reviewing a revised bid for the St. Martin's estate community project. If formally submitted to the Department, this will now need to be considered along

with many other bids being proposed for inclusion in the 1989-90 Lambeth IAP, on which decisions are expected by April.

Housing (Waiting Lists)

Mr. Battle: To ask the Secretary of State for the Environment how many households were registered on local authority housing waiting lists on 1 April 1988 in *(a)* Greater London, *(b)* the south east outside London, *(c)* East Anglia, *(d)* the east midlands, *(e)* the west midlands, *(f)* the south west, *(g)* the north west, *(h)* the north, *(i)* Yorkshire and Humberside and *(j)* England as a whole.

Mr. Trippier: This information is reported by local authorities in their annual Housing Investment Programme return (HIP 1). It is shown at column B51 of the "Grossed Estimates for Standard Regions—1988 HIP 1", a copy of which is in the Library.

Local Authority Dwellings

Mr. Battle: To ask the Secretary of State for the Environment if he will provide the number of local authority dwellings *(a)* let to new secure tenants and *(b)* let to new secure tenants who were homeless households, between 1 April 1987 and 31 March 1988, in (1) Greater London, (2) metropolitan areas outside London, (3) non-metropolitan areas in the south east, (4) all non-metropolitan areas and (5) England as a whole.

Mr. Trippier: Following are estimates derived from local authorities' annual housing investment programme returns (HIP 1):

	New secure tenants	*of which homeless households*	*New non-secure tenants*	*of which homeless households*	*National mobility scheme*	*of which homeless households*	*Nominations to Housing Associations*[2]	*of which homeless households*
(i) Greater London	28,300	17,300	4,400	3,400	3,800	900	3,300	1,100
(ii) Metropolitan Outside London	90,700	20,900	1,700	600	1,800	[1]	8,100	800
(iii) Non Met areas in South East	27,700	8,000	3,500	2,800	1,200	[1]	1,700	200
(iv) All non Metropolitan	110,100	26,700	6,800	5,000	3,800	[1]	7,700	500
(v) England	229,000	64,900	12,900	9,000	9,400	1,000	19,100	2,400

[1] Nil or negligible
[2] Nominations to new town dwellings were not counted in 1987-88

	Total households accepted as homeless	*of which in priority need*	*Dwellings vacant and available for letting on 1 April 1987*	*Dwellings management newly built*	*Coming into which were acquisition etc.*	*Other*	*Total dwellings available for letting 1 April 1987 to 31 March 1989 (thousand)*
(i) Greater London	31,100	30,300	4,800	1,400	2,900	57,000	66,100
(ii) Metropolitan Outside London	36,400	28,800	10,700	2,200	4,900	162,100	179,800
(iii) Non Metropolitan areas in South East	17,800	16,700	3,700	5,700	1,900	58,300	69,700
(iv) All non Metropolitan	50,400	47,400	12,100	12,600	5,900	201,000	231,700
(v) England	117,900	106,500	27,600	16,200	13,700	420,200	477,600

Public Sector Housing

Mr. Soley: To ask the Secretary of State for the Environment (1) how many applications have been made to date to the Housing Corporation for approval under part IV of the Housing Act 1988 to seek to acquire public authority housing, from *(a)* registered housing associations, *(b)* unregistered housing associations, *(c)* housing co-operatives, *(d)* commercial companies, *(e)* private individuals and *(f)* other bodies; how many approvals have been granted by the Housing Corporation; and to which local authority areas these applications and approvals have related;

(2) how many approaches have been received to date by the Housing Corporation from council tenants in England *(a)* asking to be put in touch with another landlord who might take over their homes and *(b)* asking the Housing Corporation not to approve another landlord to take over their homes; and if he will list the local authority areas from which any such approaches have been made.

Mr. Trippier: I have asked the Housing Corporation to reply to the hon. Member.

Housing Action Trusts

Mr. Soley: To ask the Secretary of State for the Environment on what date he received the reports from the consultants appointed to investigate the proposed designations of housing action trusts in *(a)* Lambeth, *(b)* Southwark, *(c)* Tower Hamlets, *(d)* Sunderland, *(e)* Leeds and *(f)* Sandwell; what was the cost of each of these reports; and when he intends to publish these reports and make a statement on the Government's intentions in respect of housing action trusts.

Mr. Trippier: We have yet to receive all the consultants' final reports but expect to do so shortly. When we have completed our consideration of the reports, my right hon. Friend the Secretary of State intends to publish them and announce his conclusions.

For reasons of commercial confidentiality, fees for individual consultancies are not normally disclosed.

Seal Products (EC Ban)

Ms. Walley: To ask the Secretary of State for the Environment (1) what negotiations have taken place within the European Economic Community with regard to a renewal of the ban on the importing of white coat pups of harp and hooded seals, except those from traditional hunting by the Inuit people, under European Community directive 83/129/EEC; and if he will make a statement;

(2) if he will make a statement on his policy towards the European Community directive 83/129/EEC, and towards its extension beyond 1 October 1989.

Mrs. Virginia Bottomley: The Government fully supported EC directive 83/129/EEC, and the subsequent extension of the ban on the import of harp and hooded seal pup skins and products, on conservation grounds. I understand that the European Commission is considering the future of the ban. We have not yet been formally consulted. We shall give careful consideration to any proposals for a further extension of the ban.

Urban Programme

Mr. Cran: To ask the Secretary of State for the Environment what progress has been made to date in achieving the objectives of the urban programme; and if he will make a statement.

Mr. Trippier: Each of the local authorities who receive urban programme grant produce an annual report on achievements in their areas. Annual reports on the programme as a whole have been published each year since 1985-86 setting out details of the operation and achievements of the urban programme. The most recent "DoE Inner City Programmes 1987-88", reporting on the whole range of DoE inner city policies and programmes, was published in December 1988. The Department has also published a number of research reports on the effectiveness of the urban programme; details are set out in an annual publications list. I am forwarding a copy of this, and of the 1987-88 annual report to my hon. Friend.

Housing Act 1988

Mr. David Evans: To ask the Secretary of State for the Environment at what dates the remaining provisions of the Housing Act 1988 will be fully implemented.

Mr. Trippier: I expect the remaining provisions of the Housing Act 1988 to be brought into force by late spring this year.

Wildlife Habitats

Dr. Cunningham: To ask the Secretary of State for the Environment what guidance he has given the Nature Conservancy Council concerning the curtailing or encouragement of field sports on land which is the subject of applications for grants in respect of wildlife habitats.

Mr. Nicholas Ridley: The council's policy—which I support—is that traditional country pursuits should not be interfered with wherever they are not in conflict with the conservation of species or habitats. Where NCC propose to give grants for the acquisition of land for conservation purposes, they normally expect the new owner to allow traditional rights and uses of the land to continue, and to alter the level or practice of these activities only when it is required for the management of the site for nature conservation.

Water Directives

Dr. Cunningham: To ask the Secretary of State for the Environment how many 169 letters have been received by his Department from the European Commission since the beginning of January with respect to the drinking water directive and bathing water directive; and for which specific breaches of those directives.

Mr. Ridley: None.

Rate Capping

Mr. Baldry: To ask the Secretary of State for the Environment what further progress there has been, since his reply to the hon. Member for Banbury on 2 February, *Official Report*, column *356*, in the finalising of rate limits for rate-capped authorities in 1989-90.

Mr. Ridley: I announced on 2 February that Tower Hamlets had accepted the proposed rate limit that I announced in December and that I was seeking the agreement of Hackney and Southwark to limits—113p and 97p respectively—which were higher than those I proposed in December. Southwark accepted the limit I proposed; and I have now agreed a rate limit of 122p with Hackney. In the four cases where I was not minded to agree an increase over the rate limits I proposed in December, I looked very carefully at all the relevant information and representations I had received. I was not persuaded, however, that I should take a different view from that which I announced on 2 February. I therefore yesterday laid an order before the House in draft. I have also now considered some later information I received from Camden, but remain unpersuaded that an increase in their limit would be appropriate. I shall therefore be seeking the approval of the House to the rate limits specified in the draft order.

Hospital Waste (Rixton)

Mr. Hoyle: To ask the Secretary of State for the Environment when his Department was notified by Cheshire council waste authority of the dumping of yellow incinerator-only hospital waste bags at Rixton, Cheshire; and what advice it gave.

Mrs. Virginia Bottomley *[Holding answer 13 February 1989]:* Her Majesty's inspectorate of pollution was telephoned in April 1988 by Cheshire county council, which was seeking advice on the action to be taken over a substantial quantity of clinical waste that had been landfilled. As the clinical waste had been covered by other wastes the inspectorate advised that it should be left undisturbed. The inspectorate also confirmed that the landfilling of clinical waste had ceased at that time.

Environmental Health Officers

Ms. Walley: To ask the Secretary of State for the Environment if he will review the World Health Organisation guidelines on which the ratio of environmental health officers to population is based.

Mrs. Virginia Bottomley *[holding answer 13 February 1989]:* Decisions on the number of environmental health

officers to be appointed are a matter for local environmental health authorities. They are able to take into account the publication of the World Health Office regional office for Europe No. 18 "Development of Environmental Health Manpower" to which I assume that the hon. Member refers.

Green Belt

Mr. Adley: To ask the Secretary of State for the Environment what is the effect of his latest planning circular on Her Majesty's Government's green belt policy; and if he will make a statement.

Mr. Chope *[holding answer 14 February 1989]:* The Government remain fully committed to their green belt policy set out in planning policy guidance notes published in January 1988. No subsequent Departmental publication has affected that policy. PPG2 reaffirms earlier advice and provides a clear basis for planning decisions to uphold the green belt principles which have been an essential element of planning policy for over 30 years.

Housing Associations

Mr. Madden: To ask the Secretary of State for the Environment what representations he has received asking to introduce legislation to oblige housing associations to establish local management committees and for tenants to have the right to elect representatives to those management committees.

Mr. Trippier *[Holding answer 14 February 1989]:* None.

Local Authorities (Funding)

Dr. Cunningham: To ask the Secretary of State for the Environment (1) if he will publish, for each local authority in England, its capital allocation, in total for 1989-90, showing the percentage change from *(a)* 1988-89, and *(b)* 1981-82;

(2) if he will publish, by region and in total for England, capital allocations to local authorities for 1989-90, showing the percentage change from: *(a)* 1988-89, and *(b)* 1981-82.

Mr. Ridley *[holding answer 14 February 1989]:* The information requested for 1989-90 is not yet available by region and individual local authority. Table 1 gives the total of capital allocations in 1989-90 for England and the percentage changes over 1981-82 and 1988-89. Local authorities can spend a proportion of their capital receipts in addition to their allocations. Therefore, table 1 also includes information about spending power.

Table 1

	1989-90 £ million	*Percentage change over 1981-82*	*1988-89*
Total allocations	2,762	−21	−10
Spending power	7,674	+28	−1

Information on capital allocations issued which is available by region for 1981-82 and 1988-89 is as follows:

Table 2

Region	*1981-82 £ million*	*1988-89 £ million*	*change Percentage*
South East	1,531	1,109	−28
South West	217	208	−4
East Anglia	98	83	−15
West Midlands	314	265	−16
East Midlands	240	178	−26
North West	489	386	−21
Yorkshire and Humberside	331	271	−18
Northern Region	274	176	−36

A significant proportion of the total allocations in 1988-89 (£386 million) has not been issued.

Table 3 giving information on capital allocations issued for 1981-82 and 1988-89 by local authority has been placed in the Library of the House.

Written Answers to Questions

Thursday 16 February 1989

TRANSPORT

Fishing Vessels

73. **Mr. Buchan:** To ask the Secretary of State for Transport what discussions his officials have held recently regarding the transitional period for the registration of fishing vessels under the terms of the Merchant Shipping Act 1988; and if he will make a statement.

Mr. Portillo: The transitional period is prescribed in the Merchant Shipping (Registration of Fishing Vessels) Regulations which came into force on 1 December 1988. To date, nearly half the 13,000 transfer applications sent out for the new register have been returned. Officials at the registry of shipping and seamen are dealing with queries as fast as they can. Remaining qualified owners who return their applications in good time should be able to transfer their vessels before the end of the transitional period on 31 March.

Mrs. Margaret Ewing: To ask the Secretary of State for Transport what was the total amount of revenue accruing to his Department in the last financial year as a result of the levying of light dues on United Kingdom registered fishing vessels; and what was the original estimate.

Mr. Portillo: Responsibility for collecting light dues is vested in the general lighthouse authorities. They have so far received about £120,000 in light dues paid for United Kingdom registered fishing vessels for the financial year 1987-88. Income for the year was originally estimated as about £1 million; the authorities are considering what further action to take to recover the outstanding dues.

Highway Maintenance (Expenditure)

Mr. Alexander: To ask the Secretary of State for Transport what are the reasons for the underspend on local authority current expenditure on highway maintenance for 1987-88 being revised from £147 million to £91 million in the public expenditure White Paper 1988.

Mr. Peter Bottomley: Prior to the 1989 public expenditure survey, expenditure by local authorities on professional and technical services for road maintenance has been included with similar expenditure on public transport under the separate head of professional and technical services. For the 1989 survey it was agreed with the local authority associations that this expenditure should be charged out to the services concerned. The change is referred to in paragraph 83 of Cm. 288. Because expenditure on professional and technical services for 1987-88 was above the planned figure, the effect was to reduce the underspend on the new definition of road maintenance expenditure. The figures in the 1989 survey (Cm. 608) are also based on revised estimates of expenditure which were not available when the 1988 White Paper (Cm. 288) was published.

Public Inquiries

Mr. Robert Banks: To ask the Secretary of State for Transport what is the average time from the date of the decision to hold a public inquiry to the date when he announces his verdict on the inspector's report.

Mr. Peter Bottomley: The length of time between the announcement of a public inquiry and the issuing of the decision letter by the Secretaries of State for Environment and for Transport depends on a number of factors. The main ones are the length and complexity of the scheme, the duration of the inquiry, the length of the inspector's report and the time taken to deliver it, and the implications of the inspector's recommendations.

Twenty-nine inquiries into trunk road schemes were held in 1987 (the last year for which all inspectors' reports have been received). The Secretaries of State have yet to issue decisions on five major schemes: M3 Bar End-Compton, M40 Waterstock-Wendlebury, A1 Bramham-Wetherby and Wetherby-Dishforth (consecutive inquiries) and A6(M) Stockport North-South bypass. Of the remaining 24, the distribution of times taken between announcement of the inquiry and issuing of the decision letter was as follows:

Announcement—Decision

Months	*Number of Schemes*
1-3	—
4-6	4
7-9	7
9-12	8
13-18	4
over 19	1

Mr. Robert Banks: To ask the Secretary of State for Transport what is the number of public inquiries held during the last year into road proposals; what was their average duration; and what was the total cost.

Mr. Peter Bottomley: Thirty-two inquiries into trunk road schemes were held in 1988. The following is a breakdown of lengths of inquiry:

Length	*Number of Inquiries*
1 day	6
2-5 days	8
1-2 weeks	5
2 weeks-1 month	5
1-3 months	6
3-6 months	1
6 months-1 year	1

The direct costs of the facilities necessary for these inquiries (accommodation, photocopying etc.) came to £700,000. The figures for individual inquiries range between £285 and £370,000. Including counsel's and inspector's fees, the costs to the Department vary between £1 million and £2 million annually. It is not possible to assess the indirect costs of departmental and consultants' staff.

Bus Companies (Sale)

Mr. Higgins: To ask the Secretary of State for Transport what proposals he has for a deadline by which municipal bus companies should be sold to the private sector.

Mr. Portillo: The Government are encouraging local authorities to sell their bus companies and do not rule out the possiblity of seeking powers to require them to do so.

Viaducts

Mr. Bowis: To ask the Secretary of State for Transport whether he is yet ready to publish a further report on the midland links viaducts.

Mr. Peter Bottomley: A 1988 report is published today. We welcome this report for the reassuring news that it brings and for the information that it conveys. It is important to keep the wider public informed about these vital elements in our motorway network. Copies have been placed in the House of Commons Library.

The report confirms that the structures are sufficiently strong to carry the traffic which wants to use them.

The major problem is damage arising from chloride contamination. This is attributable to the original salt-laden water penetrating the structures during the de-icing of the motorways in winters before 1983. We are no longer adding to this problem, as we now use urea. Measures to tackle the consequences of this contamination will be a considerable part of the future programme.

The strategy for the future maintenance of the viaducts comes down to continuous monitoring, repair and maintenance. The accent will remain on value for money and will include further investigation into improving repair techniques.

Highway Authorities (Finance)

Ms. Ruddock: To ask the Secretary of State for Transport if he will list in the *Official Report* for each highway authority in England *(a)* its bid for capital allocations and transport supplementary grant for 1989-90, *(b)* the allocation announced in each case, *(c)* the allocation as a percentage of the bid in each case and *(d)* the percentage of each authority's transport supplementary grant allocation attributable to minor works.

Mr. Peter Bottomley: The information requested is given in the following tables:

Capital allocation for local roads 1989-90

Highway Authority	*Bid*	*Allocation*	*Allocation as percentage of bid*
	£ million	*£ million*	*Per cent*
	(A)	*(B)*	*(C)*
City of London	1·867	0·630	33·7
Barking and Dagenham	6·318	4·580	72·5
Barnet	2·003	0·790	39·4
Bexley	3·566	2·780	78·0
Brent	3·200	1·190	37·2
Bromley	9·998	8·580	85·8
Camden	3·256	0·260	8·0
Croydon	6·357	1·110	17·5
Ealing	12·373	7·450	60·2
Enfield	24·817	24·210	97·6
Greenwich	4·698	2·590	55·1
Hackney	4·349	1·550	35·6
Hammersmith and Fulham	6·794	0·410	6·0
Haringey	14·453	11·880	82·2
Harrow	9·120	8·980	98·5
Havering	1·063	0·960	90·3
Hillingdon	20·676	10·340	50·0
Hounslow	3·463	1·630	47·1
Islington	2·012	0·530	26·3
Kensington and Chelsea	2·005	1·570	78·3
Kingston upon Thames	4·980	3·870	77·7
Lambeth	0·957	0·610	63·7
Lewisham	12·492	11·030	88·3
Merton	13·713	9·400	68·5
Newham	6·979	2·420	34·7
Redbridge	3·243	0·900	27·8
Richmond upon Thames	1·360	0·610	44·9
Southwark	7·490	5·610	74·9
Sutton	8·556	2·330	27·2
Tower Hamlets	0·873	0·420	48·1
Waltham Forest	2·421	1·250	51·6
Wandsworth	7·584	2·690	35·5
Westminster	18·785	2·020	10·8
Bolton	3·537	1·770	50·0
Bury	4·238	3·620	85·4
Manchester	13·078	4·230	32·3
Oldham	8·358	2·700	32·3
Rochdale	4·323	1·160	26·8
Salford	10·007	5·600	56·0
Stockport	2·536	0·600	23·7
Tameside	2·916	1·500	51·4
Trafford	14·706	4·240	28·8
Wigan	4·399	3·210	73·0
Knowsley	2·185	0·750	34·3
Liverpool	6·688	4·420	66·1
St. Helens	5·903	4·850	82·2
Sefton	1·425	0·920	64·6
Wirral	3·930	2·610	66·4
Barnsley	4·811	1·730	36·0
Doncaster	3·709	1·900	51·2
Rotherham	3·742	2·020	54·0
Sheffield	9·077	2·330	25·7
Gateshead	7·815	4·760	60·9
Newcastle upon Tyne	9·297	6·010	64·6
North Tyneside	2·035	0·830	40·8
South Tyneside	3·004	1·290	42·9
Sunderland	5·932	2·740	46·2
Birmingham	19·980	11·200	56·1
Coventry	9·202	6·500	70·6
Dudley	7·848	1·650	21·0
Sandwell	5·074	2·550	50·3
Solihull	2·207	1·270	57·5
Walsall	4·562	2·550	55·9
Wolverhampton	7·586	4·300	56·7
Bradford	11·919	6·240	52·4
Calderdale	3·697	1·670	45·2
Kirklees	4·599	1·840	40·0
Leeds	6·568	4·300	65·5
Wakefield	6·759	1·300	19·2
Avon	13·910	10·140	72·9
Bedfordshire	10·701	9·050	84·6
Berkshire	12·743	4·880	38·3
Buckinghamshire	7·217	2·730	37·8
Cambridgeshire	15·309	5·710	37·3
Cheshire	12·340	6·310	51·1
Cleveland	13·520	9·720	71·9
Cornwall	9·210	4·390	47·7
Cumbria	4·270	1·630	38·2
Derbyshire	11·000	4·130	37·5
Devon	15·055	4·900	32·5
Dorset	14·978	7·540	50·3
Durham	9·144	4·640	50·7
East Sussex	16·065	6·720	41·8
Essex	28·190	15·430	54·7
Gloucestershire	8·122	3·930	48·4
Hampshire	19·726	10·880	55·2
Hereford and Worcester	4·204	2·300	54·7
Hertfordshire	11·591	7·950	68·6

Highway Authority	Bid	Allocation	Allocation as percentage of bid
	£ million	£ million	Per cent
Humberside	14·346	11·920	83·1
Isle of Wight	4·385	1·470	33·5
Kent	43·654	25·000	57·3
Lancashire	26·369	12·820	48·6
Leicestershire	17·300	8·940	51·7
Lincolnshire	6·540	3·030	46·3
Norfolk	12·469	4·160	33·4
Northamptonshire	14·672	9·340	63·7
Northumberland	5·001	2·380	47·6
North Yorkshire	11·789	7·330	62·2
Nottinghamshire	15·981	5·830	36·5
Oxfordshire	11·139	3·560	32·0
Shropshire	6·729	3·800	56·5
Somerset	13·548	8·680	64·1
Staffordshire	13·000	7·660	58·9
Suffolk	11·798	4·350	36·9
Surrey	17·675	11·400	64·5
Warwickshire	11·375	7·280	64·0
West Sussex	7·662	3·300	43·1
Wiltshire	3·191	1·430	44·8

Transport Supplementary Grant 1989-90

Highway authority	Bid for TSG	Gross accepted expenditure	Gross accepted expenditure as percentage of bid	Accepted expenditure for minor works as percentage of column E
	£ million (D)	£ million (E)	per cent. (F)	per cent. (G)
City of London	1·368	0·388	28·4	100·0
Barking and Dagenham	4·884	4·590	94·0	9·6
Barnet	0·538	0·582	108·2	100·0
Bexley	3·136	2·536	80·9	12·8
Brent	1·500	0·900	60·0	44·4
Bromley	9·033	7·666	84·9	16·4
Camden	0·175	0·172	98·3	100·0
Croydon	1·275	0·588	46·1	100·0
Ealing	7·508	6·440	85·8	16·2
Enfield	24·049	23·916	99·4	1·7
Greenwich	4·626	1·396	34·5	39·4
Hackney	2·515	0·820	32·6	100·0
Hammersmith and Fulham	2·280	0·284	12·5	100·0
Haringey	13·361	11·824	88·5	1·9
Harrow	7·700	7·750	100·6	8·4
Havering	0·353	0·414	117·3	72·0
Hillingdon	17·755	15·260	85·9	6·7
Hounslow	3·020	1·578	52·3	42·5
Islington	0·806	0·296	36·7	100·0
Kensington and Chelsea	1·802	1·566	86·9	8·5
Kingston upon Thames	4·373	4·022	92·0	11·5
Lambeth	0·347	0·364	104·9	100·0
Lewisham	11·168	10·628	95·2	5·2
Merton	12·963	9·410	72·6	3·6
Newham	2·300	2·044	88·9	16·8
Redbridge	1·851	0·678	36·6	89·1
Richmond upon Thames	0·795	0·326	41·0	100·0
Southwark	5·806	5·354	92·2	9·0
Sutton	2·720	1·914	70·4	23·4
Tower Hamlets	0·873	0·140	16·0	100·0
Waltham Forest	1·571	1·102	70·1	60·0
Wandsworth	4·183	1·816	43·4	54·6
Westminster	13·799	1·800	13·1	27·8
Bolton	2·227	1·586	71·2	21·8
Bury	3·493	3·396	97·2	12·8
Manchester	6·865	3·006	43·8	37·8
Oldham	4·437	2·394	54·0	26·9
Rochdale	1·316	0·526	40·0	100·0
Salford	9·312	5·582	59·9	5·1
Stockport	0·987	0·186	18·8	100·0
Tameside	1·263	1·182	93·6	29·7
Trafford	11·421	3·530	30·9	14·9
Wigan	3·629	3·296	90·8	16·9
Knowsley	1·340	0·596	44·5	73·2
Liverpool	4·138	3·574	86·4	19·6
St. Helens	5·538	4·608	83·2	7·0
Sefton	0·944	0·654	69·3	54·4
Wirral	3·310	2·568	77·6	13·7
Barnsley	3·172	1·490	47·0	30·4
Doncaster	2·075	1·472	70·9	14·5
Rotherham	2·340	1·426	60·9	29·9
Sheffield	6·693	1·870	27·9	39·1
Gateshead	6·124	4·900	80·0	7·1
Newcastle upon Tyne	7·680	6·026	78·5	7·4
North Tyneside	1·805	0·620	34·3	100·0

Highway authority	Bid for TSG £ million (D)	Gross accepted expenditure £ million (E)	Gross accepted expenditure as percentage of bid per cent. (F)	Accepted expenditure for minor works as percentage of column E per cent. (G)
South Tyneside	1·985	0·830	41·8	24·7
Sunderland	5·125	2·380	46·4	24·4
Birmingham	17·663	9·658	84·7	10·4
Coventry	7·817	6·106	78·1	3·3
Dudley	6·648	0·836	12·6	77·8
Sandwell	4·089	2·386	58·4	16·4
Solihull	1·487	1·052	70·7	11·4
Walsall	2·339	2·144	91·7	10·8
Wolverhampton	4·969	4·396	88·5	7·3
Bradford	7·300	6·306	86·4	10·9
Calderdale	1·463	0·168	11·5	100·0
Kirklees	2·110	1·250	59·2	31·8
Leeds	3·816	3·132	82·1	24·5
Wakefield	3·013	0·616	20·4	100·0
Avon	12·274	9·892	80·6	7·2
Bedfordshire	10·392	8·206	79·0	5·4
Berkshire	10·749	4·390	40·8	10·9
Buckinghamshire	2·994	2·658	88·8	2·0
Cambridgeshire	6·770	5·346	79·0	8·6
Cheshire	6·821	5·552	81·4	5·1
Cleveland	10·622	9·584	90·2	4·4
Cornwall	6·690	3·486	52·1	8·8
Cumbria	2·346	1·280	54·6	44·1
Derbyshire	3·781	3·080	81·5	18·9
Devon	11·661	3·486	29·9	17·3
Dorset	14·117	6·204	43·9	10·3
Durham	8·447	4·480	53·0	15·6
East Sussex	11·768	5·064	43·0	10·1
Essex	21·850	15·048	68·9	5·2
Gloucestershire	6·822	3·126	45·8	8·6
Hampshire	11·295	10·164	90·0	5·0
Hereford and Worcester	2·385	1·942	81·4	36·0
Hertfordshire	8·201	8·200	100·0	0·1
Humberside	13·130	10·442	79·5	5·5
Isle of Wight	3·513	1·050	29·9	100·0
Kent	34·779	22·862	65·7	4·1
Lancashire	22·003	12·370	56·2	6·8
Leicestershire	11·349	8·742	77·0	7·7
Lincolnshire	3·752	2·378	63·4	52·4
Norfolk	8·777	3·682	42·0	25·4
Northamptonshire	12·792	8·400	65·7	10·0
Northumberland	3·518	1·026	29·2	37·3
North Yorkshire	8·049	6·856	85·2	10·8
Nottinghamshire	6·793	5·008	73·7	13·3
Oxfordshire	7·641	0·896	11·7	55·7
Shropshire	4·674	3·358	71·8	4·8
Somerset	9·919	8·070	81·4	3·1
Staffordshire	9·279	5·984	64·5	13·4
Suffolk	8·188	3·920	47·9	8·8
Surrey	15·727	11·268	71·6	5·6
Warwickshire	9·325	7·418	79·5	10·3
West Sussex	5·513	3·052	55·4	14·1
Wiltshire	1·978	0·818	41·4	73·3

Notes:

[1] Column F does not take into account any adjustments arising from underspends on accepted expenditure in previous years.

[2] Transport supplementary grant will be paid at a flat rate of 50 per cent. of net accepted expenditure (ie after adjustment).

[3] For London, accepted expenditure for transport supplementary grant includes boroughs' shares of expenditure on urban traffic control managed by the City of London on behalf of the Secretary of State which is excluded from boroughs' bid. Hence the gross accepted expenditure, before adjustments, of some London authorities is greater than their TSG bid.

Ms. Ruddock: To ask the Secretary of State for Transport whether he has now received the report of an efficiency scrutiny into his Department's activities in relation to local authorities' capital expenditure on roads; when he intends to publish the scrutiny and his response to its recommendations; and whether he intends to seek the views of the local authority associations before doing so.

Mr. Peter Bottomley: My right hon. Friend has received this report and will make a statement about its publication soon. The local authority associations have already been consulted on a number of the recommendations. Their views on some others which affect local authorities will be sought before final decisions on implementation are taken.

London Area Computer Model

Ms. Ruddock: To ask the Secretary of State for Transport (1) if he will set out the results of the London

area computer model's evaluation of four transport options for London as developed by the transport and road research laboratory;

(2) what is his Department's policy regarding the use of the London area computer model developed by the transport and road research laboratory and run by two transport consultancies; and if he will make a statement;

(3) if he will make available the report by Martin Vorhees Associates and Colin Buchanan and Partners regarding the computer model used to evaluate transport options for London; and if he will make a statement.

Mr. Peter Bottomley: I refer the hon. Lady to my answer of 15 February to the hon. Member for St. Helens, South (Mr. Bermingham) at column *214*.

Personal Injuries

Mr. Nicholas Bennett: To ask the Secretary of State for Transport if he will list for each police force area in England and Wales the total number of personal injury accidents during the Christmas period 1986 and 1987 and the percentage in each period which were caused as a result of alcohol.

Mr. Peter Bottomley: The following table shows the total number of injury accidents between 20 and 31 December, 1986 and 1987, and the percentage of these accidents in which at least one driver or rider failed a subsequent breath test. Data are not collected on the causes of accidents, so the fact that a driver or rider failed the breath test does not mean that alcohol caused the accident. Some other accidents will have involved drivers or riders who, because of the severity of their injuries, could not be tested.

Some police forces breath test a large proportion of drivers or riders involved in accidents, while others test only those who are suspected of drink-driving. This can lead to variations between police force areas in the proportions of drivers or riders who were found to be over the limit.

Because of the small number of accidents involved in some police force areas, differences between two years are not necessarily significant.

Accidents in England and Wales: percentage of accidents in which at least one driver or rider failed a roadside breath test: between 20 and 31 December 1986 and 1987

Police force	All accidents		Percentage failed	
	1986	1987	1986	1987
Metropolitan	1,097	1,075	3·6	3·5
Cumbria	51	41	7·8	2·4
Lancashire	139	133	10·1	6·8
Merseyside	178	154	6·7	7·8
Greater Manchester	310	271	8·1	5·5
Cheshire	103	98	5·8	8·2
Tyne and Wear	130	106	8·5	6·6
Durham	51	42	3·9	9·5
North Yorkshire	68	65	2·9	9·2
West Yorkshire	222	213	3·6	7·0
South Yorkshire	106	117	12·3	8·5
Humberside	86	104	8·1	4·8
Cleveland	63	58	7·9	5·2
West Midlands	242	162	4·5	9·3
Staffordshire	112	117	8·0	6·8
West Mercia	89	102	5·6	6·9
Warwickshire	54	57	3·7	3·5
Derbyshire	87	87	9·2	1·1
Nottinghamshire	95	99	7·4	3·0
Lincolnshire	58	70	12·1	2·9
Leicestershire	87	84	16·1	7·1
Northamptonshire	60	60	13·3	10·0
Cambridgeshire	82	64	7·3	9·4
Norfolk	104	92	7·7	1·1
Suffolk	72	68	4·2	1·5
Bedfordshire	57	65	5·3	3·1
Hertfordshire	96	90	10·4	1·1
Essex	200	176	7·0	6·3
Thames Valley	237	183	7·2	6·0
Hampshire	190	197	4·2	7·6
Surrey	104	114	8·7	8·8
Kent	166	147	7·2	6·8
Sussex	140	139	2·9	4·3
City of London	7	5	0·0	0·0
Devon and Cornwall	164	165	5·5	6·1
Somerset and Avon	127	127	7·1	8·7
Gloucestershire	62	53	8·1	7·5
Wiltshire	66	68	9·1	1·5
Dorset	83	55	8·4	12·7
North Wales	58	62	5·2	4·8
Gwent	37	29	0·0	3·4
South Wales	121	113	10·7	6·2
Dyfed Powys	44	49	9·1	10·2
Total	5,705	5,376	6·5	5·7

Unleaded Petrol

Mr. Burns: To ask the Secretary of State for Transport what progress has been made in making unleaded petrol available at motorway service areas.

Mr. Peter Bottomley: We are pleased to report that unleaded petrol should be available at all motorway service areas in England and Wales by this spring.

A1

Mr. Kirkwood: To ask the Secretary of State for Transport if he will list in the *Official Report* the number of *(a)* road accidents and *(b)* fatalities on the A1 between Dishforth and Scotch Corner annually from 1979 to the latest available date.

Mr. Peter Bottomley *[holding answer 13 February 1989]:* The details requested for the section of the A1 between Dishforth and Scotch Corner in North Yorkshire are:

Year	Number of Recorded Personal Injury Accidents	Number of these Accidents which Involve Fatality
1980	38	1
1981	34	4
1982	36	3
1983	34	3
1984	36	3
1985	51	1
1986	54	4
1987	48	2
1988	57	0

Weighbridges

Mr. David Marshall: To ask the Secretary of State for Transport if he is satisfied with the accuracy of all public weighbridges in the United Kingdom; and if he will make a statement.

Mr. Forth: I have been asked to reply.

Public weighbridges in Great Britain are verified and stamped by local authorities to establish their fitness for use. I am satisfied that these arrangements are adequate to ensure the accuracy of these installations.

OVERSEAS DEVELOPMENT

Bangladesh

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs how many scholarships have been offered in the United Kingdom to citizens of Bangladesh in each of the last 10 years out of United Kingdom public funds.

Mr. Eggar: The number of new scholarships and awards financed each year is as follows:

Year	*Number*
1979	214
1980	222
1981	263
1982	283
1983	325
1984	302
1985	265
1986	265
1987	340
1988	n/a

Most of these awards (322 in 1987) have been provided through the Overseas Development Administration's technical co-operation training programme. Awards have also been provided through the Commonwealth scholarship and fellowship scheme, the Foreign and Commonwealth Office scholarships and awards scheme, the Department of Education and Science overseas students research awards scheme and through the British Council. Many awards are for a period of more than one year, so the total number of supported students and trainees in the United Kingdom in any year is much larger (more than 620 in 1987) than the number of new awards.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what levels of aid from multilateral and bilateral sources have been made to Bangladesh in each year since 1979.

Mr. Eggar: The information requested in respect of British aid is as follows:

Year	*British bilateral aid*	*British aid through multilateral channels*	*£ '000 Total*
1979	33,826	n/a	n/a
1980	66,190	13,340	79,530
1981	33,383	17,350	50,733
1982	23,537	23,450	46,987
1983	24,728	24,710	49,438
1984	35,656	27,170	62,826
1985	41,173	17,770	58,943
1986	38,321	17,820	56,141
1987	34,842	n/a	n/a

Gross multilateral aid for 1979 was not split by recipient. Figures for 1987 (multilateral aid only) and 1988 are not yet available.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid was offered to Bangladesh after the recent flooding.

Mr. Eggar: We have committed £25 million in emergency and rehabilitation aid in response to the recent floods in Bangladesh. This includes 50,000 tonnes of food aid, £5 million through British and local voluntary agencies and a commodity aid grant of £15 million to help meet rehabilitation requirements.

Soil Erosion

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid is given to India, Bangladesh and Nepal in respect of environmental issues to prevent soil erosion and flooding.

Mr. Eggar: In India, our forestry projects in Karnataka state promote tree planting which helps to improve degraded land. We are providing technical co-operation to the national bureau of soil survey and land use planning, one of whose roles is to help prevent environmental degradation. In Bangladesh, we have provided immediate flood relief and supported rehabilitation activities; and we are ready to play our part in any international or regional initiatives on flood alleviation which emerge from studies currently being undertaken by the United Nations and the World Bank. In Nepal, we are funding a study on the links between macroeconomic policies and environmental degradation and several projects to promote forest conservation and reafforestation. We have assisted in the production of a forestry master plan for the next 25 years.

We are keen to do more in these areas and are exploring the options with each Government.

FOREIGN AND COMMONWEALTH AFFAIRS

TUA (Entry Clearance)

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department received authorisation to issue entry clearance to TUA (reference IMM/90912); and if he will make a statement about steps taken by his Department to action this entry clearance.

Mr. Eggar: Her Majesty's embassy in Islamabad received authorisation for the entry clearance from the Home Office on 14 December 1988. On 19 December 1988 a letter was sent to the applicant inviting her to call at the embassy for entry clearance, which was issued on 5 January 1989.

Bangladesh

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what support and aid have been given to the army and police forces in Bangladesh for each year since 1979.

Mr. Eggar: The United Kingdom military training assistance scheme funds three instructors at the Bangladesh defence services command and staff college and attendance at military training courses in Britain.

Assistance to the Bangladesh police has comprised technical, professional and command courses in Britain and basic drugs-related training, as well as provision of communications and drugs-related equipment.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the amount of the largest case of unpaid Customs duty that has come to his attention in the last six years on St. Helena.

Mr. Eggar: The largest case, amounting to £200.10, dated back to January 1983.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on whether the senior customs officer and government secretary of St. Helena were at any time in default of paying Customs duties or wharfage charges.

Mr. Eggar: The senior customs officer was for a while in default in respect of customs duty and wharfage on a vehicle, confectionery, building materials, groceries and films. He paid in full by April 1987. The government secretary at the time was technically in default, but this apparently arose from incorrect advice given to him.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs how much was lost in uncollected Customs duties and wharfage fees in St. Helena in the last six years.

Mr. Eggar: Arrears of Customs duties totalling £124,671 were identified in January 1987. All arrears were collected by April 1987 with no losses.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding the Westerdam based at St. Helena and any financial support given in the last 10 years.

Mr. Eggar: The MV Westerdam was purchased in 1981 by the St. Helena Fisheries Corporation as an offshore fishing vessel. The original purchase did not involve British Government funds but development aid funds totalling £140,000 were spent in 1985 to repair and refit her in preparation for an offshore fisheries survey, also financed from development aid funds. The vessel was sold at the end of 1988 and it is expected that the proceeds will be used by St. Helena Government on other fisheries-related projects.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs how many cases of unpaid Customs duties on St. Helena have come to his attention in the last six years; how many were eventually paid in full; and what was the result of any prosecutions.

Mr. Eggar: Fourteen cases of unpaid Customs duties were identified. All have been paid in full. No prosecutions were made.

WALES

Child Care Workers

Ms. Richardson: To ask the Secretary of State for Wales what proportion of his Department's appropriate grant aid budget has been allocated to the training of child care workers over the last five years to date.

Mr. Grist: Support for social work training is provided as part of the overall support for social services spending through the rate support grant arrangements. Information on the proportion of rate support grant used for such purposes is not held centrally. However in 1988-89 a direct grant of £62,813 is being made available to assist in training professional and other staff who deal with cases of child abuse. As regards 1989-90 I would refer the hon. Lady to the announcement made by my hon. Friend on 23 November 1988, *Official Report*, columns 6-7.

Caravan Sites

Dr. Thomas: To ask the Secretary of State for Wales what is the number of caravan sites not licensed by local authorities operated under the auspices of voluntary organisations in Wales.

Mr. Grist: Approximately 850 sites in Wales have been approved by recreational organisations holding an appropriate certificate of exemption for use by no more than five caravans. In addition exempted organisations have established about 25 sites, on a permanent or seasonal basis, for varying numbers of touring caravans for which they have obtained the informal approval of the local authority. Further sites are used by exempted organisations for temporary holiday meetings and rallies of club members lasting no more than five days. Information on the number of temporary meetings is not hold centrally.

Dr. Thomas: To ask the Secretary of State for Wales what is the total number of caravan sites licensed under the Caravan Sites (Control of Development) Act 1960 by local authorities in Wales.

Mr. Grist: The information requested is not held centrally.

Health Visitors

Mr. Wigley: To ask the Secretary of State for Wales how many qualified health visitors there were in post in Wales at 31 December 1988, on the most recent date for which the information is available; and, of those, how many were identified by the local health authority as being with a Welsh-speaking ability.

Mr. Grist: As at 31 December 1988, 659 (576 whole-time equivalent) health visitors were in post in the National Health Service in Wales. Information on the Welsh-speaking ability of these staff is not available centrally.

Children in Care

Mr. Chris Smith: To ask the Secretary of State for Wales how many children there were in local authority care for each year since 1979.

Mr. Grist: The numbers of children in care on 31 March in each year were as follows:

	Numbers
1979	4,882
1980	4,861
1981	4,628
1982	4,575
1983	4,387
1984	4,044
1985	3,752
1986	3,593
1987	3,481
1988[1]	3,438

[1] Provisional figure.

Trunk Roads (Mid-Wales)

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make a statement on the state of trunk roads in mid-Wales.

Mr. Wyn Roberts: A considerable number of improvements have been undertaken in recent years. Our plans for further improvements will be set out in the Welsh commentary on the public expenditure White Paper, and in the forthcoming edition of "Roads in Wales".

Section 4 Grants

Mr. Speller: To ask the Secretary of State for Wales how many section 4 grants have been made for each of the past five years in Wales.

Mr. Peter Walker: The section 4 scheme is administered in the Principality by the Wales tourist board. The information is as follows:

	Assistance offered (£ million)	*Offers made*
1984-85 outturn	2·2	87
1985-86 outturn	3·5	162
1986-87 outturn	3·5	145
1987-88 outturn	2·5	119
1988-89 forecast	3·4	150

Air Pollution

Mr. Michael: To ask the Secretary of State for Wales (1) whether he will provide detailed information of the locations at which the lead content of air in Cardiff was measured during the past two years; what levels were recorded; and if he will give the dates on which measurements were made and the methods used;

(2) what evidence he has available of levels of lead pollution in the air in Cardiff over the last 10 years; what trends have been reflected in measurements taken during the period; and what steps he is taking to reduce lead pollution in the atmosphere in Cardiff and elsewhere;

(3) what information he has on the level of lead in the atmosphere which is considered acceptable in the urban environment and the level which is considered to be detrimental to the health of pedestrians and of the public at large.

Mr. Grist: I refer the hon. Gentleman to the reply given to him today by the Parliamentary Under-Secretary of State for the Environment, my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley).

Caldy Island

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what information he has as to the local government services provided by *(a)* South Pembrokeshire district council and *(b)* Dyfed county council to the residents of Caldy Island, Pembrokeshire; and if he will indicate whether any specific payments are made by the residents for specific local government services.

Mr. Grist: This information is not held by the Department.

Wrexham Maelor Hospital

Dr. Marek: To ask the Secretary of State for Wales how many operations were postponed at the hospital's request at the Wrexham Maelor hospital in January.

Mr. Grist: This information is not available centrally.

PRIME MINISTER

Piper Alpha

Q33. **Dr. Godman:** To ask the Prime Minister what recent representations she has received regarding the recovery of the bodies of men trapped in the wreckage of the Piper Alpha oil production platform.

The Prime Minister: Some hon. Members as well as two bereaved relatives have written to me recently urging that debris should be removed to search further for the missing victims. I well understand the particular distress of the relatives of the victims whose bodies have not been recovered.

In addition, my right hon. Friends the Secretary of State for Energy and the Minister of State, Department of Energy met representatives of the bereaved and survivors on 15 February to hear their concerns personally.

EC Expenditure

Q51. **Mr. Teddy Taylor:** To ask the Prime Minister if she will invite the next meeting of the European Council to seek a report from the Court of Auditors about the budget and spending of the European Economic Community; and if she will make a statement.

The Prime Minister: The Court of Auditors' annual report on the Community budget is formally considered by the Council of Economic and Finance Ministers. I welcome the declared intention of the Spanish Presidency to ensure that concrete decisions are taken on the court's latest report.

Newton

Q81. **Mr. Pawsey:** To ask the Prime Minister if she has any plans to visit Newton, near Rugby.

The Prime Minister: I have at present no plans to do so.

Documents (Leaks)

Q86. **Mr. Dalyell:** To ask the Prime Minister if, pursuant to her reply of 31 January, *Official Report*, column 161, to the right hon. Member for Islwyn (Mr. Kinnock) she will set out the criteria she uses in establishing inquiries into *(a)* the receipt and *(b)* the origination of leaks of official documents and *(c)* the stealing of such documents.

The Prime Minister: No. It is not my practice to comment on matters of this kind.

President Gorbachev

Q174. **Mr. Latham:** To ask the Prime Minister what dates have been fixed for a visit to the United Kingdom by President Gorbachev.

The Prime Minister: Mr. Gorbachev will visit the United Kingdom from 5 to 7 April.

Railways

Mr. Adley: To ask the Prime Minister if she has any plans to improve co-ordination between the Departments of Transport and of the Environment relating to the construction of new railway lines and the relevance of environmental factors related thereto; and if she will make a statement.

The Prime Minister: The Departments of Transport and the Environment already co-operate on such issues. British Rail will be taking full account of environmental factors in putting forward its proposals for a new line between London and the Channel tunnel.

Food

Mr. Speller: To ask the Prime Minister if she will restructure ministerial responsibilities so that one Department of State is responsible for the food chain from feed for agriculture through supply and distribution to final consumption, embracing both tourism interests and the catering industry; and if she will make a statement.

The Prime Minister: I have no plans to do so.

Medical Treatment (Overseas Citizens)

Mr. Teddy Taylor: To ask the Prime Minister if she will raise at the next meeting of the European Council the European Economic Community rules which require the United Kingdom to offer free medical treatment to residents of certain French overseas territories but not to residents of certain United Kingdom overseas dependencies; and if she will make a statement.

The Prime Minister: No. All the United Kingdom dependent territories which so wish have bilateral reciprocal health agreements with the United Kingdom. These provide that immediately necessary treatment is available under the NHS for conditions which arise during a temporary visit, on the same basis as to United Kingdom residents. Some of these agreements already also provide that some patients may be referred for treatment of pre-existing conditions free of charge under the NHS. My right hon. and learned Friend the Secretary of State for Health will be discussing with some West Indian and Atlantic dependent territories with whom we have reciprocal agreements—Montserrat, Anguilla, Turks and Caicos Islands, British Virgin Islands and St. Helena and its dependencies—the inclusion in their agreements of a similar facility to refer a limited number of patients for pre-existing conditions free of charge.

The French overseas departments, as an integral part of France, are covered by the EC social security regulations. These allow for the provision of immediately necessary treatment on the same basis as residents of the host country. They also allow referral of patients specifically for treatment but the sending country must meet the full cost of the treatment in such cases.

Pay Review Bodies

Mr. Leigh: To ask the Prime Minister if she will make a statement on the latest reports of the pay review bodies.

The Prime Minister: The 1989 reports of the review bodies on the pay of nursing staff, midwives and health visitors, and professions allied to medicine, the doctors and dentists, and the armed forces, and of the Top Salaries Review Body, have been published today. Copies are now available in the Vote Office. The Government are grateful to members of the review bodies for these reports and for the time and care which they have put into their preparation within the new timetable, enabling decisions to be taken ahead of the new financial year.

The following table shows the increases in pay rates recommended by the review bodies, and their cost:

Review body reports	*Pay bill increase*	*Range of increase*	*United Kingdom public expenditure cost*
	Per cent.	*Per cent.*	*£ million*[1]
Armed Forces	6·8	5–8	272
Doctors and dentists	8·8	8–14·1	312
Professions allied to medicine	7·7	7·6–7·8	43
Nurses, midwives and health visitors	6·8	[2]6·7–6·9	420
Top salaries	6·5	[3]4·9–10·6	6

[1] The figures for public expenditure cost differ from those in the review bodies' reports. Their figures do not include some costs which count as public expenditure. The figure for doctors and dentists includes payments for GPs' expenses, not counted as pay. The figure for nurses includes £5 million for the flexible pay experiment and an estimated £3 million for a new grading structure for educational grades, which the review body has not yet costed.

[2] Three chief area nurses grade 4 in Scotland will get increases of 10–13·6 per cent.

[3] This figure does not allow for the recommendation to increase from 25 per cent. to 35 per cent. the quota of civil servants in grades 2 and 3 eligible for discretionary increments. The figure for the pay bill increase does however allow for this. The figure given for the range of increases also excludes restructuring for 13 immigration adjudicators who receive increases of 27·1 per cent., and for the chief immigration adjudicator and the vice-presidents of the immigration appeal tribunal, who get 28·3 per cent.

The Government have decided to accept in full the review bodies' recommendations on armed forces, on professions allied to medicine, and on nurses, midwives and health visitors.

The Government have also decided to accept the recommendation of the review body on doctors and dentists for a basic increase of 8 per cent. for all the groups covered. In the Government's view the creation of 100 additional permanent consultant posts over the next three years, as proposed in the White Paper, "Working for Patients", which was published after the review body report was received will best achieve the objective of improving the long-term career structure for hospital doctors. The creation of these posts will therefore take the place of the increases recommended, in addition to the 8 per cent. basic increase, at the top of the consultants' scale and in the size of consultants' distinction awards. Subject to this, the Government accept the review body's recommendations.

The Government have decided to accept the recommendations of the Top Salaries Review Body in full, except that they consider that the pay of 2-star officers should be around 85 per cent. of the normally attainable maximum of grade 2 civil servants (which is also the pay point for 3-star officers) rather than linked to a performance point for grade 3 civil servants. This will give the 2-star officer a salary at the level recommended by the TSRB.

The full cost of the awards by the Armed Forces Pay Review Body and Top Salaries Review Body groups will be met from within existing public expenditure programme totals for this year. In the case of the health services however, the Government recognise that the full costs could not be accommodated without adversely affecting services to patients. The Government have therefore decided to provide an extra £142 million for health authority cash limits from the reserve for next year. Of the remaining cost, £417 million is already fully covered within the allocations made for this year, leaving a balance of £44 million to be covered from cost improvements. The Government have similarly decided to provide an additional £62 million to the family practitioner services from the reserve for this year, bringing the total addition from the reserve to £204 million. Together with the increases in allocation already announced, the increase in provision for the National Health Service in 1989-90 over 1988-89 will therefore be £1,900 million. In total, taking account of lower employers' superannuation contributions, additional receipts and efficiency savings, the resources available for the National Health Service in 1989-90 will be £2,460 million more than in 1988-89.

The pay rates and scales resulting from the decisions will be promulgated as soon as possible for all the groups concerned.

Engagements

Mr. Wareing: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Cohen: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. David Shaw: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Ian Taylor: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Yeo: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. Nicholas Bennett: To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

Mr. McLoughlin To ask the Prime Minister if she will list her official engagements for Thursday 16 February.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today, including one with the President of Bangladesh.

TRADE AND INDUSTRY

Estate Agents

Mr. Hunter: To ask the Chancellor of the Duchy of Lancaster (1) if he will make a statement on existing legislation and voluntary codes of behaviour which govern the practices of estate agents:

(2) if he will introduce tighter controls over estate agents to eliminate unethical practices.

Mr. Forth: I am currently exploring with estate agency bodies and other interested parties whether and how it might be appropriate to supplement the existing consumer protection provisions of the Estate Agents Act 1979, which includes the consideration of a self-regulatory code of practice. I am also considering the review of the Act recently published by the Director-General of Fair Trading. I hope to be in a position to announce the conclusion of my review soon.

Credit

Sir Anthony Grant: To ask the Chancellor of the Duchy of Lancaster if he will take steps to monitor the credit market and in particular, the rates of interest available to personal borrowers; and if he will make a statement.

Mr. Maude: My Department publishes the statistics of United Kingdom credit business monthly in the "Business Monitor", which is available from Her Majesty's Stationery Office. Rates of interest are a matter for commercial decision but the Consumer Credit Act (Total Charge for Credit) Regulations 1980 (SI 1980/51) prescribes all of the charges that must be included in the annual percentage rate of charge, so that this can be made known and that prospective borrowers can make fair comparison before entering into a credit agreement.

Footwear Imports

Mr. Pike: To ask the Chancellor of the Duchy of Lancaster what representations he has received on the EEC Commission investigation into the imports of footwear from the far east; and if he will make a statement.

Mr. Alan Clark: I have received several letters from hon. Members on this issue and also correspondence from members of the footwear industry. The results of the Commission's investigation are expected in the spring. We shall need to see the Commission's findings and recommendations before deciding our own position.

Companies Act Investigations

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster when he intends to publish the report of the investigation under section 442 of the Companies Act into dealings in Consolidated Gold Fields shares which was commenced in December 1986.

Mr. Maude: As my right hon. and noble Friend the Secretary said on 24 January it is his intenion to publish this report as soon as possible. However, it would not be appropriate to do so until the issues raised by the report have been full considered.

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster if he will publish a table showing for all investigations under the Companies Acts since 1979 the date when the investigation was ordered, the date when the report was given to the Secretary of State, the date when published and the average time between the receipt of such reports and their publication.

Mr. Maude: Such a table could be provided only at disproportionate time and cost to my Department. Details of the appointment of inspectors and publication of their reports are contained in the annual report on companies which is presented to Parliament pursuant to section 729 of the Companies Act 1985 and which is published through Her Majesty's Stationery Office. A copy of each published report is also placed in the Library of the House.

Mr. Gould: To ask the Chancellor of the Duchy of Lancaster if the report of the inquiry under section 442 of the Companies Act to investigate dealings in the shares of Consolidated Golds Fields ordered in December 1986 was released to the Monopolies and Mergers Commission during its recent consideration of the Minorco bid for Consolidated Golds Fields.

Mr. Maude: Yes.

Scottish and Newcastle Breweries

Mr. Darling: To ask the Chancellor of the Duchy of Lancaster (1) if he will require the Monopolies and Mergers Commission to report to the Secretary of State for Trade and Industry, in connection with its investigation into the proposed acquisition of Scottish and Newcastle Breweries plc by Elders IXL, on the structure of the shareholdings in Elders IXL, an examination of the financial standing of Elders IXL and its major shareholders, an assessment of borrowings of Elders IXL, and the structure and financing of the proposed bid for Scottish and Newcastle Breweries plc; and if he will make a statement;

(2) if he will require the Monopolies and Mergers Commission to report to him on the resources to be deployed by Elders IXL in connection with its proposed offer to purchase Scottish and Newcastle Breweries plc; and if he will make a statement.

Mr. Maude: The Monopolies and Mergers Commission is an independent body and it is for it to determine the direction of its investigation of a reference subject. Section 84(1) of the Fair Trading Act 1973 requires the commission to take into account all matters which appear to it in the particular circumstances to be relevant.

Argentine (UK Imports)

Sir Anthony Grant: To ask the Chancellor of the Duchy of Lancaster what action he is taking in response to Argentine resolution 3620/88 ANA which formalises discrimination against imports from the United Kingdom; and if he will make a statement.

Mr. Alan Clark: Resolution 3620/88 ANA published on 3 January 1989 in the Official Bulletin publicly confirmed Argentina's unilateral discrimination against the United Kingdom. Argentina has kept British imports out by a variety of administrative measures since 1982, and still refuses to accept our shipping and air services. The United Kingdom does not discriminate against imports from Argentina; we lifted our embargo in 1985.

We are committed to seeking more normal relations with Argentina and have proposed a series of initiatives to that end. The Argentine response has so far been disappointing and the publication of resolution 3620/88 ANA will do nothing to promote better relations.

Our protecting power has already delivered a note of protest. We have drawn the resolution to the attention of the World Bank, since in our view it conflicts with the trade liberalisation policies being supported by a World Bank loan. The European Commission with which we are in close touch on this issue share our concern and have made it clear to the Argentine authorities that there is no scope for developing EC/Argentine relations as long as discrimination against our exports and air and shipping interests continues. Both these organisations have a role to play in persuading Argentina to drop this discrimination.

Monopolies and Mergers Commission

Mr. Moss: To ask the Chancellor of the Duchy of Lancaster when the Monopolies and Mergers Commission report on the British Railways board's Provincial service will be published.

Mr. Maude: The report is published today.

The commission expressed satisfaction with the remarkable improvement in the sector's performance, and made 42 recommendations aimed at bringing about further improvement. It completed its report on 29 September 1988, within the six months allowed by the Secretary of State.

The commission found that Provincial's initial strategy on formation in 1982 was to give priority to cost-cutting. Efforts to increase traffic came later as its organisation and particularly its marketing developed. The result had been a significant reduction in Provincial's call on Government grant. The commission found this very encouraging and a clear endorsement of the concept of sectoral management of the railway business. However, it saw the need for a closer look at individual services and believed that Provincial should now pay more attention to the quality of service it provided.

Evidence submitted to the commission by local authorities and other groups showed a strong desire for improvement in Provincial's services both in quantity and quality. The commission said there could be substantial benefit in a closer local involvement in planning and paying for such services. It accordingly recommended that the board should discuss with Government Departments and other relevant bodies the case for transferring financial responsibility for supporting certain urban and rural services to local government.

The commission was glad to note the action taken by the board to initiate reform of the collective bargaining machinery following the recommendations in the Network SouthEast report. It found that there was scope for significant further productivity gains and made a number of recommendations to this end.

The commission also found that the board, in responding to competition from bus and coach services, was not abusing any monopoly situation existing in its

favour. Nor was it in relation to any matter falling within the terms of reference pursuing a course of conduct which operated against the public interest.

British Rail will be producing a preliminary response to the commission's findings within three to four months, in the light of which my right hon. Friend the Secretary of State for Transport will make a statement.

THE ARTS

Victoria and Albert Museum

Mr. Fisher: To ask the Minister for the Arts what information he has on the extent to which the redundancy terms offered to staff at the Victoria and Albert museum as a result of restructuring differ from the terms available to all civil servants of those grades.

Mr. Luce *[holding answer 15 February 1989]:* I understand that the redundancy terms offered to the staff of the Victoria and Albert museum are those payable under the principal Civil Service pension scheme.

Mr. Fisher: To ask the Minister for the Arts when the trustees of the Victoria and Albert museum were first informed about the proposed restructuring of staff.

Mr. Luce *[holding answer 15 February 1989]:* I understand that the trustees of the Victoria and Albert museum were kept fully informed about the proposals.

Mr. Fisher: To ask the Minister for the Arts what consultations have taken place and on what dates with staff about the proposed staff restructuring at the Victoria and Albert museum.

Mr. Luce *[holding answer 15 February 1989]:* I understand that consultations have taken place throughout the last year with staff about the proposed staff restructuring at the Victoria and Albert museum.

Mr. Fisher: To ask the Minister for the Arts what is the annual salary cost of *(a)* administrative and *(b)* curatorial staff at the Victoria and Albert museum.

Mr. Luce *[holding answer 15 February 1989]:* I understand that the salary and other staff costs at the Victoria and Albert museum during 1988-89 are expected to total £12·1 million. It is not possible to divide this figure precisely between administrative and curatorial staff.

Mr. Fisher: To ask the Minister for the Arts whether the proposed staff restructuring at the Victoria and Albert museum is in accordance with Her Majesty's Treasury's grading guidance.

Mr. Luce *[holding answer 15 February 1989]:* The recently announced changes in the organisation of some departments of the Victoria and Albert museum folow a review of the museum's overall organisational structure. I understand that Her Majesty's Treasury's grading guidance is taken into account in all gradings at the Victoria and Albert museum.

NATIONAL FINANCE

Taxation

Mr. Lester: To ask the Chancellor of the Exchequer if he will publish figures for the percentage increase since *(a)* 1978-79 and *(b)* 1985-86 in (i) mortgage interest tax relief, (ii) of each of the private pension tax reliefs listed in Cm. 621, table 21.1.25, (iii) in the retail price index, (iv) in the index of average earnings and (v) as index of total personal incomes before tax with 1978 = 100.

Mr. Norman Lamont: Provisional estimates of the percentage changes in the items specified are given in the table.

Percentage change

	1978-79 to 1988-89 percentage	*1986-86 to 1988-89 percentage*
Cost of tax relief for:		
Mortgage interest	+395	+16
Employees' contributions to[1] occupational pension schemes	[2]	+12
Employers' contributions to[1] occupational pension schemes	[2]	−21
Investment income of[1] occupational pension schemes	[2]	+13
Lump sum payments to pensioners[1]	[2]	+11
Contributions to personal pensions[1] (including retirement annuity premia and FSAVCs)	[2]	[3]
Retail prices index	[4]+113	[4]+13
Average male earnings, (all occupations, adult rates)	[5]+174	[5]+28

[1] See footnotes 5 to 8 to table 21.1.25 of Cm. 621.

[2] Estimates of the costs of pension reliefs in 1978-79 are not readily available.

[3] Personal pensions and FSAVC's were not introduced until 1987-88.

[4] The RPI for 1988-89 is not yet available: percentage increases shown are for calendar years 1978 to 1988 and 1985 to 1988 respectively.

[5] Based on actual figures to 1987-88 and a growth rate of 8¼ per cent. for 1988-89, as assumed by the Government Actuary for the purposes of assessing the National Insurance Fund (as in chapter 3 of the 1988 Autumn Statement).

Figures for total personal income before tax are not available for 1988-89. Percentage changes to 1987-88 are as follows:

Percentage change

1978-79 to 1987-88 percentage	*1985-86 to 1987-88 percentage*
+139	+16

Public Sector Debt

Mr. Cousins: To ask the Chancellor of the Exchequer what amount of public sector debt was *(a)* created and *(b)* repaid in each of the last five financial years, and if he will give an estimate for 1988-89.

Mr. Major: Figures for the creation and the repayment of all public sector debt instruments are not readily available. However, figures for official sales and redemptions of Government marketable securities are given in table 3.5 of "Financial Statistics" (published by the CSO).

Tax and Price Index

Mr. McLoughlin: To ask the Chancellor of the Exchequer what was the increase in the tax and price index in the 12 months to December 1988.

Mr. Lilley: In the 12 months to December 1988 the tax and price index rose by 4·8 per cent.

Privatisation

Mr. Grocott: To ask the Chancellor of the Exchequer what is his latest estimate of Government income obtained from privatisation since 1979.

Mr. Norman Lamont: Since 1979 the Government have obtained net privatisation proceeds of £23½ billion.

Credit Cards

Sir Anthony Grant: To ask the Chancellor of the Exchequer what information is collected by the Treasury concerning bank credit card holders and their indebtedness; and if he will make a statement.

Mr. Lilley: The relevant statistics are compiled by the Department of Trade and Industry and are published in its monthly press notice on credit business.

Economic Policy

Mr. Wallace: To ask the Chancellor of the Exchequer if he will make a statement on the efficacy of his policy for slowing down the economy.

Mr. Lilley: There are clear signs that the recent interest rate rises are having the desired effect.

Taxation

Mrs. Margaret Ewing: To ask the Chancellor of the Exchequer if he will accept the recommendation of the Law Society of Scotland in its memorandum of observations on the Inland Revenue consultative document, "Residents in the United Kingdom: The Scope of United Kingdom Taxation for Individuals", that the concept of fiscal connection might be employed to introduce a measure of flexibility to the definition of residents with the aim of avoiding inequitable results.

Mr. Norman Lamont: We are giving careful consideration to all the representations received on the consultative document, including those put forward by the Law Society of Scotland.

Civil Servants

Mr. Ingram: To ask the Chancellor of the Exchequer if he will list by region and for Scotland and Wales and by Department the number of established Civil Service posts for each of the following categories: *(a)* administrative officers, *(b)* executive officers, *(c)* higher executive officers, *(d)* senior executive officers, *(e)* principal grade 7 and *(f)* assistant secretary grade 5.

Mr. Brooke: Figures for staff in post in principal Departments by economic planning region are available in table 3 of "Civil Service Statistics 1988", a copy of which is available in the House of Commons Library. More detailed information about staff numbers by grade, region and Department could not be provided without disproportionate cost.

Mr. Leigh: To ask the Chancellor of the Exchequer whether he will make a statement on the pay of Civil Service lawyers at grades 2 and 3.

Mr. Brooke: As indicated by my right hon. Friend the Prime Minister's reply to my hon. Friend the Member for Salisbury (Mr. Key) on 19 January at column *263*, the Government have consulted the TSRB on the proposals affecting the pay of grades 2 and 3 lawyers in Sir Robert Andrew's report on the Government legal services.

From 1 April 1989, greater use will be made of personal pay points on a selective basis for lawyers at these grades. Awards will be related to lawyers' skills, experience, marketability and value to the Department, taking account of the view of the head of the Government legal service in individual cases. The Government will give further thought, with the TSRB, to the implications for the development of performance pay at grades 2 and 3.

Lawyers in London at grade 3, in common with other grade 3 civil servants, will benefit from the Government's acceptance of the TSRB's recommendation of a London allowance of £2,000.

Tax Relief (Education)

Mr. Salmond: To ask the Chancellor of the Exchequer if he will list all tax relief schemes related to the provision of primary and secondary education in the private sector; and if he will give details of the total cost of such schemes to the Treasury for the latest year for which figures are available.

Mr. Norman Lamont *[holding answer 14 February 1989]:* I assume that the hon. Member has in mind tax reliefs for private educational establishments which have charitable status.

Charities are generally exempt from income tax, corporation tax and capital gains tax, provided that their income and gains are applied for charitable purposes only.

The provision of education in a registered school is exempt from VAT.

The detailed cost of these reliefs is not available.

Company Cars

Mr. Sedgemore: To ask the Chancellor of the Exchequer what he estimates will be the cost to the Exchequer of tax subsidies on company cars in 1988-89; and what estimate he has made for the next five years.

Mr. Norman Lamont *[holding answer 10 February 1989]:* I assume that the hon. Member is referring to the fact that the company car scales do not fully reflect the value to an employee of having the private use of a company car. It is not possible to estimate the precise extent of the undervaluation. I refer the hon. Member to the reply that I gave to my hon. Friend the Member for Dover (Mr. Shaw) on 8 February 1989 at column *553*.

CIVIL SERVICE

Staff

Mrs. Peacock: To ask the Minister for the Civil Service what new initiatives the Civil Service is taking to help recruit and retain staff in the 1990s.

Mr. Luce: Working mothers will be an important section of the labour force in the 1990s. The Civil Service recognises the need to offer working conditions and career opportunities that will be attractive to them. We have therefore revised our policy on financing child care schemes to give Departments the freedom to support these within running cost provisions, where this offers good

value for money. We have also clarified the rules on unpaid special leave to encourage Department to give a career break with a right of return for up to five years to staff with family responsibilities. Together with the existing programme of action to increase equality of opportunity for women at all levels we think these new measures will help to ensure that the service can recruit and retain staff in the labour market of the 1990s.

ATTORNEY-GENERAL

Small Claims

Mr. Janner: To ask the Attorney-General how many small claims were brought in England and Wales during the last 12 months for which records are available; and how many and what percentage of such claims were brough by employees against employers.

The Attorney-General: The distribution of the nature and amounts of claims brought in county courts in England and Wales during 1987 is shown in table 4.3 of the 1987 edition of the annual command publication "Judicial Statistics". This was presented to Parliament in July 1988 and is available from the House of Commons Library. No data are collected on claims brought by employees against employers.

Legal Aid

Mrs. Margaret Ewing: To ask the Attorney-General what was the average time between the grant of a civil legal aid section 1 certificate and the payment for work done under that certificate and that in respect of all such certificates issued in each of the last 10 years.

The Attorney-General: The average time between the grant of a full civil legal aid certificate and the payment of the first main bill or notification of a nil claim in each of the last 10 years was as follows[1]:

	Non-matrimonial (months)	*Matrimonial[2] (months)*
1978-79	30·3	14·0
1979-80	29·5	18·1
1980-81	29·1	19·7
1981-82	27·5	20·8
1982-83	28·2	22·7
1983-84	28·7	23·7
1984-85	28·0	24·3
1985-86	27·2	24·8
1986-87	28·4	25·6
1987-88	30·0	26·9

[1] The figures provided are approximations only, based on the overall volume of certificates issued and bills paid during each year.
[2] The figures produced relate to bills paid in respect of certificates issued after 1 April 1977. Information on certificates issued prior to that date is not available. This has necessarily distorted the true average time for matrimonial cases, particularly in the early years.

HOME DEPARTMENT

Prisoners

Mr. Redwood: To ask the Secretary of State for the Home Department how many prisoners have been convicted for non-violent offences.

Mr. Douglas Hogg: The latest readily available information is given in the table:

Sentenced population in prison service establishments in England and Wales: by offence group 30 June 1988

Offence group	*Number*[1]
Violence against the person	8,660
Sexual offences	2,690
Robbery	3,900
Other offences	20,900
Not recorded	1,840
In default of payment of a fine	560
All offences	38,550

[1] Provisional rounded estimates.

Mr. Redwood: To ask the Secretary of State for the Home Department how many prisoners are serving total sentences of six months or less.

Mr. Douglas Hogg: According to the records held centrally, on 31 December 1988 about 2,920 prisoners, excluding fine defaulters and non-criminals, were serving sentences of six months or less.

Civil Defence

Mr. Redmond: To ask the Secretary of State for the Home Department if he will place in the Library a copy of his departmental guidelines for the evaluation of local authority civil defence plans submitted to his Department for inspection under the planned programme for implementation.

Mr. John Patten: Home Office guidance on the writing of civil defence plans is contained in the emergency planning guidance to local authorities, issued in 1985 and updated in these respects in 1987, a copy of which is in the Library.

Mr. Redmond: To ask the Secretary of State for the Home Department (1) if he will list, naming the local authority concerned, each plan required by schedule 2 to the Civil Defence (General Local Authority Functions) Regulations 1983 and evaluated under the planned programme for implementation, which is regarded as incomplete;

(2) if he will list, naming the local authority concerned, each plan required by schedule 2 to the Civil Defence (General Local Authority Functions) Regulations 1983 and evaluated under the planned programme for implementation, which is regarded as having failed to take account of the Government's planning assumptions;

(3) if he will list, naming the local authority concerned, each plan required by schedule 2 to the Civil Defence (General Local Authority Functions) Regulations 1983 and evaluated under the planned programme for implementation, which is regarded as containing little or no operational detail;

(4) if he will list, naming the local authority concerned, each plan required by schedule 2 to the Civil Defence (General Local Authority Functions) Regulations 1983 and evaluated under the planned programme for implementation, which is regarded as amounting to little more than a statement of intent.

Mr. John Patten: No. As my right hon. Friend said in reply to a question from my hon. Friend the Member for Derby, North (Mr. Knight) on 31 January columns *94-95*, even the best plans require further work. Details are discussed with individual local authorities, but plans are not categorised in the ways suggested.

Police National Computer

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will allow routine and independent checks of the use of the police national computer to ensure that police procedures are adequate to maintain privacy.

Mr. Douglas Hogg: Access to the police national computer is a matter for chief officers of police. Her Majesty's inspectors of constabulary check on access procedures in the course of their annual inspections of forces, however, and this is supplemented by regular audits carried out by forces themselves, and by officers based in the Home Office. The Association of Chief Police Officers keep procedures under regular review, and the Home Office participates in this work. The association is in close touch with the Data Protection Registrar. Against this background, I see no need for further measures.

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will institute an independent review of procedures surrounding the use of personal data held on the police national computer by the Police Complaints Authority or the Data Protection Registrar; and whether he will make provision for either body to report to Parliament.

Mr. Douglas Hogg: The Police Complaints Authority was established to provide an independent element in the investigation of complaints against individual police officers. The authority has no power other than in relation to complaints against police officers, and a matter of this kind is not for it. The authority reports at least annually to my right hon. Friend, and its reports are laid before Parliament.

The Data Protection Registrar has a duty under the Data Protection Act 1984 to promote the observance of the data protection principles laid down in that Act, and has power to investigate specific complaints made to him. He is, however, independent of the Government, and reports directly to Parliament. I shall arrange for his attention to be drawn to this question.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the precedents established by the Police Complaints Authority in its report HC425, concerning data held on police computers.

Mr. Douglas Hogg: The Police Complaints Authority submitted its report under section 97(2) of the Police and Criminal Evidence Act 1984. This empowers the authority to make a report to my right hon. Friend on any matters coming to its notice under part IX of the Act to which it considers that his attention should be drawn by reason of their gravity or of other exceptional circumstances. Part IX of the Act deals with the procedures for investigating complaints against police officers.

Decisions on when to submit a report under section 97(2) of the Act are a matter for the authority.

Data Protection

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will make a statement concerning his Department's review of the Data Protection Act; and whether he can outline any timetable for reporting, legislative changes, or subsequent White Papers.

Mr. Renton: The interdepartmental review committee will report to Ministers as soon as posible but no specific timetable has been set. We shall consider in due course what further action may be necessary in the light of the review committee's recommendations.

Forensic Pathology

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department what are the reasons for the delay in producing the report of the working party on forensic pathology.

Mr. Douglas Hogg: I understand that the work has presented many difficulties, including the reconciliation of various conflicts of interest. As a result, it has taken time to draw up conclusions on which the various members of the working party could agree.

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he will publish in the *Official Report* the dates when the current director of the forensic service science laboratory at Chepstow had meetings with the chief constables of each of the police forces which the laboratory serves.

Mr. Douglas Hogg: In the last two years, the director of the Chepstow forensic science laboratory has met chief constables of the forces which the laboratory serves on the following dates:

1987
23 March
7 September
23 September
7 December
17 December

1988
13 January
3 March
14 March
24 March
3 May
6 July
12 September
25 November
12 December
15 December

Most of these meetings were either regional gatherings attended by chief constables from a number of forces, or meetings of the laboratory's user board, which is chaired by a chief constable.

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he has now received the working party report on forensic pathology.

Mr. Douglas Hogg: The working party is to meet in April to consider the final draft of the report. It is hoped that the working party will submit its report to my right hon. Friend shortly thereafter.

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department how many times since 1984 has the Home Office working party on forensic pathology met.

Mr. Douglas Hogg: Since December 1984, the working party has met formally on six occasions.

Missing Persons

Mr. Janner: To ask the Secretary of State for the Home Department if he will call for a report from the chief

constable as to how many people were reported missing in Leicestershire during each of the last five years for which records are available; and how many and what percentage were subsequently traced.

Mr. Douglas Hogg: Statistics of missing persons are published by the chief constable in his annual reports (P. 14 of the issue for 1987), copies of which are available in the Library.

Illegal Parking

Mr. Butler: To ask the Secretary of State for the Home Department how many prosecutions have been brought by local authorities under section 35 of the Road Traffic Regulation Act 1984 in each year since its enactment.

Mr. John Patten: The information requested is not available centrally.

CS Gas

Mr. Randall: To ask the Secretary of State for the Home Department if he will list those individuals and authorities who have made representations to him about introducing a new range of police riot weapons capable of firing both plastic bullets and CS gas canisters.

Mr. Douglas Hogg: Only CS equipment and plastic baton rounds and launchers of a type authorised by the Home Office may be used by police forces in England and Wales in situations of serious public disorder. Use of the equipment is subject to very strict conditions which my right hon. Friend announced in answer to a question from my hon. Friend the Member for Lancashire, West (Mr. Hind) on 19 May 1986 at columns *15-16*.

Equipment for use in situations of serious public disorder is kept under review. The police have made representations about the current plastic baton round system and a number of different plastic baton round systems have been tested. No decision has been taken to replace the existing system.

Immigration

Mr. Cohen: To ask the Secretary of State for the Home Department (1) why he requires the dates of birth of individuals involved in immigration cases, his reference PO26926/88 and 22975/88, about which the hon. Member for Leyton has made representations;

(2) why he requires the full name of individuals involved in immigration cases, his reference PO26926/88 and 22975/88, about which the hon. Member for Leyton has made representations when the hon. Member provided the names made known to him;

(3) whether he has any knowledge of the reason why the hon. Member for Leyton received from his Department on 8 February letters which were dated 30 October 1988 and 22 November 1988 asking for the full names and dates of birth of individuals involved in immigration cases about which the hon. Member has made representations.

Mr. Renton: When letters from Members making representations in immigration cases do not supply sufficient information for the papers of the individual concerned to be traced, further details have to be requested in order for the representations to be followed up. This applies to the cases and letters listed above. If hon. Members do not respond to requests for more information within a certain time a reminder letter is sent.

AIDS

Mr. Cohen: To ask the Secretary of State for the Home Department if he will take appropriate action to prevent discriminatory practices against prisoners in United Kingdom prisons who may be HIV positive or have developed symptoms of AIDS.

Mr. Douglas Hogg: In England and Wales the management of prisoners identified as HIV antibody positive is a matter for the governor and medical officer, taking account of local circumstances and the needs of the individual prisoner. Central guidelines stress the importance of enabling those who are well to participate as fully as possible in normal prison life. This is also emphasised in staff training and in an educational package which will shortly be available for use with prisoners. Plans for the care and support of prisoners who develop AIDS or AIDS-related illness are modelled on best practice in the general community. Referral to specialised facilities within the National Health Service is arranged when this is clinically indicated.

Practice elsewhere in the United Kingdom is a matter for my right hon. Friends the Secretaries of State for Scotland and Northern Ireland.

Mr. D. R. Lidington

Mr. Mullins: To ask the Secretary of State for the Home Department if he will list the responsibilities of Mr. D. R. Lidington.

Mr. Hurd: Mr. Lidlington is a special adviser who provides advice on a wide range of Home Office subjects.

Police Force Areas

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department if he will list by each police force area for England and Wales the total population and area in square miles.

Mr. Douglas Hogg: The available information can be found at columns (f) and (g) of appendix 7 to the report of Her Majesty's chief inspector of constabulary for 1987, a copy of which is to be found in the Library.

Petty Officer John Black

Mr. Latham: To ask the Secretary of State for the Home Department if he will call for a report from the Commisioner of Police of the Metropolis as to why the Metropolitan police are not prepared to allow Mr. and Mrs. K. Crane of Melton Mowbray, or their solicitors, to see the report of two Scotland Yard officers who investigated the circumstances relating to the death in Spain of Petty Officer John Black, Royal Navy; and whether he will make a statement.

Mr. Douglas Hogg *[holding answer 15 February 1989]:* Access to the report is a matter for the commissioner. It is a general rule that police reports following inquiries remain confidential.

Probation Services

Mr. French: To ask the Secretary of State for the Home Department how many county probation services have framed explicit statements of local objectives.

Mr. John Patten *[holding answer 8 February 1989]:* Fifty four area probation services have produced statements of local objectives in one form or another. One has produced a statement of local priorities and one a review of local objectives, priorities and tasks.

EDUCATION AND SCIENCE

Food Research

Dr Marek: To ask the Secretary of State for Education and Science if he will make a statement about his plans for the future of the institutes of food research.

Mr. Jackson: In line with the intentions first outlined in the Agricultural and Food Research Council corporate plan for 1984-1988, directors of the council's eight institutes have been asked to produce long-term for reorganising their activities on to a smaller number of sites.

The Institute of Food Research will present to the AFRC options for the restructuring of its three laboratories on to two sites. The council will then make a decision based on a detailed analysis and appraisal of these options and taking full account of the scientific programme of the institute.

Primary Teachers

Mr. Cohen: To ask the Secretary of State for Education and Science if he will set up a national scheme for one year placements of newly qualified primary teachers in areas of severe shortage of such teachers; and if he will make a statement.

Mr. Butcher: No.

Physical Education (Qualifications)

Mr. Fisher: To ask the Secretary of State for Education and Science what information he has on the number of applicants to take *(a)* GCSE in physical education in 1988 and *(b)* O-level or GCE in physical education in the five previous years.

Mrs. Rumbold: In 1987, about 11,700 pupils in schools in England attempted CSE or GCE O-level examinations in physical education. Comparable information is not available in respect of previous years, nor yet centrally in respect of GCSE examinations taken in 1988.

Grant-maintained Schools

Mr. Straw: To ask the Secretary of State for Education and Science how many complaints he has received in respect of the conduct of ballots for grant-maintained schools; and if he will list in respect of each *(a)* the sender of the complaint, *(b)* the authority concerned and *(c)* the nature of the complaint.

Mr. Kenneth Baker: A number of parents, teachers, governors and others have expressed concern to my Department about the conduct of ballots and associated procedures at schools considering seeking grant-maintained status. Such expressions of concern are frequently made in confidence, and it would not be appropriate for me to provide the details requested. The purpose of my Department's letter of 13 February to chief education officers was to draw attention to the need for ballots and the associated procedures to be conducted fairly and responsibly, and to my powers to consider and determine formal complaints.

National Curriculum

Mr. Straw: To ask the Secretary of State for Education and Science when he anticipates that orders relating to the introduction of parts of the national curriculum will be laid before Parliament.

Mr. Kenneth Baker: I expect to lay orders for mathematics and science next month and for the first key stage in English around the end of April. The timing of further orders will depend on statutory consultations on proposals.

Student Finance

Mr. Straw: To ask the Secretary of State for Education and Science what was the estimated total cost of the review of the student finance which he established in June 1986; how many staff were engaged upon it; how many representations were received about it; and what overseas trips by Ministers, officials and consultants were undertaken, by whom and at what cost.

Mr. Kenneth Baker: The review of student support was conducted within Government, under the supervision of a group of Ministers and officials of which the membership and secretariat numbered seventeen. Since most of the staff engaged in the review were ordinarily involved, to a greater or lesser degree, in matters relating to student support, the significant additional costs arising from the review were essentially those relating to overseas visits; the commissioning of surveys of students' income and expenditure; the hiring of a consultant to advise on student support arrangements in other countries; and the publication of the White Paper. Four trips overseas were undertaken by a Minister, accompanied by one official at a cost of £4,600. The other costs were:

	£
Surveys	235,000
Consultancy	10,000
White Paper	4,500

The review received written evidence from over 100 organisations, seven petitions signed by a total of 1,300 people, and almost 1,600 letters.

Mr. Straw: To ask the Secretary of State for Education and Science how many representations have been received about the proposals for student loans contained in the White Paper Cm. 520 from *(a)* organisations and *(b)* individuals; how many of these are in favour of the proposals and how many are against them.

Mr. Kenneth Baker: About 4,500, including about 140 formal responses from organisations, and expressing a variety of views.

Surplus School Places

Mr. Straw: To ask the Secretary of State for Education and Science if he will publish a table showing for each year from 1979 to date *(a)* the number of surplus school places removed, *(b)* the target number specified for that year in the public expenditure White Paper or elsewhere and *(c)* *(a)* expressed as a percentage of *(b)*.

Mr. Kenneth Baker: The information is given in the table:

Year	The number of surplus school places removed 000s (a)	The Public Expenditure White Paper Target 000s (b)	per cent. (a)/(b)
1979-80			
1980-81	542	470	115
1981-82			
1982-83			
1983-84	158	160	99
1984-85	155	160	97
1985-86	132	168	79
1986-87	118	167	71
1987-88	124	139	89
1988-89	n/a	137	—
1989-90	n/a	133	—

The column *(b)* figures for 1987-88 to 1989-90 represent revised targets arrived at following discussion with the local authority associations.

Mr. Straw: To ask the Secretary of State for Education and Science what is the total number of surplus school places available for removal represented by decisions made by him or pending in respect of proposals for the closure or reorganisation of schools.

Mr. Kenneth Baker: The number of surplus places planned to be taken out of use following my approval of statutory school reorganisation proposals since May 1986 is 103,500. In addition substantial numbers of surplus places have been removed as a result of other action by LEAs, such as removing temporary classrooms, rationalising split sites, and mothballing surplus classroom accommodation. The remainder of the question can be answered only at disproportionate cost.

Grant-maintained Schools

Mr. Straw: To ask the Secretary of State for Education and Science when he expects to announce his decisions in respect of applications for grant-maintained status.

Mr. Kenneth Baker: I refer the hon. Member to the reply that my hon. Friend gave on 24 January at column *476*.

Medical Students (Top-up Loans)

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science what representations have been received concerning the introduction of top-up loans for medical students; and if he will make a statement.

Mr. Jackson: About 200—mostly from hon. Members, who will receive a full reply.

Examination Statistics

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science, pursuant to the answer to the hon. Member for Pembroke on 13 February, *Official Report*, column *5*, concerning A-level, O-level and CSE examinations sat and achieved as a percentage of the year group, when the information requested will be available on the same basis as was provided on 11 January 1988, *Official Report*, columns *42-46*.

Mrs. Rumbold: The information given in the table is presented in terms of leavers from maintained schools in England in 1986-87. This is on the same basis as provided to my hon. Friend in the *Official Report* for 11 January 1988, columns *42-46* for the year 1985-86.

School leavers 1986-87 maintained schools only

[1]*Percentages*

	Total leavers (000's)	Attempting CSE	Attempting O-level	Attempting A-level	Achieving [2]lower grades	Achieving [3]higher grades	Achieving A-level passes
London boroughs							
Barking	2·38	75·8	59·7	9·0	76·3	40·8	7·5
Barnet	3·23	64·5	76·9	32·3	74·3	66·2	30·1
Bexley	3·25	72·1	66·5	17·9	81·1	49·4	16·2
Brent	3·06	91·3	70·5	18·1	89·4	57·5	11·8
Bromley	2·74	81·5	86·5	26·0	85·8	58·2	21·7
Croydon	4·25	79·4	67·5	14·7	81·0	49·8	14·1
Ealing	3·31	82·4	63·5	17·3	78·6	46·6	15·1
Enfield	3·31	79·1	75·6	17·1	81·4	49·9	13·9
Haringey	2·08	78·5	76·2	12·7	77·5	40·2	11·0
Harrow	1·63	90·3	89·0	9·0	84·0	65·0	7·4
Havering	3·55	87·4	79·4	14·9	85·3	53·4	12·9
Hillingdon	2·79	87·7	71·7	14·4	89·9	51·1	11·8
Hounslow	2·46	78·7	71·6	14·4	81·6	52·0	13·5
Kingston upon Thames	1·31	74·3	80·1	26·6	80·3	60·5	23·4
Merton	2·00	74·3	68·4	15·5	83·0	54·1	15·5
Newham	2·88	78·0	57·7	11·5	77·8	47·3	9·9
Redbridge	2·68	75·3	71·0	22·6	75·8	55·1	20·4
Richmond upon Thames	1·69	86·7	81·4	0·7	85·9	65·2	0·0
Sutton	2·00	60·5	80·0	34·3	78·2	68·1	33·7
Waltham Forest	2·03	80·3	67·4	8·5	75·8	32·0	6·3
Inner London	23·55	76·1	55·5	11·7	74·6	43·1	10·4
West Midlands							
Birmingham	16·52	81·7	66·3	12·1	80·5	43·3	10·3
Coventry	4·61	87·9	74·4	16·7	84·6	50·9	13·9
Dudley	4·65	89·7	77·1	8·3	86·9	52·6	8·3
Sandwell	4·81	83·2	61·1	9·0	82·2	39·1	7·8
Solihull	3·62	91·5	83·8	23·3	87·2	60·5	20·9

	Total leavers (000's)	Attempting CSE	Attempting O-level	Attempting A-level	Achieving [2]lower grades	Achieving [3]higher grades	Achieving A-level passes
Walsall	4·81	79·3	71·0	14·6	79·0	49·4	12·4
Wolverhampton	4·27	84·5	74·4	12·1	81·8	42·2	9·0
Merseyside							
Knowsley	2·49	79·9	66·0	7·1	76·3	39·2	4·1
Liverpool	6·80	77·0	68·9	14·4	74·1	39·1	12·3
St. Helens	2·75	84·2	77·4	19·6	78·4	54·3	18·0
Sefton	5·04	82·1	84·4	18·2	78·4	59·1	16·0
Wirral	5·29	80·2	79·9	19·5	79·3	51·6	17·8
Greater Manchester							
Bolton	4·56	87·4	83·6	17·2	83·8	56·2	14·7
Bury	2·86	84·4	90·9	18·2	82·1	63·1	16·1
Manchester	6·89	73·6	67·7	15·3	72·1	43·0	13·7
Oldham	3·27	85·9	70·2	10·9	84·6	43·3	8·9
Rochdale	3·30	81·7	80·0	15·2	80·8	49·4	11·0
Salford	3·34	83·9	78·3	15·7	81·6	45·4	12·9
Stockport	4·32	82·9	83·9	19·6	78·0	55·1	17·4
Tameside	3·73	88·4	80·8	12·5	85·6	51·8	9·9
Trafford	2·72	84·5	83·8	19·4	85·4	59·8	18·7
Wigan	5·76	88·2	89·3	15·5	86·3	58·7	14·2
South Yorkshire							
Barnsley	3·92	85·4	77·8	10·8	83·2	38·3	10·3
Doncaster	4·75	83·9	80·4	16·0	82·8	46·9	13·1
Rotherham	4·51	82·9	74·8	13·1	84·4	40·7	11·7
Sheffield	8·45	85·4	80·8	13·0	82·8	47·7	11·6
West Yorkshire							
Bradford	7·22	84·9	79·7	13·3	80·0	45·6	11·7
Calderdale	2·95	82·9	80·8	16·6	83·4	48·8	12·7
Kirklees	6·00	88·2	84·5	15·7	84·3	47·9	13·7
Leeds	9·99	87·7	80·3	11·6	82·6	46·3	11·2
Wakefield	5·09	88·5	74·4	7·9	84·5	45·6	9·4
Tyne and Wear							
Gateshead	3·31	79·4	58·8	13·4	77·8	40·7	11·4
Newcastle upon Tyne	3·23	75·4	63·3	13·5	76·4	39·7	11·0
North Tyneside	2·94	77·4	77·5	20·2	82·9	49·9	17·2
South Tyneside	2·15	91·9	63·7	9·3	91·4	47·8	8·3
Sunderland	5·02	87·0	73·0	10·2	86·6	46·3	8·2
Counties							
Avon	12·32	84·9	62·1	17·0	86·5	54·1	14·9
Bedfordshire	7·47	89·7	80·9	18·9	87·7	58·1	16·9
Berkshire	9·59	82·2	65·7	20·5	86·4	57·5	18·8
Buckinghamshire	8·35	70·3	68·1	22·4	79·3	64·3	21·4
Cambridgeshire	8·37	86·8	78·6	15·8	85·1	54·3	14·5
Cheshire	15·24	86·3	85·4	17·9	82·9	55·8	15·5
Cleveland	9·50	83·0	68·8	16·3	81·1	50·3	14·8
Cornwall	7·20	86·0	62·8	16·2	86·3	58·1	14·8
Cumbria	6·99	85·8	74·8	16·9	84·7	54·8	16·0
Derbyshire	14·41	87·6	66·4	12·3	86·0	50·0	11·0
Devon	12·84	86·7	63·9	12·9	88·9	53·8	12·1
Dorset	8·23	80·9	64·6	15·0	86·9	57·7	13·4
Durham	9·34	82·5	67·0	11·9	82·6	51·7	10·2
East Sussex	7·56	80·2	68·0	19·4	82·4	51·6	17·5
Essex	21·52	86·5	75·3	14·8	84·1	55·5	13·2
Gloucestershire	6·83	81·2	64·8	17·0	84·7	56·6	15·5
Hampshire	22·99	86·7	62·8	14·4	88·6	57·9	12·8
Hereford and Worcester	9·28	86·1	81·6	16·9	82·2	56·5	15·6
Hertfordshire	13·68	86·3	80·4	21·1	84·9	61·6	19·3
Humberside	13·78	85·7	73·3	15·4	82·6	48·8	13·5
Isle of Wight	1·64	83·7	50·3	14·3	85·2	47·7	13·6
Kent	21·87	74·6	66·4	17·9	84·0	52·2	16·4
Lancashire	20·59	84·6	79·4	9·2	82·2	51·8	8·3
Leicestershire	12·40	85·0	70·4	20·2	83·4	49·8	17·3
Lincolnshire	8·52	78·6	71·9	17·3	81·9	53·6	16·2
Norfolk	9·91	81·9	68·7	10·5	79·7	50·3	9·7
North Yorkshire	10·06	85·1	81·1	19·5	82·3	57·7	17·3
Northamptonshire	8·74	87·8	70·9	13·2	86·5	47·0	11·8
Northumberland	4·49	87·4	77·3	19·5	86·1	60·7	17·8
Nottinghamshire	15·35	88·0	71·6	13·1	87·4	46·7	11·6
Oxfordshire	7·67	84·3	67·7	18·7	86·7	59·1	16·1
Shropshire	6·84	88·1	84·6	16·3	88·2	54·9	14·3
Somerset	6·03	88·7	62·1	9·4	90·8	51·1	8·1

	Total leavers (000's)	CSE	Attempting O-level	A-level	Achieving [2]lower grades	Achieving [3]higher grades	A-level passes
Staffordshire	15·72	83·5	77·4	14·4	82·4	51·5	13·4
Suffolk	8·62	88·7	77·9	15·2	86·4	50·1	14·0
Surrey	11·78	79·4	82·1	27·4	85·6	62·5	25·6
Warwickshire	6·63	86·6	77·4	20·1	86·9	56·9	17·8
West Sussex	9·40	87·3	71·8	20·9	88·6	62·4	19·6
Wiltshire	7·35	88·8	61·7	11·2	86·2	48·8	9·7
TOTAL ENGLAND	671·20	83·6	72·4	15·6	83·4	52·0	13·9

Source: School leavers sample survey. Data subject to sampling error.
[1] Excludes examination attainments at tertiary colleges or other further education establishments.
[2] O level grades D, E, CSE grades 2 to 5.
[3] O level grades A to C, CSE grade 1.

University of Wales Registry

Dr. Marek: To ask the Secretary of State for Education and Science how much recurrent grant was awarded to the University of Wales registry for each of the years of its existence.

Mr. Jackson: Recurrent grants made to the Welsh registry on the advice of the University Grants Committee since 1979-80 are listed below. Information about previous years is available from "Statistics of Education—Volume 6" and, for the years before 1966-67, "Returns from Universities and University Colleges".

Academic years	£000
1979-80	1,325
1980-81	1,788
1981-82	1,933
1982-83	1,940
1983-84	1,987
1984-85	2,119
1985-86	2,199
1986-87	2,272
1987-88	2,412
1988-89	2,421

Teachers' Pay and Conditions

Mr. Pawsey: To ask the Secretary of State for Education and Science when the second report of the interim advisory committee on school teachers' pay and conditions will be published.

Mr. Kenneth Baker: It is being published today. Its main recommendations are:

a 6 per cent. increase in the main pay scale for teachers from 1 April 1989.
a 7 per cent. increase in the value of the five rates of incentive allowances from 1 April 1989.
a 7·5 per cent. increase in the salaries of the 55,000 Heads and Deputies from 1 April 1989.
an extra 9,500 incentive allowances for the 1989-90 academic year, on top of the additional 18,000 already planned.
a 5·6 per cent. increase in London allowances from 1 July 1988.

I propose to accept the committee's recommendations in full. I am today initiating the consultation required by section 3(1) of the Teachers' Pay and Conditions Act 1987 by writing to the relevant local authority associations, teacher unions and bodies representing the interests of the governors of voluntary schools, setting out my proposals. The text of the letter is as follows:

Teachers pay and conditions of employment

1. On 14 September 1988 I asked the Interim Advisory Committee on School Teachers' Pay and Conditions to examine and report to me on certain issues. I enclose a copy of the Committee's report which is being published today. The Committee's recommendations are summarised in Chapter 9 of its report. I propose to make an Order giving effect to the recommendations referred to in paragraphs 2 and 3 below. But before I take a decision on what provision the Order should make, I invite your views. This letter therefore initiates the consultation required by Section 3(1) of the Teachers' Pay and Conditions Act 1987.

2. I propose to accept the Committee's recommendations that

(i) the salaries of all qualified teachers should be raised by a uniform 6 per cent. to the figures set out in paragraph 4.13 of the Committee's report with effect from 1 April 1989;
(ii) the salaries of unqualified teachers should be raised by the same percentage (paragraph 4.13). The allowance for teachers of the visually impaired and hearing impaired would also be increased by 6 per cent.;
(iii) the spot salaries for Heads and Deputies should be increased by 7·5 per cent. with effect from 1 April 1989 (paragraph 4.21);
(iv) the rates of the London area allowances should be increased by 5·6 per cent. with effect from 1 July 1988 (paragraph 5.16);
(v) the value of each of the incentive allowances should be increased by 7 per cent. with effect from 1 April 1989 (paragraph 4.34);
(vi) the planned number of incentive allowances should be expanded from September 1989 by 9,500 (5,000 extra A allowances; 2,500 B allowances; 1,500 C allowances and 500 D allowances): (paragraphs 4.31 and 4.32). There will need to be some consequential revisions to the limits relating to incentive allowances in Annex A to Appendix I of the School Teachers' Pay and Conditions Document 1988 (paragraph 4.33).

3. The Committee makes a number of other recommendations which would require amendments to the School Teachers' Pay and Conditions Document 1988 (the 1988 Document):

a. that teachers returning to regular full-time or part-time teaching should be paid on re-entry at no lower point on the mainscale than when last employed as a regular full-time or part-time teacher (paragraph 5.21);
b. that, contingent upon the introduction of the proposed licensed teacher arrangements, there should be discretion for local authorities or governors, as appropriate, to pay licensed teachers at either qualified or unqualified rates (paragraph 5.26);
c. that local authorities (and, at the appropriate point, governors of schools with delegated budgets) should be given discretion to accelerate a teacher's progression to the top of the main scale (paragraph 5.29);
d. that once the necessary regulations under Section 218 of the Education Reform Act have been made, a teacher who is awarded Qualified Teacher Status (QTS) retrospectively should be entitled to receive back pay from any authority he/she has worked for from the date from which his/her qualification runs, to make good any difference between what he/she was actually paid

up to the point when QTS was awarded and what he/she would have been entitled to as a qualified teacher (paragraph 5.41);

e. that the discretions over pay and conditions currently exercised by local education authorities set out in Appendix I of the report should be transferred to governing bodies of schools with budgets delegated under Chapter III of Part I of the Education Reform Act 1988 (paragraph 7.24) and that the decision on whether it is "reasonably practicable to provide a supply teacher" should transfer to the governors in those schools where the governing body have been made responsible, under the relevant LMS scheme, for managing the arrangements for providing supply teachers (paragraph 7.26);

f. that the functions, both mandatory and discretionary, currently allocated to LEAs under the 1988 Document should be allocated to governing bodies of grant maintained (GM) schools (paragraph 7.28);

g. that where a GM school was formerly a voluntary school, a head teacher should carry out his-her professional duties in accordance with any trust deed applying to the school (paragraph 7.29);

h. that salary safeguarding on a discretionary basis and discretionary safeguarding on London allowance and social priority allowance should apply in both directions between a GM school and its former maintaining authority (paragraph 7.31);

i. that the provision in relation to cover at sub paragraph 35(9)(b)(ii) of the 1988 Document should be amended in the direction of wording suggested by the Professional Association of Teachers (paragraph 8.9);

j. that the reference to payment for midday supervision at paragraph 23 of the 1988 Document should be deleted (paragraph 8.14);

k. that the reference to education legislation in the "overriding requirements" section of head teachers' conditions of employment—paragraph 27(i) of the 1988 Document—should be updated to include the Education Reform Act 1988 (paragraph 8.24);

l. that specific reference should be made in both head teachers' and school teachers' conditions of service to the Basic (including National) Curriculum, and, in the case of head teachers, to the collective worship requirements of the Education Reform Act (paragraph 8.25).

I propose to accept all these recommendations.

4. The Order I propose to make to give effect to all of the above would do so by bringing into effect a new School Teachers' Pay and Conditions Document. The Committee's remaining recommendations do not require changes to the 1988 Document: I do not therefore propose to change the Document in response to those recommendations. Nor is it intended to revise the RSG settlements for 1989-90 on account of the proposals set out in paragraphs 2 and 3 above. The cost will be offset in part by the greater than expected reduction in the employers' contributions to the Teachers' Superannuation Scheme which I announced on 10 February.

5. Any comments on the proposals set out above and on any other matters raised in the report are invited by 10 March. If you would like to express your views in a meeting would you let my office know of this as soon as possible so that any meetings can take place before Easter.

6. Following these consultations a new School Teachers' Pay and Conditions Document will be prepared. There will then be opportunity to comment on the precise wording of the amendments prior to the publication of the new Document and the laying before Parliament of an Order which will give effect to its provisions.

7. The Interim Advisory Committee say that they hope it will be possible for a copy of the report to be seen by teachers in every maintained school. Enough copies of the report are being sent to each local education authority for a copy to be circulated in each school.

Assisted Places Scheme

Mr. Ian Taylor: To ask the Secretary of State for Education and Science if he will make a statement about the level of parental contributions to the fees of pupils in the assisted places scheme in 1989-90.

Mr. Kenneth Baker: Subject to the usual consultations and to parliamentary approval, the parental contribution scales will be adjusted upwards for the school year 1989-90 as set out below. In addition the allowance against parental income in respect of each dependent child other than the assisted place holder is to be increased to £1,000.

Percentage

Part of relevant income to which specified percentage applies	*One assisted pupil*	*Each of two assisted pupils*	*Each of three assisted pupils*
That part which exceeds £7,418 but does not exceed £8,066	9	6·75	5·25
That part (if any) which exceeds £8,066 but does not exceed £8,725	12	9·00	7·00
That part (if any) which exceeds £8,725 but does not exceed £10,032	15	11·25	8·75
That part (if any) which exceeds £10,032 but does not exceed £12,043	21	15·75	12·25
That part (if any) which exceeds £12,043 but does not exceed £14,668	24	18·00	14·00
That part (if any) which exceeds £14,668	33	24·75	19·25

Clinical Academic Staff (Pay)

Mr. Key: To ask the Secretary of State for Education and Science whether additional funds will be provided for the universities in 1989-90 in respect of pay for clinical academic staff.

Mr. Kenneth Baker: Subject to parliamentary approval of the relevant Estimate, an additional £2·8 million will be provided in grant to the Universities Funding Council in 1989-90 in respect of pay for clinical academic staff. This increase takes account of the increase in funding for the hospital and community health service in respect of the recommendations of the Doctors and Dentists Review Body. It will be charged to the Reserve and so will not add to the public expenditure planning total.

Children (Employment)

Mr. Archer: To ask the Secretary of State for Education and Science how many prosecutions have been taken out as a result of investigations by education welfare officers in each year since 1973 for alleged offences in connection with the employment of children; how many employers have been so prosecuted; with what result; and what was *(a)* the highest, *(b)* the average and *(c)* the lowest penalty imposed following a conviction.

Mr. Freeman: I have been asked to reply.

Information about alleged offences in connection with the employment of children does not separately identify prosecutions taken out as a result of investigations by education welfare officers.

The available figures relating to prosecutions and fines for all forms of employment are as follows:

Industrial Undertakings

Prosecutions by the Health and Safety Executive under Section 1 of the Employment of Women, Young Persons and Children Act 1920 and concerning the illegal employment of children.

Year	Employers Prosecuted	Information Laid	Convictions	Fines Imposed (£) Highest	Lowest	Average per conviction
1981	3	4	4	150	50	75
1982	3	4	4	480	15	178
1983	3	3	3	400	100	200
1984	2	6	6	600	50	233
1985	4	8	6	1,000	10	242
1986 (January to March)	2	4	4	150	100	138
1986-87 (April to March)	3	11	9	300	25	208
1987-88 (April to March)	2	[1]2	[2]2	300	[3]—	150

[1] Fines imposed as the result of information laid.
[2] Provisional.
[3] Guilty but absolute discharge.

Agricultural Undertakings

Information laid by Her Majesty's agricultural inspectorate against persons at work who put at risk children under the age of 16 by the contravention of legislation applicable to agricultural activities.

Year	Informations laid	Convictions	Fines imposed (£) Highest	Lowest	Average per conviction
1981	52	47	300	15	60
1982	31	26	400	15	116
1983	18	17	200	35	73
1984	16	14	500	30	118
1985	27	26	1,000	25	177
1986	25	21	400	10	85
1987	18	16	250	50	78
1988 (January-March)	3	3	25	25	25

Note: Figures from 1973 are not readily available.

Non-industrial undertakings

Figures notified to the Home Office for proceedings under Sections 18, 19 and 20 of the Children and Young Persons Act 1933:

Year	Proceedings	Fine (£) Highest	Lowest	Average
1979	23	50	5	16
1980	26	50	3	12
1981	24	100	5	22
1982	17	20	3	14
1983	11	50	10	24
1984	12	50	20	26
1985	11	50	10	35
1986	2	100	40	70
1987	8	500	10	154

NORTHERN IRELAND

RUC (Deaths)

Mr. McCusker: To ask the Secretary of State for Northern Ireland how many members of the RUC and RUCR were killed as a result of road traffic accidents during (i) 1986 and (ii) 1987; how many were killed by terrorists in the same period; and of those killed during 1986, 1987 and 1988, how many were killed whilst on duty.

Mr. Ian Stewart: The information is as follows:

	Road traffic accidents Total	On duty	Terrorism Total	On duty
1986	8	2	12	8
1987	3	nil	16	10
1988	11	1	6	4

Extradition

Mr. Win Griffiths: To ask the Secretary of State for Northern Ireland on how many occasions since 1979 his Department has made extradition applications for terrorist or other offences; and how often, by whom and for what reasons such requests have been rejected.

Mr. Ian Stewart: Information about extradition applications under the backing of warrants procedure with the Republic of Ireland is contained in the answer I gave to the hon. Member for Londonderry, East (Mr. Ross) on 13 December *Official Report*, column *516*. In addition, five requests for extradition to the Republic of Ireland were made during 1988, of which one was granted and the remainder are pending.

Information on extradition applications to other countries is not held centrally and would be available only at disproportionate cost. The number is likely to be small.

DEFENCE

Nuclear Stockpile

Mr. Flynn: To ask the Secretary of State for Defence whether, pursuant to his reply to the hon. Member for

Sheffield, Central (Mr. Caborn) on nuclear weapons, the level of the North Atlantic Treaty Organisation's nuclear stockpile referred to therein is defined by *(a)* total explosive capacity, *(b)* collective lethality based on explosive capacity and accuracy or *(c)* number of deliverable warheads.

Mr. Archie Hamilton: The nuclear stockpile referred to in the answer I gave to the hon. Member for Sheffield, Central (Mr. Caborn) on 30 January at column *31* is defined in terms of the number of nuclear warheads stockpiled in Europe.

Low Flying

Mr. Campbell-Savours: To ask the Secretary of State for Defence if he will list all areas, objects, settlements, buildings and installations in the Workington constituency which pilots of low-flying military aircraft are currently advised to avoid, giving in each case the horizontal and vertical limits of avoidance.

Mr. Neubert: The whole of the United Kingdom is open for low flying except for major conurbations, danger areas and certain areas such as civil and military air traffic zones, airports, glider sites, high obstacles, and nuclear power stations. It is not our practice to release details of the United Kingdom low flying system.

Mr. Campbell-Savours: To ask the Secretary of State for Defence (1) if he will list the additional restrictions on night low flying introduced following the Tornado mid-air collision in Cumbria on 9 August 1988;

(2) if a review of night low flying regulations is being conducted following the collision between two Tornados over Cumbria on 9 August 1988; and if he will make a statement;

(3) what additional flow control measures are currently in force for low flying at night, over and above those currently in force for daylight low flying.

Mr. Neubert: Although there was no evidence to suggest that there was anything wrong with the night low flying system itself, following the mid-air collision near Penrith in August 1988, a six-month trial of a revised night low level flying system was introduced with the aim of increasing the co-ordination of activity at night and improving deconfliction procedures. In this system, areas of the United Kingdom are allocated to commands on a nightly basis and commands are responsible for deconflicting their own aircraft. General flow of traffic from sector to sector in each area is in a clockwise direction around the country. Within these sectors aircraft are allowed to fly in any direction except where specifically prevented from doing so. At the end of the trial its effectiveness will be examined and any appropriate changes made.

Mr. Campbell-Savours: To ask the Secretary of State for Defence when flow control was first introduced for low-flying aircraft in the Keswick area; and if he will make a statement.

Mr. Neubert: As an interim measure, following the mid-air collision near Keswick on 17 June 1987, an unidirectional traffic flow system was introduced in the whole of the Lake District. As a result of subsequent work a revised procedure came into operation on 1 September 1987 which provided separation between aircraft flying along the valley of the A591 between the Grasmere and Bassenthwaite lakes in a north westerly direction only, and others overflying on various routes at higher levels.

Mr. Campbell-Savours: To ask the Secretary of State for Defence (1) what use is made by RAF Spadeadam of radar information from the national air traffic services radar stations located on *(a)* Green Lowther, Strathclyde and *(b)* Knock Fell, Cumbria;

(2) what is the capacity of the radar equipment at RAF Spadeadam to monitor and control low-flying aircraft movements in low flying area 13.

Mr. Neubert: The arrangements for monitoring and controlling aircraft using Spadeadam range (low-flying area 13) are entirely adequate. Information from the unmanned radar stations at Green Lowther and Knock Fell is not fed directly to RAF Spadeadam.

Mr. Campbell-Savours: To ask the Secretary of State for Defence to what extent the low flying avoidances marked on military low flying charts are mandatory; and what sanctions are used to enforce adherence to these restrictions.

Mr. Neubert: Aircrew are instructed not to fly low in avoidance areas unless prior approval has been granted by the Ministry of Defence. The RAF police conducts covert surveys from time to time throughout the United Kingdom in order to establish whether height and other rules are being observed and action is taken, where appropriate, against aircrew found to have infringed regulations.

Mr. Campbell-Savours: To ask the Secretary of State for Defence what advice is given to military pilots concerning low flying over or in the immediate vicinity of the town of Keswick.

Mr. Neubert: As the hon. Member is aware, pilots are instructed to avoid overflying the centres of major conurbations and built up areas such as Keswick at low level. Although we cannot guarantee to avoid overflying the outskirts of major towns and smaller communities, pilots will make every effort to avoid populated areas wherever possible.

Mr. Campbell-Savours: To ask the Secretary of State for Defence how many foreign aircrew have infringed the regulations governing the United Kingdom low flying system since 1971.

Mr. Neubert: A record of the number of invesigations revealing infringements of the United Kingdom low flying system regulations by foreign aircrews since 1971 is not held centrally and could not be provided without disproportionate effort.

Mr. Campbell-Savours: To ask the Secretary of State for Defence if he will list the dates and locations of all public meetings on low flying held by *(a)* the Royal Air Force and *(b)* his Department over the last five years.

Mr. Neubert: According to available records, the Ministry of Defence has held the following public meetings on low flying over the last five years:

Date and location

1984

23 January—Newton Abbot, Devon

15 February—Stamford Bridge, Humberside
13 March—Church Stretton, Shropshire
16 October—Leominster, Hereford and Worcester
31 October—Great Doddington, Northamptonshire
12 November—Clifton Campville, Hereford and Worcester
14 November—Hereford, Hereford and Worcester

1985
14 March—Marden, Hereford and Worcester
5 June—Jedburgh, Borders
6 June—Kelso, Borders
6 June—Duns, Borders
28 June—Rugby, Warwickshire
24 September—Gedney Drove End, Lincolnshire
22 October—Barnard Castle, Durham

1986
24 January—Alcester, Warwickshire
1 May—RAF Spadeadam, Cumbria
25 July—Scunthorpe, Humberside
30 September—Hereford, Hereford and Worcester
6 October—Wilmcote, Warwickshire
9 October—Postbridge, Devon
15 October—Raglan, Gwent
18 November—Wilberfoss, Humberside

1987
30 January—Ashford, Kent
20 March—Bedgebury School, Cranbrook, Kent
30 April—Redditch, Hereford and Worcester
30 June—Galashiels, Borders
1 July—Penrith, Cumbria
2 July—Morpeth, Northumberland
27 July—Aberedw, Powys

1988
14 January—Tenbury Wells, Hereford and Worcester
11 May—Braunston, Northamptonshire
27 May—Dolgellau, Gwynedd
15 June—Perth, Tayside
22 June—Farndon, Nottinghamshire
30 June—Crediton, Devon
13 July—Stone, Staffordshire
27 July—Kidwelly, Dyfed
28 July—Tumble, Dyfed
5 October—Morpeth, Northumberland
12 October—Halesworth, Suffolk
18 October[1]—Malton, North Yorkshire

[1]RAF Presentation Team plus official from MOD Low Flying Presentation Team.

On numerous occasions in the past the Directors of Public Relations (RAF) have additionally lectured to public audiences in various parts of the country but no records are held detailing those occasions.

Mr. Campbell-Savours: To ask the Secretary of State for Defence when flow control was first introduced in the United Kingdom low flying system.

Mr. Neubert: Unidirectional traffic flows have been in use since before introduction of the current low flying system in 1979.

Mr. Campbell-Savours: To ask the Secretary of State for Defence what is the maximum number of aircraft permitted to operate at any one time within low flying area 17 *(a)* during daylight hours and *(b)* at night; and whether any alteration to these figures has been instituted in the last 10 years.

Mr. Neubert: It is not our practice to release such detailed information relating to the United Kingdom low flying system.

Air Force Act 1955

Mr. Campbell-Savours: To ask the Secretary of State for Defence if he will list the occasions since 1971 on which proceedings have been instituted against Royal Air Force personnel under sections *(a)* 49(b) 51 and (c) 52 of the Air Force Act 1955; and what were the outcome of the proceedings in each case.

Mr. Neubert: The table provides the details of Royal Air Force personnel who have been convicted by court martial under the sections mentioned.

Section	*Year*	*Number of cases*	*Rank*	*Sentence*
Section 49	1972	1	Flight Lieutenant	Dismissed the Service
Section 49	1974	1	Aircraftman	Dismissed the Service
Section 49	1983	2	Flight Lieutenant (tried together)	Both awarded Severe Reprimands
Section 51 and 52	1985	1 (charged under both sections)	Flight Lieutenant	£300 fine and Severe Reprimand

Records are not kept centrally of any cases where disciplinary action is commenced but not proceeded with.

Air Misses

Mr. Campbell-Savours: To ask the Secretary of State for Defence (1) what was the total number of air misses involving military aircraft in United Kingdom airspace in each year since 1979; and how many of these were assessed as having *(a)* definite risk of collision, *(b)* possible risk of collision and *(c)* no risk of collision;

(2) if the Civil Aviation Authority's new policy of publishing details of air misses in United Kingdom airspace applies to those involving military aircraft; and what consultations took place between his Department and the Civil Aviation Authority before the decision on the new information policy.

Mr. Neubert: In his statement on 3 March, columns *654-56* of the *Official Report* my right hon. Friend the Secretary of State for Transport set out the special reasons for making public the findings of the joint airmiss working group in relation to airmiss reports involving commercial air transport aircraft in United Kingdom airspace. This policy was introduced after discussions with the Ministry of Defence and applies to all such instances, including those where military aircraft are involved. In order to preserve the confidentiality of the airmiss investigation system, however, I will not publish any detailed information relating to other airmiss reports involving military aircraft. The relevant statistics on airmiss reports involving military aircraft in United Kingdom airspace are as follows:

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
Category[1] A	4	8	10	15	7	12	11	15	16	n.a.
Category[1] B	49	41	49	38	36	37	33	36	36	n.a.

	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988
Total risk bearing (A and B)	53	49	59	53	43	49	44	51	52	n.a.
Category[1] C	75	89	84	61	61	57	46	69	58	n.a.
Risk not assessable	2	2	2	4	1	1	2	0	1	n.a.
Total	130	140	145	118	105	107	92	120	111	133

[1]A. Definite risk.
B. Possible risk.
C. No risk.
Note: A breakdown of the 1988 total is not yet available.

Aircraft Accidents

Mr. Campbell-Savours: To ask the Secretary of State for Defence what access his Department has to the reports of aircraft accident inquiries relating to foreign military aircraft accidents in the United Kingdom.

Mr. Neubert: Arrangements exist whereby appropriate information on foreign aircraft accidents in the United Kingdom can be made available to the Ministry of Defence, particularly where there are flight safety implications for our services.

Mr. Campbell-Savours: To ask the Secretary of State for Defence if details of the circumstances and causes of accidents to foreign military aircraft occurring in the United Kingdom are recorded on the aircraft accident data computer in the Royal Air Force inspectorate of flight safety.

Mr. Neubert: No.

Education

Mr. Thorne: To ask the Secretary of State for Defence when he expects to be able to adopt a common syllabus for all British forces education service schools so that when parents move on military posting children should be able to continue their education with the least disruption.

Mr. Neubert: Currently, at the secondary level, service children's education authority schools largely follow the syllabi of the Southern examining group. Moreover, all service children's schools will introduce the national curriculum in accordance with the provisions of the Education Report Act 1988, and the timetable specified by the Secretary of State for Education and Science.

DROPS

Sir Ian Gilmour: To ask the Secretary of State for Defence what was the nature of the trials carried out on the medium mobility DROPS vehicles delivered in October 1988; and if he will make a statement on the results in respect of their duration and mileage in road-running and in cross-country applications, and as to the conclusions drawn therefrom.

Mr. Sainsbury: Two vehicles were delivered to Germany in October 1988 to take part in user trials, which lasted for two months. In the course of the trials, they took part in a major Army exercise, Iron Hammer, and overall convered distances in excess of 7,500 km each. The majority of the running was under realistic exercise conditions with about 10 per cent. cross-country, 10 per cent. off-road and the remainder on German roads and highways. The vehicles performed very satisfactorily, as expected, and confirmed their ability to meet the operational requirement for DROPS.

Sir Ian Gilmour: To ask the Secretary of State for Defence if he will make a statement on the military implications of the reduction in the performance objectives for the medium mobility DROPS.

Mr. Sainsbury: No; the Leyland-DAF medium mobility load carriers meet the operational requirement for DROPS.

Sir Ian Gilmour: To ask the Secretary of State for Defence what payments have been made to Leyland-DAF, additional to contract sums, to enable improvements to be made to DROPS vehicles.

Mr. Sainsbury: Individual payments to contractors are commercial-in-confidence, but as forecast in my reply to my right hon. Friend on 22 January 1988 column *903* the modification costs were not substantial and were within the approved programme limits.

Sir Ian Gilmour: To ask the Secretary of State for Defence what assurances have been given to Leyland-DAF with respect to the ordering of long lead-time items for DROPS vehicles.

Mr. Sainsbury: None.

Director of Projects

Sir Ian Gilmour: To ask the Secretary of State for Defence if he will make a statement on the posting of the director of projects.

Mr. Sainsbury: I presume that my right hon. Friend is referring to the director of projects formerly concerned with DROPS. His move was a routine career posting, the timing of which was related to the availability of a successor.

SDI

Mr. Cousins: To ask the Secretary of State for Defence if he will list the agencies, companies and institutions in Britain which have benefited from the strategic defence initiative research programmes under arrangements directly under the supervision of the Ministry of Defence, directly contracted to the United States of America, or subcontracted to the United States of America via third parties.

Mr. Sainsbury: The British agencies, companies and institutions which have been awarded contracts by the Ministry of Defence, which were initiated through United States-funded SDI contractual arrangements made on a Government to Government basis, are as follows:

1. Aerobee Defence Technology
2. Admiral Computing
3. Barr and Stroud
4. British Aerospace

5. BMARC
6. CAP Scientific
7. Cranfield Institute of Technology
8. Culham Laboratory
9. EASAMS
10. Ferranti
11. Fluid Gravity
12. GEC-Marconi
13. Hunting Engineering
14. Logica
15. NEI-IRD
16. Optical Coatings Ltd
17. Plessey
18. PA Defence Services
19. Philips Components
20. Racal
21. Rolls-Royce
22. Royal Ordnance
23. Rutherford Appleton Laboratory
24. Scicon
25. Shorts
26. Software Sciences
27. Thorn EMI
28. Theta Analysis

The detail associated with SDI research contracts placed on United Kingdom entities by United States Government agencies or companies is a matter for the parties concerned.

Contracts

Mr. Ashdown: To ask the Secretary of State for Defence if he will make it his practice to answer parliamentary questions asking for information on the details and value of individual contracts with outside firms.

Mr. Sainsbury: No. However, information regarding the overall level of MOD business with a particular contractor is made available.

Aldermaston and Burghfield (Programme Audit)

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 18 January, *Official Report*, column *199*, what was the nature of the information that was discussed at the eight meetings between his officials and the British Nuclear Fuels Ltd. team carrying out the programme audit at Aldermaston and Burghfield.

Mr. Sainsbury: MOD management information on the scope and overall objectives of the capital construction programme and the status at that time of the four major projects under review.

Royal Ordnance (Site Sales)

Mr. O'Neill: To ask the Secretary of State for Defence whether the outline planning applications submitted by Royal Ordnance in respect of its Waltham Abbey and Enfield, North sites had been determined before the sale of Royal Ordnance to British Aerospace.

Mr. Sainsbury: No. The applications were submitted in January 1987 and had not been determined when the sale took place in April 1987. The applications were rejected in June 1987. One is now the subject of an appeal.

Accountants and Cost Estimators

Mr. O'Neill: To ask the Secretary of State for Defence how many qualified accountants and technical cost estimators, whose principal tasks are to assist and advise in the pricing and post-costing of non-competitive contracts, are employed by his Department; and what is their average salary.

Mr. Sainsbury: The Procurement Executive employs 122 qualified accountants and 513 technical cost officers to assist in the pricing and post costing of non-competitive contracts. The main working grades within each group are on national salary scales with maxima of £18,245 and £14,558 respectively. The majority of these staff are located outside the London area; however those based in the inner London weighting area receive an additional £1,750.

Soldiers (Family Compensation)

Mr. Sillars: To ask the Secretary of State for Defence if he will make a statement of the size of the offers of compensation to families of the six soldiers killed in Lisburn; and what means are available to him to ensure that compensation goes beyond the concept of financial loss arising from death.

Mr. Ian Stewart: I have been asked to reply on behalf of my right hon. Friend the Secretary of State for Defence.

Under the criminal injuries legislation in Northern Ireland, a soldier's family will be compensated for any financial loss or expenses resulting from his death. Compensation is paid as a tax-free lump sum representing the value of past and capitalised future loss and is assessed broadly on the basis of common law practice. The general objective of the statutory scheme is to ensure that the victim or, if he has died, his dependants, do not suffer financial hardship. It is not and could not be designed to put an arbitrary assessment on the value of a life lost to bereaved members of the dead person's family. Such a loss is beyond price.

Nevertheless, in recognition of the immediate problems which may be faced upon bereavement by the closest members of the family, amending legislation (which came into force on 1 July 1988) provides for the payment of a bereavement award of £3,500 but, as in common law, it is payable only to the spouse of a victim or the parents of an unmarried minor. These same principles are followed by the Criminal Injuries Compensation Board in Great Britain, but exceptionally in Northern Ireland there is no upper limit on financial loss compensation where the death was caused by a terrorist act.

Offers of compensation have been made to the parents of the three single soldiers killed at Lisburn and to the widow of a fourth who was married. Compensation will be assessed in the two remaining cases when outstanding information on the widow's financial loss is received. In the case of the single soldiers, the offers were based on the financial contributions each made to his parents and the length of time the contributions might reasonably have been expected to continue; this is the common law practice. The offer made to the widow of the married soldier took account of the deceased's earnings and his promotion prospects, projected to the normal date of retirement. Any applicant who is dissatisfied with the amount of compensation determined has a statutory right of appeal to the courts.

In addition to statutory compensation, payments are made by the Government under the armed forces pensions scheme and the war pensions scheme. Under the former, financial support in the form of a pension and a tax-free lump sum is provided for widows and dependent children

and in the case of a single soldier whose death is attributable to service a tax-free lump sum is paid to his estate. The minimum lump sum paid to the estate of an unmarried soldier below the rank of corporal is £8,792 and the estates of single corporals and sergeants receive at least £11,336 and £12,498 respectively.

The widow of a soldier whose death is attributable to service is entitled, for a period of six months, to a short-term pension under the armed forces pensions scheme based on her husband's daily rate of pay, and thereafter to an attributable family pension for herself and any children. A tax-free lump sum is also payable. The annual pension for the widow of a soldier below the rank of corporal amounts to £3,312 plus £879 per child and for the widows of corporals and sergeants to £4,457 plus £1,134 per child and £4,980 plus £1,250 per child respectively. For the same ranks the minimum lump sum entitlements are £13,188, £17,004 and £18,747.

Under the latter the widow of a soldier with a rank up to and including sergeant would, if under 40 and without dependent children, be entitled to an average pension of £12·40 per week. Otherwise she would be entitled to an average weekly pension of £53·55 and £12 for each dependant child. Allowances for age (for widows over age 65), rent and the education of dependant children may also be paid.

SOCIAL SECURITY

Families (Benefits)

Ms. Richardson: To ask the Secretary of State for Social Security if he will publish figures showing the number of (i) family income supplement claimants in 1987 and (ii) family credit claimants at the latest date available broken down into one and two earner families.

Mr. Peter Lloyd: At April 1987, the latest date for which information is available, 209,000 families with one earner and 11,000 families with two earners were in receipt of family income supplement. Equivalent information for family credit is not available.

Social Fund

Mr. John Evans: To ask the Secretary of State for Social Security if he will publish in the *Official Report*, the text of his Department's circular reference RD LO 113.88 on the social fund.

Mr. Peter Lloyd: The document to which the hon. Member refers is, in fact, an internal management communication which is not normally intended to be in the public domain. Its purpose is to give information to local office managers.

The text of the document is as follows:

"You will be aware that the take up of Community Care Grants (CCGs) nationally has been lower than anticipated. Both statistical information and a significant level of feedback from regions and local offices indicate a variety of reasons for this but three in particular stand out. They are:

- a lack of co-operation from statutory and voluntary agencies;
- instances of rigid interpretation of the guidance which itself gives an impression of rigidity by its phraseology;
- insufficient publicity.

I am now writing to seek your co-operation and help in taking action to encourage take up of CCGs. Clearly the situation varies from office to office and it is for you to decide what action needs to be taken locally. The information and guidance in the following paragraphs is designed to assist you in that task.

Despite the widely publicised controversy which has surrounded the Social Fund it is evident that many statutory and voluntary agencies remain unclear as to the potential of the CCG scheme for helping their clients. It is also the case that attitudes towards the Social Fund within Social Services and Social Work Departments are changing or show signs of doing so.

With these points in mind your local liaison arrangements should be reviewed to see where existing contacts might be strengthened or expanded or links established with new groups or those who have rejected previous approaches. Liaison must be an ongoing exercise.

The scope for launching further initiatives aimed specifically at other organisations should also be explored. These could include the Home Help Service, Health Visitors, Age Concern, Housing Associations involved in resettlement work as well as other agencies which represent people in Community Care Priority Groups. Such initiatives might include talks by LINOs[1], SFOs[2] or local management. Alternatively, approaches might include letters outlining the Social Fund to the range of local organisations. Visiting officers should also be aware of the potential help available from the Social Fund.

Recent HEO[3]SF seminars have emphasised the need for flexibility in interpreting guidance rather than rigid adherence to it as a set of rules. Clearly a consistent approach to decision making is required but within the parameters of that consistency, flexibility in the interpretation should be applied to individual cases where this is justified on the particular circumstances. Work is currently under way to clarify the guidance in Part 6 of the SFM[4] and an amendment is likely to be published early in 1989 which will reflect the required approach.

The revision of Part 6 will also provide further guidance on the intention behind Direction 4(a)(ii) that a CCG may be awarded to *help* prevent people going into institutional care rather than simply an immediate threat of entering care. This is in line with the principal aim of the CCG scheme of helping applicants to enable them to live as independent a life as possible in the community. I would be grateful if you could ensure that SFOs and HEOs are made aware of this clarification to the guidance.

You will wish to know that HQ are currently examining the adequacy of present publicity arrangements and considering what additional measures might be taken to advertise the availability of CCGs and so encourage take-up."

[1] Local Information Officers.
[2] Social Fund Officers.
[3] Higher Executive Officer.
[4] Social Fund Manual.

Family Credit

Ms. Short: To ask the Secretary of State for Social Security how many claims for family credit have been made for each month since April 1988; how many claims have been paid during the same periods; and what has been the average income of claimants and the average housing costs showing rent separately, of claimants during this period.

Mr. Peter Lloyd: The number of family credit claims and awards is as follows:

	Claims received	*Awards made*
April	96,505	40,213
May	41,721	
June	52,293	36,145
July	46,100	37,912
August	46,376	40,249
September	47,759	24,158
October	56,373	44,944
November	57,850	46,234

	Claims received	Awards made
December	44,834	35,797
January	63,638	42,712

No information is available about the average income or housing costs of claimants.

Mr. Battle: To ask the Secretary of State for Social Security how many children there are in families claiming family credit; and what is the number of children in families entitled to family credit.

Mr. Peter Lloyd: In December 1988, the latest date for which information is available, there were approximately 520,000 children in families receiving family credit. An estimate of the number of children in families eligible for family credit cannot be made until information from the 1988 family expenditure survey is available.

Staff Dispersal

Mr. Doran: To ask the Secretary of State for Social Security (1) what is the number of employees to be taken on by the Department of Social Security in Glasgow, Wigan and Belfast as a result of the dispersal of jobs presently located in London which was announced on 16 January;

(2) how many of the posts created by the dispersal announced on 16 January he expects to be filled (i) by transfer of existing staff from local Department of Social Security offices in the areas involved, (ii) by transfer for existing staff from London, and (iii) by hiring of new staff;

(3) what is the planned reduction in staff numbers in the Department of Social Security local offices in those areas gaining new posts as a result of the dispersal announced on 16 January.

Mr. Peter Lloyd: As a direct result of the movement of work from 21 London offices announced on 16 January, we shall be creating around 450 jobs in Glasgow, 350 in Belfast and 260 in Wigan. Detailed recruitment plans will be a matter for the manager of each social security centre (SSC), but staff who wish to move from London or from local offices in the area of the SSC will have the opportunity to do so. We shall not be able to estimate the numbers involved until we have sought the views of staff affected. Current calculations show that, over the year 1989-90, there will be staff savings of about 310 for offices within daily travelling distance of the Glasgow SSC and about 280 for Wigan. Staff savings in the Northern Ireland Civil Service, are a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Pensions

Mr. David Marshall: To ask the Secretary of State for Social Security if he will list in the *Official Report*, for each constituency in Scotland, the number of males and females in receipt of the state retirement pension.

Mr. Peter Lloyd: Information is not collected about the number of retirement pension recipients in any particular locality. However, at 30 September 1988 there were 788,380 retirement pension recipients in Scotland as a whole, of whom 256,850 were men and 531,530 women. These figures exclude those receiving graduated pension only.

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will institute a system of age priority when reviewing claims or hearings for war pensions or disablement pensions whereby age will be a factor in determining the degree of priority accorded to new claims.

Mr. Peter Lloyd: We are grateful for the suggestion. However, war pension claimants are predominately elderly, and relating priority to age would lengthen the processing of most claims. Priority is already given to claimants identified as having a short life expectancy.

Agency Benefits Unit

Ms. Richardson: To ask the Secretary of State for Social Security what is the average time taken by the agency benefits unit to process forms AG1 submitted by practitioners; and whether he will take steps to speed up the process.

Mr. Peter Lloyd: In the period 12 December 1988 to 3 February 1989 forms AG1 were cleared on average within 6·6 working days of receipt. This average masks a wide variation in clearance times due to the need to seek further information in some cases, and a more representative measure is that, in the same period, 61·2 per cent. of forms were cleared within five working days and 80·8 per cent. within 10 workings days.

The number of staff in the agency benefits unit was increased in December 1988. We are also looking at the design of form AG1 in the light of experience, with a view to improving its effectiveness and reducing the need for follow-up inquiries.

Benefits (Leicestershire)

Mr. Latham: To ask the Secretary of State for Social Security why Miss A., a constituent of the hon. Member for Rutland and Melton, referred to in the letter from the Parliamentary Under-Secretary, the hon. Member for Fareham dated 11 November reference PO(35)2487/23, is required to apply for jobs regularly despite being unable to obtain employment because of her son's disabilities; and why she cannot be issued with a permanent order book.

Mr. Peter Lloyd: Social security legislation requires that an able-bodied adult should be available and looking for work as a condition of receiving benefit. However, for some people this rule would be inappropriate and so there are exceptions to it. One of these exemptions applies to a person who is looking after a person in receipt of attendance allowance, and Miss A comes into this category during the school holidays when she cares for her 19-year-old son. The payment of benefit by order book is not possible when Miss A is required to register for work, and becomes so only for the holiday periods when she cares for her son.

Mr. Latham: To ask the Secretary of State for Social Security why Miss A., reference PO(35) 2487/23, received no order book over the Christmas holidays, although she had previously notified the social security office in advance of the dates of her handicapped son's holiday.

Mr. Peter Lloyd: Over the Christmas period Miss A. continued to receive her full entitlement to benefit from the unemployment benefit office because she continued to register as available for work.

Mr. Latham: To ask the Secretary of State for Social Security whether, in making a decision over Miss A., reference PO(35)2487/23, he took account of the fact that the school holidays of her handicapped son are significantly different from those in Leicestershire.

Mr. Peter Lloyd: No. The relative lengths of school holidays are not relevant when considering the question of Miss A.'s entitlement to benefit, although they could affect the method of payment adopted by the local office.

Mobility Allowance

Mr. Alfred Morris: To ask the Secretary of State for Social Security if he will publish in the *Official Report* tables relating receipt of mobility allowance to the amount of extra expenditure on travel, classified according to severity of disability from the data in the survey by the Office of Population Censuses and Surveys on the financial circumstances of disabled adults living in private households; and if he will tabulate separately pensioners and non-pensioners.

Mr. Scott *[holding answer 23 January 1989]:* The information requested is as follows:

All recipients of mobility allowance: average extra expenditure on travel[1]

	Severity category[2]						
	1-2	*3-4*	*5-6*	*7-8*	*9-10*	*1-10*	*(Standard deviation)*
A. *Average weekly extra expenditure on travel*							
Pensioners (£)	[1]—	1·70	2·80	2·80	1·80	2·40	(3.80)
Non-pensioners (£)	2·30	3·40	3·60	3·70	2·30	3·20	(5·30)
All disabled adults (£)	2·60	2·90	3·40	3·40	2·20	3·00	(4·90)
B. *Proportion with extra expenditure on travel*							
Pensioners (per cent)	[1]—	43	53	52	37	46	
Non-pensioners (per cent.)	45	60	50	50	36	48	
All disabled adults (per cent.)	43	54	51	50	36	47	
C. *Base: Sample numbers of mobility allowance recipients*							
Pensioners	21	40	43	50	41	196	
Non-pensioners	53	87	111	121	101	473	
All disabled adults	74	127	154	172	142	669	

[1] Base too small to show statistics.

[2] Overall measure of severity constructed by OPCS to classify people with different numbers and types of disability (category 1 least severe, category 10 most severe).

Part A of the table shows extra expenditure averaged over all recipients of the relevant benefit, irrespective of whether they actually reported extra expenditure: sample numbers are too small to compute a reliable average confined to those who reported extra expenditure. Part B shows the proportion of those who reported extra expenditure.

Attendance Allowance

Mr. Alfred Morris: To ask the Secretary of State for Social Security if he will publish in the *Official Report* tables relating receipt of attendance allowance at each rate to the amount of extra expenditure on home services, classified according to severity of disability from the data in the survey by the Office of Population Censuses and Surveys on the financial circumstances of disabled adults living in private households; and if he will tabulate separately pensioners and non-pensioners.

Mr. Scott *[holding answer 23 January]:* The information requested is as follows:

All recipients of higher rate attendance allowance: average extra expenditure on home services[1]

	Severity category[2]						
	1-2	*3-4*	*5-6*	*7-8*	*9-10*	*1-10*	(Standard deviation)
A. Average weekly extra expenditure on home services							
Pensioners (£)	[3]—	[3]—	[3]—	1·70	1·70	1·60	(6·10)
Non-pensioners (£)	[3]—	[3]—	[3]—	[3]—	2·00	1·50	(7·10)
All disabled adults (£)	[3]—	[3]—	[3]—	1·40	1·80	1·60	(6·40)
B. Proportion with expenditure on home services							
Pensioners (per cent.)	[3]—	[3]—	[3]—	29	17	22	
Non-pensioners (per cent.)	[3]—	[3]—	[3]—	[3]—	9	12	
All disabled adults (per cent.)	[3]—	[3]—	[3]—	27	15	19	
C. Base: Sample numbers of higher rate AA recipients							
Pensioners	2	3	16	58	135	213	
Non-pensioners	1	3	10	25	64	105	
All disabled adults	3	5	26	83	199	317	

[1] *Source:* OPCS surveys of disability 1985-88.

[2] Overall measure of severity constructed by OPCS to classify people with different numbers and types of disability (category 1 least severe, category 10 most severe)

[3] Bases too small to show statistics.

Part A of the table shows extra expenditure averaged over all recipients of the relevant benefit, irrespective of whether they actually reported extra expenditure: sample numbers are too small to compute a reliable average confined to those who reported extra expenditure. Part B shows the proportion of those who reported extra expenditure.

All recipients of lower rate attendance allowance: Average extra expenditure on home services[1]

	Severity category[2]						
	1-2	*3-4*	*5-6*	*7-8*	*9-10*	*1-10*	
							(Standard deviation)
A. Average weekly extra expenditure on home services							
Pensioners (£)	[3]	[3]	9·00	2·10	5·80	4·50	(22·40)
Non-pensioners (£)	[3]	[3]	0·20	0·30	0·50	0·30	(1·70)
All disabled adults (£)	[3]	[3]	5·00	1·70	4·30	3·20	(18·60)
B. Proportion with extra expenditure on home services							
Pensioners (per cent.)	[3]	[3]	30	22	24	23	
Non-pensioners (per cent.)	[3]	[3]	8	5	7	7	
All disabled adults (per cent.)	[3]	[3]	20	18	19	18	
C. Base: Sample number of lower rate AA recipients							
Pensioners	4	16	43	120	139	322	
Non-pensioners	5	12	37	40	56	149	
All disabled adults	9	28	80	160	195	472	

[1] *Source:* OPCS surveys of disability 1985-88.
[2] Overall measure of severity constructed by OPCS to classify people with different numbers and types of disability (category 1 least severe, category 10 most severe).
[3] Bases too small to show statistics.

Part A of the table shows extra expenditure averaged over all recipients of the relevant benefit, irrespective of whether they actually reported extra expenditure: sample numbers are too small to compute a reliable average confined to those who reported extra expenditure. Part B shows the proportion of those who reported extra expenditure.

HEALTH

Health Hazards

69. **Mr. Teddy Taylor:** To ask the Secretary of State for Health if he will take steps to ensure that consumers are advised promptly and effectively when health hazards related to foodstuffs become known to his Department; and if he will make a statement.

Mr. Kenneth Clarke: Action on health hazards related to foodstuffs depends on the nature and seriousness of the hazard. We do ensure that consumers are warned of hazards as quickly as possible.

Waiting Lists

Mr. Cousins: To ask the Secretary of State for Health if he will state for the 10 district health authorities with the longest waiting lists in the latest available returns *(a)* the length of wait and *(b)* the type of procedure or surgery to which the wait applies.

Mr. Freeman: Waiting information about individual districts is published in "Hospital Waiting Lists—Regional and District Summaries", copies of which are available in the Library. The summaries provide a percentage breakdown by time waited and by surgical specialty. We do not collect waiting information centrally by type of operation.

The 10 district health authorities with the largest waiting lists at 31 March 1988 were:

Bloomsbury
Sheffield
Norwich
Leicestershire
North Staffordshire
Liverpool
Barking, Havering and Brentwood
Bristol and Weston
Newcastle
Shropshire

Halton General Hospital

Mr. Butler: To ask the Secretary of State for Health if he will make a statement about the future development of Halton general hospital.

Mr. Freeman: The Mersey regional health authority has established a sub-committee to look into the future development of Halton district general hospital. The sub-committee is due to report back to the RHA sometime in the spring.

Abortion

Mr. Alton: To ask the Secretary of State for Health when he now expects to publish the findings of the study commissioned by his Department in 1976 into post-abortion syndrome.

Mr. Freeman: I understand that the results of this study should be written up later this year and that the researchers then expect to submit it to a learned journal for publication.

Nursing Homes

Ms. Walley: To ask the Secretary of State for Health how many nursing home places are available in Staffordshire; and if he will give the location and number of beds and cost per place of each.

Mr. Freeman: The latest information held centrally is that on 31 December 1986 there were 659 beds in establishments in Staffordshire registered with health authorities as nursing homes. I understand that the

number is likely to have increased substantially since then. Information on location and cost per place is not held centrally. The hon. Member may wish to write to the chairman of the Staffordshire health authorities for further information.

Cervical Smears

Mr. Tony Lloyd: To ask the Secretary of State for Health if he has any information about the frequency of availability of cervical smears in other western European and north American countries and the mortality rates from cancer of the cervix.

Mr. Freeman: We have no detailed information on the frequency of availability of cervical smear testing in these countries. Mortality rates for western European and north American countries are given in the 1988 "World Health Statistics Annual", published by the World Health Organisation, a copy of which is in the Library. In England and Wales the death rate from cervical cancer fell by 14 per cent. between 1976 and 1986.

Mr. Tony Lloyd: To ask the Secretary of State for Health what advice he gives about the age at which cervical smears should be made available.

Mr. Freeman: Guidance to health authorities on cervical cancer screening is contained in health circular HC(88)1, which was issued in January 1988 and has been placed in the Library. We have asked health authorities to invite all women aged 20 to 64 for routine screening by March 1993, unless their GP has indicated that they should be excluded. Women aged 65 and over who have not had two consecutive negative smears in the last 10 years should also be screened. Smears should also be taken at any age if clinically necessary.

Mr. Tony Lloyd: To ask the Secretary of State for Health if he will give details of those district health authorities which make provision for cervical smears more frequently than on a three yearly basis.

Mr. Freeman: This information is not currently available centrally. Regional health authorities have been asked to provide it in their outturn reports for 1988-89.

Census

Mr. Fisher: To ask the Secretary of State for Health whether it is his intention to include questions on *(a)* ethnic origin and *(b)* disability in the 1991 census.

Mr. Freeman: The Government's proposals for the 1991 census in Great Britain were published in a White Paper (Cm. 430) on 19 July 1988.

A question on disability is not included in the proposals. The census will, however, include a question on long-term illness in which each person will be asked whether he or she has any long-term illness, health problem or handicap which limits his or her daily activities.

A question on ethnic group is to be included in the census test in April 1989 and the results studied by the Government before deciding whether to include such a question in the final plans for the 1991 census.

Aluminium (Baby Milk)

Mr. Dunnachie: To ask the Secretary of State for Health (1) if he has any plans to ban the sale of those baby milks which have been identified as containing high levels of aluminium;

(2) if he will issue guidelines on risks to babies from drinking milks which have been identified as containing high levels of aluminium.

Mr. Freeman: I refer the hon. Member to my replies to the right hon. Member for Stoke on Trent, South (Mr. Ashley) and the hon. Member for Glasgow, Provan (Mr. Wray) on 6 February at columns *491* and *501* respectively.

Listeria

Mr. Robin Cook: To ask the Secretary of State for Health whether his Department has received any data on whether the use of microwave ovens for reheating cook-chill meals will eliminate listeria.

Mr. Kenneth Clarke: The research projects listed by my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food in his reply to the hon. Member for South Shields (Dr. Clark) on 9 February 1989 at columns *780-81* include one on microwave ovens. The information obtained from these studies will be made available to my Department.

Mr. Robin Cook: To ask the Secretary of State for Health what is the safe threshold of listeria in food consumed by a pregnant women.

Mr. Kenneth Clarke: The 1988 World Health Organisation working group indicated that virtually nothing is known about the infectious dose of listeria monocytogenes in man, although it may be related to host susceptibility. Advice was given to pregnant women and other vulnerable groups last week about certain soft cheeses and other foods which may present a risk.

Mr. Robin Cook: To ask the Secretary of State for Health what is the relationship between the increase in listeriosis and the consumption of cheeses over the most recent convenient period.

Mr. Kenneth Clarke: Although it is most likely that listeriosis is a foodborne disease, the cause of most cases is as yet unknown. However, high numbers of listeria have been found in several varieties of soft cheeses, and a number of cases of listeriosis—both in this country and abroad—have been associated with eating heavily contaminated soft cheese. For this reason, the Government's chief medical officer has advised pregnant women and people recovering from serious illness to avoid eating soft cheese.

Mr. Robin Cook: To ask the Secretary of State for Health whether he has received any report from the public health laboratory service on the incidence of listeria in pre-cooked chickens.

Mr. Kenneth Clarke: At my Department's request, the public health laboratory service recently carried out a survey of the prevalence of listeria monocytogenes contamination in certain cooked chilled foods. This showed that 12 per cent. of the pre-cooked ready-to-eat poultry purchased from retail outlets contained listeria monocytogenes. Adequate reheating will destroy the organism.

This was the basis of the advice given to pregnant women and other vulnerable groups on Friday 10 February that they should thoroughly reheat such foods. The recent survey was fully taken into account when that advice was issued. The latest survey does not indicate a degree of risk which would justify dietary advice to healthy adults who would be very unlikely to suffer adverse effects from the levels of contamination detected.

I will be laying regulations under the Food Act to ensure better temperature controls in retail refrigerated units. We have been engaged in talks with the Ministry of Agriculture, manufacturers, retailers and caterers aimed at developing a code of practice and improving procedures in the handling of retail cooked poultry and chilled meals.

Mr. Kennedy: To ask the Secretary of State for Health how many cases have been identified in the past 10 years of meningitis caused as a result of consuming United Kingdom-produced listeria-infected cheese.

Mr. Kenneth Clarke: There has been one case of listeria meningitis in the past 10 years which was microbiologically associated with a United Kingdom-produced cheese. The cause of most cases of listeriosis remains unknown, although it is most likely that it is foodborne.

Mr. Churchill: To ask the Secretary of State for Health how many cases of listeria in the United Kingdom have been identified in the past 10 years as having been caused by cheese made from unpasteurised milk products produced *(a)* within the United Kingdom, *(b)* in France and *(c)* in any other country; and if he will publish the scientific evidence available to him on the risk presented by such cheese.

Mr. Kenneth Clark: Two reported cases of listeriosis have been directly attributed to the consumption of cheese made from unpasteurised milk, one produced in the United Kingdom and one in France.

There has been a variety of published evidence indicating the risk associated with both unpasteurised and pasteurised soft cheeses. In particular, the "Report of the WHO Informal Working Group on Foodborne Listeriosis", Geneva 15-19 February 1988 and "Occurrence in the UK of Listeria specis in Raw Chicken and Soft Cheeses" published in the *International Journal of Food Microbiology* 1988 Vol. 6. However, as he indicated in his public statement on 10 February 1989, the Government's chief medical officer has recently been taking further expert advice on the risks.

Lead Pollution

Mr. Michael: To ask the Secretary of State for Health (1) what evidence he has available of levels of lead pollution in the air in Cardiff over the last 10 years; what trends have been reflected in measurements taken during the period; what are the figures for other cities in the United Kingdom; and what steps is he taking to reduce lead pollution in the atmosphere in Cardiff and elsewhere in England and Wales;

(2) what information he has on the level of lead in the atmosphere which is considered acceptable in the urban environment and the level which is considered to be detrimental to the health of pedestrians and of the public at large.

Mr. Freeman: I refer the hon. Member to the replies given to him today by my hon. Friend the Parliamentary Under-Secretary for the Environment.

Cheese

Mr. Ron Davies: To ask the Secretary of State for Health what guidance and control he has given during the last 12 months to assist port health authorities in their inspection of cheese imports for listeria contamination.

Mr. Kenneth Clarke: In February 1988, port health authorities were asked to direct their monitoring of imported soft cheeses to those in which a problem had previously been identified.

Private Dental Treatment

Mr. Sean Hughes: To ask the Secretary of State for Health whether income tax relief for those over 60 years will apply to payments made to private dental capitation schemes for dental patients.

Mr. Norman Lamont: I have been asked to reply.

The precise treatments that will be covered and the conditions which will apply are under consideration.

Salmonella

Mr. Ron Davies: To ask the Secretary of State for Health (1) if he has any evidence of the incidence of *(a)* salmonella enteritidis and *(b)* any other strain of salmonella in (i) farmed salmon and (ii) other farmed fish;

(2) what is the procedure for monitoring the produce of salmon farms to ensure its safety for human consumption.

Mr. Kenneth Clarke *[holding answer 23 January 1989]:* We are not aware of any evidence which shows that salmonella enteritidis, or any other strain of salmonella, has been isolated from farmed salmon or other farmed fish.

SCOTLAND

Interest Rates

70. **Mr. Andrew Welsh:** To ask the Secretary of State for Scotland if he will make a statement on the effect of interest rate levels on Scottish farmers.

Mr. Michael Forsyth: My right hon. and learned Friend is well aware of the concerns of Scottish farmers about interest rates. We estimate that interest payments by Scottish farmers in 1988 were only slightly higher than in 1987. What happens in 1989 will depend upon the course of interest rates and the level of farmers' indebtedness.

The Government believe that, despite problems caused by short-term movements in interest rates, keeping inflation under control must remain our top priority since farming stands to benefit as much as other sectors of the economy from low inflation.

Egg Production

71. **Mr. Ron Brown:** To ask the Secretary of State for Scotland if he has received any recent representations from the National Farmers' Union of Scotland about egg production; and if he will make a statement.

Mr. Michael Forsyth: Officials of the Department of Agriculture and Fisheries for Scotland have met representatives of the National Farmers Union of Scotland to discuss what further action might be taken to tackle the problem of salmonella in eggs. The union generally welcomed the measures announced by my right hon. Friend the Minister of Agriculture, Fisheries and Food on 18 January at columns *214-15*.

Hunterston A Power Station

Mr. Flynn: To ask the Secretary of State for Scotland if he will make a statement on the breach of safety licence by the South of Scotland electricity board at its Hunterston A Magnox nuclear plants on 25 August 1988.

Mr. Lang: On 25 August 1988, the Health and Safety Executive's nuclear installations inspectorate was informed that fuel supply valves in the Hunterston A diesel generator system had been found in a closed position. No release of radioactivity had occurred and there was no immediate danger to the public or staff. However, in view of the alleged breach of a key operating rule requiring that sufficient diesel generating plant be kept ready for use in an emergency the South of Scotland electricity board was prosecuted and a fine of £1,500 was subsequently imposed by the Kilmarnock sheriff court on 6 February 1989.

The open way in which the South of Scotland electricity board reported the incident to the nuclear installations inspectorate and the thoroughness of the investigations carried out by both parties are indicative of the determination of both the Government and the South of Scotland electricity board to maintain stringent nuclear safety standards. I am confident that the operators and the nuclear installations inspectorate take very seriously their responsibility in this regard, and that they will continue to do so after privatisation of the electricity industry.

Extradition

Mr. Win Griffiths: To ask the Secretary of State for Scotland on how many occasions since 1979 his Department has made extradition applications for terrorist or other offences; and how often, by whom and for what reasons such requests have been rejected.

Lord James Douglas-Hamilton: Information in respect of requests made to foreign and Commonwealth Governments is not available centrally and cannot be obtained except at disproportionate cost. In relation to the Republic of Ireland, I refer the hon. Member to my reply to the hon. Member for Londonderry, East (Mr. Ross) on 8 December 1988.

Highlands (Adverse Weather)

Mr. Kennedy: To ask the Secretary of State for Scotland what further consultations are planned and by what methods, with the following involved in or affected by the recent adverse weather conditions in the Scottish Highlands *(a)* Highland regional council, Inverness district council, Ross and Cromarty district council, *(b)* riparian landowners and tenant farmers in the Conon valley and residents in Conon Bridge, *(c)* the North of Scotland Hydro Electric Board and *(d)* the British Waterways Board.

Lord James Douglas-Hamilton: My noble Friend the Minister of State visited areas affected by flooding on Wednesday 8 February, and met a number of local representatives at that time. Reports have been requested from the North of Scotland Hydro Electric Board, Highland regional council and Inverness district council and we are in touch with the British Waterways Board. We are preparing a report on the River Conon floodbank arrangements and will be discussing proposals with those affected. Further consultations will be undertaken with interested parties as and when appropriate.

River Conon (Flooding)

Mr. Kennedy: To ask the Secretary of State for Scotland if he will make it his policy to set up an inquiry into the recent flooding of the River Conon, Ross-shire, to include consideration of *(a)* the role of the hydro board with regard to water control, flow and release in and from nearby dams, *(b)* the question of suitability of previous embankment repairs on a limited basis, *(c)* the recommendations for comprehensive flood protection schemes as outlined in earlier consultants' reports; and if he will make a statement.

Lord James Douglas-Hamilton: The North of Scotland Hydro Electric Board has been asked for a report on its releases of water prior to and during the recent flooding. The Department of Agriculture and Fisheries for Scotland is preparing a report on the damage sustained by floodbanks. Until these reports have been studied it is too early to make any statement either on the suitability of the present arrangements or on a comprehesive flood protection scheme such as that outlined in the earlier consultants' report.

Mental Handicap Nurses

Mr. Wigley: To ask the Secretary of State for Scotland whether he will list, for each health board, the number of mental handicap nurses from each of the old grades who have been assimilated to each of the new grades.

Mr. Michael Forsyth: This information is not held centrally and could be gathered only at disproportionate cost.

Structural Funds

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* full details of the programmes which his Department intends to submit to the European Economic Community Commission in Brussels for support under objective 5b of the reformed Community structural funds.

Mr. Lang: It would be premature to speculate on programmes before the areas eligible for assistance under objective 5b are known.

House Buyers

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list the financial incentives available for first-time housebuyers since 1979, showing any changes in the amounts offered; and whether any further measures are planned.

Lord James Douglas-Hamilton: The Government introduced the right to buy for public sector tenants in 1980 as a major means of promoting owner-occupation.

Since then discount levels have been increased, and we have introduced a number of other improvements to the scheme to make it easier for tenants to purchase their homes. We have also introduced provisions to enable local authorities to offer grants to assist their tenants to obtain accommodation other than as a tenant of the local authority. Also, we have retained tax relief on mortgage interest which gives substantial help to most housebuyers in Scotland, and the limit on qualifying loans was increased from £25,000 to £30,000 in April 1983.

Under the Homeloan scheme, first-time buyers who are registered and have saved with an approved institution for at least two years can apply for a bonus on their savings of up to £110 and a loan of £600, interest free, for up to five years. The house price limits in the Homeloan scheme are kept under review. On 9 February the Government laid an order which proposes increases in the limits in all areas in Great Britain. However, the Homeloan scheme has been ineffective, and the Local Government and Housing Bill introduced on 1 February, includes powers for bringing the scheme to an end in Great Britain.

The operation of right to buy, and mortgage tax relief, are kept constantly under review.

Tourism

Mr. Speller: To ask the Secretary of State for Scotland how many and what value of section 4 grants have been made for each of the past five years in Scotland.

Mr. Lang: The level of grants and approvals under section 4 of the Development of Tourism Act 1969 is as follows:

Financial year	*Number of approvals*	*Value of assistance (£ million)*
1984-85	92	2·3
1985-86	158	3·8
1986-87	136	2·9
1987-88	125	5·2
1988-89[1]	75	4·5

[1] Estimate.

Newbattle Abbey College

Mr. Eadie: To ask the Secretary of State for Scotland, pursuant to his reply of 1 February, *Official Report*, column *306*, what response he has now made regarding the approach made to him concerning Newbattle Abbey college, Dalkeith.

Mr. Michael Forsyth: My right hon. and learned Friend hopes to be able to respond shortly.

NHS Video

Mr. Home Robertson: To ask the Secretary of State for Scotland what is the cost of the video recording concerning the Government's proposals for the National Health Service that is being shown to National Health Service staff in Scotland; whether any bodies or indviduals independent of the Government were given an opportunity to contribute to this public information exercise; how much staff time will be taken up in viewing this material; and if he will provide facilities for alternative comments on the future of the National Health Service to be projected to National Health Service employees.

Mr. Michael Forsyth: As regards costs, I refer the hon. Member to my reply of today to the hon. Member for Orkney and Shetland (Mr. Wallace). The video recording includes contributions from several people in the Health Service as well as members of the Government. I hope that all those who work in the Scottish Health Service will have the opportunity to see the 15-minute video presentation, which explains the Government's proposals set out in the White Paper "Working for Patients". Since these proposals will affect everyone concerned with the delivery of health care in future, it is in keeping with the best practice of responsible management to ensure that the proposal are clearly explained. That does not apply to the variety of comments that may arise from other sources.

Rates

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will publish a table showing *(a)* rates per household and *(b)* rates per adult for 1988-89 for each district and region in Scotland.

Mr. Lang: The information requested is set out in the table.

	Rates per household 1988-89 £	*Average rate bill per adult 1988-89* £
Borders	360	211
Central	478	249
Dumfries and Galloway	385	212
Fife	475	258
Grampian	394	215
Highland	363	209
Lothian	582	314
Strathclyde	533	279
Tayside	466	263
Berwickshire	355	214
Ettrick and Lauderdale	358	205
Roxburgh	356	209
Tweeddale	379	224
Clackmannan	450	237
Falkirk	427	226
Stirling	585	297
Annandale and Eskdale	382	210
Nithsdale	398	210
Stewartry	399	235
Wigtown	355	199
Dunfermline	465	244
Kirkcaldy	459	254
North East Fife	525	292
Aberdeen City	432	231
Banff and Buchan	346	192
Gordon	393	221
Kincardine and Deeside	398	224
Moray	337	182
Badenoch and Strathspey	381	243
Caithness	313	174
Inverness	428	230
Lochaber	359	213
Nairn	423	234
Ross and Cromarty	365	213
Skye and Lochalsh	253	165
Sutherland	248	164
East Lothian	595	317
Edinburgh City	603	333
Midlothian	557	275
West Lothian	514	271
Argyll and Bute	446	277
Bearsden and Milngavie	887	423
Clydebank	468	241
Clydesdale	507	257
Cumbernauld and Kilsyth	546	271
Cumnock and Doon Valley	431	221
Cunninghame	514	283

	Rates per household 1988-89 £	Average rate bill per adult 1988-89 £
Dumbarton	584	309
East Kilbride	570	280
Eastwood	791	399
Glasgow City	506	274
Hamilton	553	280
Inverclyde	515	263
Kilmarnock and Loudoun	485	259
Kyle and Carrick	579	303
Monklands	523	255
Motherwell	502	251
Renfrew	541	284
Strathkelvin	607	280
Angus	426	242
Dundee City	486	278
Perth and Kinross	465	255

Edinburgh Western General Hospital

Mr. Ron Brown: To ask the Secretary of State for Scotland if he will make a statement about Lothian health board's proposals to close the paediatric unit and the evening accident and emergency unit at Edinburgh Western general hospital.

Mr. Michael Forsyth: Lothian health board is considering the responses received to a consultative document issued on 25 November about changes to paediatric services in its area. The board proposes to open a purpose-built medical paediatric ward at the new district general hospital at Livingston and to provide the accident and emergency services and the medical paediatric in-patient services for the remainder of its area at the Royal hospital for sick children, Edinburgh. Outpatient medical paediatric services will continue at the Western general hospital, Edinburgh and the surgical paediatric workload there will increase following other recent changes to paediatric services in Edinburgh.

"Working for Patients"

Mr. Wallace: To ask the Secretary of State for Scotland how much his Department has spent on publicity in relation to the White Paper, "Working for Patients".

Mr. Michael Forsyth *[holding answer 14 February 1989]:* A total of £36,384·13. We spent £21,177·50 plus £3,176·63 VAT on the production and duplication of video cassettes, and £12,030 on copies of an explanatory leaflet, the better to explain the White Paper's proposals to the 150,000 people working in the Health Service in Scotland, and to a number of other interested groups.

AGRICULTURE, FISHERIES AND FOOD

Institution of Professional Civil Servants

11. **Mrs. Clwyd:** To ask the Minister of Agriculture, Fisheries and Food when he next plans to meet representatives of the Institution of Professional Civil Servants; and what matter he expects to discuss.

Mr. Donald Thompson: My right hon. Friend has no current plans to meet representatives of the Institution of Professional Civil Servants. However, my noble Friend the Parliamentary Secretary has recently attended the annual delegate conference of the AFRC branch of the IPCS at its invitation.

Forestry Commission

12. **Mr. Bellingham:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Forestry Commission; and what matters they discussed.

Mr. MacGregor: I last met the chairman of the Forestry Commission on 3 October 1988 when we discussed progress in the task of clearing and replanting woodlands damaged by the previous October's storm in south-east England.

Farmers (South Wiltshire)

13. **Mr. Key:** To ask the Minister of Agriculture, Fisheries and Food if he has any plans to meet farmers in south Wiltshire to discuss the outlook for farmers in 1989.

Mr. MacGregor: I have no specific plans to do so at present, though my colleague the Parliamentary Secretary, Baroness Trumpington, will be meeting the South Wiltshire branch of the NFU on 10 March to discuss various agricultural matters.

Sheepmeat

14. **Mr. Livsey:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the reform of the European sheepmeat regime.

Mr. MacGregor: There have been some preliminary discussions on the Commission proposals for reform of the sheepmeat regime, with some member states insisting that the revised voluntary restraint agreement with New Zealand should be concluded first. I do not anticipate rapid progress.

36. **Mr. Knapman:** To ask the Minister of Agriculture, Fisheries and Food, when he next meets the Council of Ministers, if he will discuss the sheepmeat variable premium scheme.

Mr. Donald Thompson: A proposal to phase out the sheep variable premium scheme forms part of the European Commission's proposals for a review of the sheep regime. It will be discussed on the next occasion that these proposals are placed before the Council of Ministers.

Food and Farming Year

15. **Mr. Tim Smith:** To ask the Minister of Agriculture, Fisheries and Food if he will take steps to ensure that the Food and Farming Year celebrations highlight the success of British agriculture.

Mr. MacGregor: The main purpose of Food and Farming Year is to make the success of British agriculture and the food industry more widely understood. A wide-ranging programme of events both national and regional has been put together by a Committee representing all parts of the industry. And with full support from the Ministry.

58. **Mr. Harris:** To ask the Minister of Agriculture, Fisheries and Food who will be funding events in celebration of British Food and Farming Year.

Mr. MacGregor: The funding of British Food and Farming Year has been undertaken by the industry itself. The viability of the national events such as the festival in May in Hyde park, the travelling exhibition and the teachers' resource pack has been assured by generous sponsorship from major companies. The many local activities are being similarly supported by local organisations and farmers. The Ministry of Agriculture, Fisheries and Food has provided funds for an educational pack illustrating certain current agricultural issues and is linking its own centenary exhibition with the Hyde park festival. The Crown Estate and the Countryside Commission have also given assistance.

Animal Welfare

16. **Mr. Harry Greenway:** To ask the Minister of Agriculture, Fisheries and Food what steps have been taken to improve the welfare of horses, ponies and other equines since 1979; what further measures he proposes to take and when; and if he will make a statement.

Mr. Donald Thompson: Horses and other equines have always been protected by the general legislation on animal welfare. Since 1979 they have benefited from the Protection of Animals (Amendment) Act and the Protection Against Cruel Tethering Act. My Department hopes this year to finalise a draft order and code of practice giving horses statutory protection in markets for the first time, and we are also preparing new measures on welfare at slaughter.

Agricultural Valuers

17. **Mr. Marland:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of agricultural valuers; and if he will make a statement.

Mr. Ryder: I met representatives of the Royal Institution of Chartered Surveyors on 9 November 1988. My right hon. Friend the Member of Suffolk Coastal (Mr. Gummer), then Minister of State, met the Central Association of Agricultural Valuers on 10 June 1988, when he spoke at their AGM. I have been hoping to meet the CAAV for some time and will do so as soon as a mutually convenient date can be found.

Food Policy

18. **Mr. David Marshall:** To ask the Minister of Agriculture, Fisheries and Food whether he plans to meet the National Consumer Council to discuss his Ministry's food policy.

Mr. Ryder: My right hon. Friend the Member for Norfolk, South (Mr. MacGregor) last met the chairman of the council on 8 November to discuss the council's report on consumers and the common agricultural policy. I also met the council on 7 December when we discussed a wide range of topics. I firmly believe that close liaison between my Department and consumer groups is essential and I, my ministerial colleagues and officials, have regular contact with the council on matters of mutual interest and concern.

Salmon

19. **Mr. Clay:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received concerning the present circumstances surrounding the north-east salmon fishery.

48. **Mr. Cummings:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received concerning the north-east salmon fishery.

63. **Mr. Leadbitter:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received regarding the prohibition of the use of T nets in the southern area of the Northumbrian water authority area.

Mr. Donald Thompson: We have received a number of representations about the salmon net fisheries off the north-east coast of England. A recent report to Ministers of a public inquiry into a proposed byelaw has been published and we shall be reviewing the fishery, and salmon net fisheries in eastern Scotland, presenting a report to Parliament, as required by the Salmon Act 1986.

Research and Development

20. **Mr. Strang:** To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to meet trades unions to discuss research and development.

Mr. Ryder: I have arranged for the trade union side in my Department to be kept fully informed of developments in the normal way. My noble Friend Baroness Trumpington attended the annual delegate conference of the AFRC branch of the IPCS on 9 February.

Flood Protection

21. **Mr. Cousins:** To ask the Minister of Agriculture, Fisheries and Food what is the Government's present estimate of costs in long-term flood protection.

Mr. Ryder: Following a comprehensive review of flood prevention requirements undertaken with the assistance of drainage authorities, the Government identified the need for an increased long-term programme of work, and have made additional funding available for both local and water authority schemes. Government funding for flood prevention work undertaken by these authorities and internal drainage boards will be £21 million, £24 million and £30 million for the next three years on capital programmes of £57 million, £66 million and £81 million respectively.

Nature Conservancy Council

22. Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Nature Conservancy Council; and what matters they discussed.

Mr. Ryder: I met the chairman of the Nature Conservancy Council on 7 November last year when we discussed a wide range of subjects.

Woodlands

23. **Mr. Lord:** To ask the Minister of Agriculture, Fisheries and Food what progress is being made in the planting and regeneration of lowland woodlands in England; and if he will make a statement.

41. **Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food what are the latest figures on the number of farmers applying to join the farm woodland scheme.

Mr. MacGregor: By 31 January 1989, some 650 farmers throughout the United Kingdom had applied to plant a total of about 4,600 hectares of woodland under the farm woodland scheme. This is an encouraging start. A substantial proportion of the proposed planting will be with broadleaves. Although final figures are not yet available, applications to the Ministry indicate that broadleaved planting may account for around 75 per cent. of the area planted across the country as a whole.

Most applications already submitted should be approved in time for planting to go ahead this season. Although it is unlikely that any further applications received from now on will obtain approval for planting this spring, I would encourage any interested farmers to start making plans and preparing applications for next year.

More generally, we are seeing the success of our broadleaves policy with broadleaved trees being increasingly used for the creation of new woods and the regeneration of older woodland. Most new planting in England will be in the lowlands in future.

Fisheries (Research and Development)

24. **Mr. Doran:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the future of fisheries research and development.

Mr. Donald Thompson: We consider that the Government should focus their resources on basic and strategic science and research of a public good nature and necessary to carry out its responsibilities. Against that background we have reviewed publicly funded fisheries research and development and are now discussing with industry organisations the extent to which they are ready to fund certain research at Torry research station which is primarily concerned with the development of new products and processes.

56. **Mr. Graham:** To ask the Minister of Agriculture, Fisheries and Food whether the new co-ordinator of fisheries research and development for Great Britain is to be based in London or Edinburgh.

Mr. Donald Thompson: Since 1972 this appointment has been made alternately for three-year periods by my Department and the Department of Agriculture and Fisheries for Scotland. My director of fisheries research, based in Lowestoft, became co-ordinator in January 1989.

Whaling

26. **Mr. Alexander:** To ask the Minister of Agriculture, Fisheries and Food when he was last in touch with the International Whaling Commission; and what issues were raised.

Mr. Donald Thompson: Reflecting our serious concern on whaling issues, I have recently authorised the United Kingdom commissioner to propose a resolution to the International Whaling Commission dealing with the current whaling operating being undertaken by Japan for scientific research studies. If adopted, the resolution will formally call upon Japan to cease her research plans until the major concerns identified by the International Whaling Commission scientific committee have been addressed and resolved.

Torry Research Establishment

27. **Mr. Robert Hughes:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on future funding of his Department's research establishment at Torry, Aberdeen.

Mr. Donald Thompson: Research needed in support of the Government policies for food safety and quality and related underpining work will continue to be publicly funded. Other research primarily concerned with the development of new products and processes is more appropriate for industry funding; and we are discussing with industry organisations the extent to which they will be ready to fund such work at Torry, in addition to the services which Torry research station already provides on a repayment basis.

Fishing Ports

28. **Mr. Flannery:** To ask the Minister of Agriculture, Fisheries and Food when he next expects to visit fishing ports in the north of England.

Mr. Donald Thompson: I have recently visited a number of fishing ports in the north of England and I will do so again.

Animal Diseases

29. **Mr. Home Robertson:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Department's policy for controlling animal diseases.

Mr. Donald Thompson: The Government's policy is to maintain this country's freedom, through stringent domestic and import control measures, from serious animal diseases such as foot and mouth disease. For other, less serious diseases, which do occur, the policy may be one of eradication, control or the provision of advice. In determining what action is appropriate an essential, consideration is the need to safeguard the public from those animal diseases which can be transmitted to man.

Bovine Spongiform Encephalopathy

30. **Dr. Bray:** To ask the Minister of Agriculture, Fisheries and Food what research is being undertaken into the cause, method of transmission and prevention of bovine spongiform encephalopathy.

Mr. Donald Thompson: Research studies revealed that the most likely cause of bovine spongiform encephalopathy was the feeding of ruminant-based material to cattle. This practice was banned from 18 July last year. Various other research projects are being undertaken, including a study to determine whether cattle-to-cattle transmission can take place. There is no evidence that the disease can be transmitted to humans.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food when he intends to make public the report of the Southwood committee on the human health implications of bovine spongiform encephalopathy; and if he will make a statement.

Mr. Donald Thompson: I and the Secretary of State for Health have just received the report of the Southwood working party. It is being considered urgently and will be published soon.

Deer (Tuberculosis)

31. **Mr. Martyn Jones:** To ask the Minister of Agriculture, Fisheries and Food what further measures he proposes to take to contain the spread of tuberculosis in farmed and wild deer.

Mr. Donald Thompson: I announced my proposals for the control of tuberculosis in farmed deer on 15 December 1988 *Official Report*, columns *674-75*. Urgent consideration is now being given to the comments made on the proposals by interested organisations. I have no plans to introduce measures for wild deer.

Mr. William Ross: To ask the Minister of Agriculture, Fisheries and Food in each of the last five years how many cases of tuberculosis have been confirmed in persons engaged in working with farmed deer in the United Kingdom; and whether any such cases have been confirmed as originating from deer.

Mr. Nicholls: I have been asked to reply. Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985, employers are required to report cases of tuberculosis among their employees if the employees in question work with persons or animals or with human or animal remains or with any other material which might be a source of infection. Since the regulations came into operation in April 1986 one case of tuberculosis in a person working with farmed deer has recently been reported, but this case has not been confirmed. I regret that comparable information for previous years is not available.

Poultry Feed

32. **Mr. Gregory:** To ask the Minister of Agriculture, Fisheries and Food if he intends to amend the ingredients regulations relating to poultry feedstuffs; and if he will make a statement.

Mr. Ryder: Officials of my Department are currently engaged on discussions in Brussels on a proposal which would require suppliers of feeding-stuffs, including mixed poultry feeds, to declare the ingredients or categories of ingredients which have been used. This would supplement the detailed information already required for such products.

In addition, further controls are to be introduced on the processing and importation of animal protein, and codes of practice are being drawn up which will cover the handling, storage and manufacture of poultry feeding-stuffs and their components.

National Farmers Union

33. **Mr. Boswell:** To ask the Minister of Agriculture, Fisheries and Food when he last met the president of the National Farmers Union; and what matters were discussed.

Mr. MacGregor: I refer my hon. Friend to the reply that I gave on 13 February to my hon. Friend the Member for Chelmsford (Mr. Burns) at column *88*.

Beef Support

34. **Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the livestock industry following the announcement of revised support arrangements for beef.

Mr. Donald Thompson: My right hon. Friend and I have had representations from various sectors of the industry. These have been concerned in particular with the rate of suckler cow premium and the method of operation of the new special premium for beef and we are currently considering these issues.

Sheep

35. **Mr. Alex Carlile:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the state of the sheep sector.

Mr. MacGregor: The sheep sector remains buoyant. Returns are good and exports are encouraging.

Country Landowners Association

37. **Mr. Paice:** To ask the Minister of Agriculture, Fisheries and Food when he last met the president of the Country Landowners Association; and what was discussed.

Mr. Ryder: I last met the president of the Country Landowners Association on 6 December 1988 when we discussed environmentally sensitive areas and national parks. My right hon. Friend the Minister of Agriculture, Fisheries and Food also met the president yesterday to discuss landlord-tenant matters.

Food Prices

38. **Mr. Hanley:** To ask the Minister of Agriculture, Fisheries and Food what were the rates of increase in food prices *(a)* in the 1970s and *(b)* in the 1980s; and if he will make a statement.

Mr. Ryder: The information is as follows:

(a) Rate of increase in food prices in the 1970s		*Rate of increase in food prices in the 1980s*	
Year	*per cent. per annum*	*Year*	*per cent. per annum*
1970	7·0	1980	12·1
1971	11·1	1981	8·4
1972	8·8	1982	7·9
1973	15·0	1983	3·2
1974	18·0	1984	5·6
1975	25·6	1985	3·1
1976	20·0	1986	3·3
1977	19·0	1987	3·1
1978	7·1	1988	3·5
1979	12·0	—	—

Source: Retail Price Index

Between May 1979 and December 1988, the average annual rate of increase in food prices was 5·6 per cent. These figures reflect the success of the Government's food policies and can be compared with the rate of increase in food prices of 16·7 per cent. per annum between October 1974 and May 1979, the period in office of the last Labour Administration.

European Ministers

39. **Mr. Stevens:** To ask the Minister of Agriculture, Fisheries and Food when he next hopes to meet his counterparts in the European Community; and what matters he hopes to discuss.

Mr. MacGregor: I will next meet my counterparts in the European Community at the Agriculture Council scheduled for 6 and 7 March when I expect the main agenda item to involve continued discussions on the Commission's price proposals for 1989-90 and related issues.

Food Additives

40. **Mr. Shersby:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking in accordance with the provisions of section 4(2) of the Food Act 1984 to restrict, as far as practical, the use of substances of no nutritional value in foods.

Mr. Ryder: Before making regulations on the composition of food under the Food Act 1984 Ministers seek the advice of independent expert advisory committees including where appropriate advice on need and safety. In making their recommendations the committees are required by Ministers to take account of section 4(2) of the Act.

Agriculture Act 1947

42. **Sir Michael McNair-Wilson:** To ask the Minister of Agriculture, Fisheries and Food if he has any plans to seek to amend the Agriculture Act 1947.

Mr. Ryder: I have no plans to do so at present.

EC Intervention Stores

43. **Mr. Tony Banks:** To ask the Minister of Agriculture, Fisheries and Food what is his latest estimate of the total cost of European Economic Community intervention stores in the United Kingdom.

Mr. Donald Thompson: The estimated total cost of intervention storage and related expenditure in 1988-89 is £50·466 million.

Meat and Livestock Commission

44. **Mr. McLoughlin:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Meat and Livestock Commission; and what they discussed.

Mr. Donald Thompson: My right hon. Friend and I maintain regular contacts with the chairman of the Meat and Livestock Commission to discuss matters of mutual interest.

Food Advisory Committee

45. **Mrs. Gillian Shephard:** To ask the Minister of Agriculture, Fisheries and Food when he last met the Food Advisory Committee; and what was discussed.

Mr. Ryder: I met the retiring chairman of the Food Advisory Committee and his successor on 7 December 1988.

Agendas of the committee's meetings are publicly available.

Intensive Farming

46. **Mr. Corbyn:** To ask the Minister of Agriculture, Fisheries and Food what studies he is undertaking into the effects on the food chain of intensive animal farming.

Mr. Donald Thompson: My Department undertakes and commissions a great deal of research into food safety, including animal diseases transmissible to man through the food chain. Research into animal diseases takes full account of animal husbandry methods. In addition the steering group on food surveillance ensures that the safety of food supplies are effectively monitored.

Salmonella

47. **Dr. Moonie:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the current level of salmonella enteritidis in poultry flocks.

Mr. Ryder: Since salmonella enteritidis does not cause overt clinical disease in adult poultry it is not possible to give precise figures of the extent of the infection without extensive testing, which in the absence of a simple, rapid and sensitive test for salmonella enteritidis, is not possible. However, the Zoonoses Order 1975 requires isolations of salmonella to be reported. As indicated by my hon. Friend the Member for Calder Valley (Mr. Thompson) in a written reply yesterday, provisional figures indicate that 370 isolations of salmonella enteritidis in 1988 were reported.

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food on what date he received the information on eggborne salmonellosis, contained in the joint report of the Minister of Agriculture, Fisheries and Food, Department of Health and BEIC working group; and if he will list the actions he has taken since then to advise the public about any risks and to promote the reduction of salmonella contamination in laying flocks.

Mr. MacGregor *[holding answer 14 February 1989]:* I received the report of the MAFF, DoH and BEIC working group on salmonella and eggs on 10 January this year. As I informed my hon. Friend the Member for Daventry (Mr. Boswell) on 6 February *Official Report* columns *570-72* I have placed a copy of that report in the Library of the House and I am distributing copies to members of the public who request it.

On 18 January I set out, in my reply to a question from the hon. Member for Suffolk, Central (Mr. Lord) *Official Report* columns *214-15*, the range of measures we had already been taking and were proposing to take to tackle the salmonella problem at each point along the chain from poultry feedingstuffs, through the breeding flocks and hatcheries to the commercial egg producers.

I subsequently announced on 10 February, in a written answer to my hon. Friend the Member for Hereford (Mr. Shepherd) *Official Report* column *831* that we should shortly be taking powers to provide where necessary for the compulsory slaughter of laying flocks in which salmonella has been confirmed. This announcement was a logical follow-up to the one made by my hon. Friend the Parliamentary Secretary on 27 January, in a written answer to a question from my hon. Friend the hon. Member for Daventry *Official Report* column *806* that notices are being issued under the Zoonoses Order 1975 to egg producers with flocks known to be or suspected of being infected with salmonella enteritidis or other similar types of salmonella, to prevent the producers concerned from selling eggs in a raw state for direct human consumption.

Other announcements were made by the Government before 10 January and further ones will be made as appropriate.

Nitrates

49. **Mr. Tredinnick:** To ask the Minister of Agriculture, Fisheries and Food what steps his Department have taken to investigate the use of nitrates in intensive farming; and if he will make a statement.

Mr. MacGregor: My Department supports a wide range of research into the efficient use of both organic and inorganic fertiliser, and ways of reducing nitrate leaching. This indicates that the process of nitrate leaching is complex and that the use of nitrogen fertilisers is one of a number of factors affecting it.

64. **Mr. George Howarth:** To ask the Minister of Agriculture, Fisheries and Food what is the Government's response to the recent European community directive on agriculture practices and nitrates in water.

Mr. Ryder: The European Community directive referred to is only a proposal at this stage and the Government are still examining it. Our general view on how the nitrate problem should be tackled was, however, explained in my right hon. Friend's written reply of 24 November.

Agricultural Fraud

50. **Mr. Sean Hughes:** To ask the Minister of Agriculture, Fisheries and Food what action he is taking to detect and take legal proceedings on instances of agricultural fraud.

Mr. MacGregor: I refer the hon. Member to the reply given to the hon. Member for Stretford (Mr. Lloyd) on 13 February 1989, at columns *87-88*.

Food Safety

51. **Mrs. Fyfe:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to improve standards of food safety.

Mr. Ryder: I shall maintain my Department's comprehensive food surveillance programme and ensure its future development in line with changing circumstances in the food production industry.

I shall remain ready to take action wherever the results of our surveillance work show this to be necessary.

"Agriculture in the United Kingdom 1988"

52. **Mr. John Greenway:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the farming industry, in the light of "Agriculture in the United Kingdom 1988", and if he will make a statement.

Mr. MacGregor: The Government appreciate that the necessary transition of the CAP to a greater market

orientation will cause difficult problems of adjustment for many farmers. However, without reforms the CAP risked collapsing under its own weight and this would not be in the interests of the industry. Public expenditure for agriculture remains high and indeed over the period from 1979 to 1988-89 there was an increase of 7½ per cent. in real terms. The Government introduced a range of policies aimed at helping farmers through this period of adjustment.

Milk Marketing Board

53. **Mr. Knox:** To ask the Minister of Agriculture, Fisheries and Food when he is next due to meet the chairman of the Milk Marketing Board to discuss the dairy sector.

Mr. Donald Thompson: My right hon. Friend the Minister and I have regular contacts with the chairman of the Milk Marketing Board to discuss various issues affecting the dairy industry.

Sea Fish Industry Authority

54. **Mr. Lewis:** To ask the Minister of Agriculture, Fisheries and Food when he last met the chairman of the Sea Fish Industry Authority; and what subjects were discussed.

Mr. Donald Thompson: On 26 January when we discussed the Sea Fish Industry Authority's request for an increase in levy. The possibility of industry funding for research and development work undertaken by Torry research station on behalf of the industry was also discussed.

Set-aside Scheme

55. **Mr. Latham:** To ask the Minister of Agriculture, Fisheries and Food whether he will make a statement on the progress of the set-aside scheme.

Mr. Ryder: I refer my hon. Friend to the answer given to my hon. Friend the Member for Rochford (Dr. Clark) on 13 February 1989 at column *88*.

Food Legislation

57. **Mr. Steinberg:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about his consultation procedure on updating the legislation on food.

Mr. Ryder: I and my right hon. Friends consult widely with all interested parties when proposing new or updated food legislation, in accordance with our obligations under the Food Act 1984.

Agriculture and Food Research Council

59. **Mr. Rogers:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning possible redundancies in the Agriculture and Food Research Council.

25. **Mr. Foulkes:** To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to meet representatives of those working for the Agriculture and Food Research Council to discuss the future of research and development.

Mr. Ryder: My Department has received a number of letters about the closure of particular facilities which have been drawn to the attention of the Secretary of State for Education and Science. On 9 February my noble Friend the Baroness Trumpington attended the annual delegate conference of the Agriculture and Food Research Council branch of the Institution of Professional Civil Servants where similar concerns were expressed to her.

Bees

60. **Mr. Nicholas Baker:** To ask the Minister of Agriculture, Fisheries and Food what action he is taking to deal with the outbreak of European foul brood disease amongst the bee population of Great Britain.

Mr. Donald Thompson: In connection with the upsurge of European foul brood in Dorset I am taking the action authorised by the Bee Diseases Control Order 1982. This makes European foul brood a notifiable disease and empowers me to have affected colonies destroyed or treated, depending on the extent of infection, and to impose standstill notices on diseased colonies and on neighbouring colonies where this is considered necessary.

Agriculture Extensification

61. **Mr. Gareth Wardell:** To ask the Minister of Agriculture, Fisheries and Food whether he will raise with the Council of Ministers the policy of agriculture extensification.

Mr. MacGregor: I refer the hon. Member to the answer that I gave yesterday to my hon. Friend the Member for Daventry (Mr. Boswell).

Strawberries

62. **Sir David Price:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to prevent the spread of colletotrichum and Acutatum commonly known as black spot in strawberry plants in the United Kingdom; and what discussions he has had with his European colleagues to prevent the further importation of the disease from the mainland of Europe.

Mr. Ryder: We have taken a number of measures, in consultation with the National Farmers Union and representatives of the strawberry nuclear stock growers, to prevent strawberry black spot spreading in the United Kingdom. Where outbreaks occur, these measures require the control of movement of plants, compulsory spraying regimes and destruction of infected plants at the end of the cropping programme, followed by various hygiene measures. In addition, samples of all known imports of strawberry plants will be subject to inspection and where necessary laboratory tests to establish freedom from infection.

Detailed discussions have taken place between my officials and the Netherlands plant protection authorities about preventing infected plants from the Netherlands being exported to the United Kingdom. The Netherlands authorities have undertaken to consider further action, and we are in close touch with them.

Potato Marketing Board

65. **Mr. Haynes:** To ask the Minister of Agriculture, Fisheries and Food if he will now make a statement on the future of the Potato Marketing Board.

Mr. MacGregor: I refer the hon. Member to the reply given to my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on 14 February at column *161*.

Poultry

66. **Mr. Geraint Howells:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the current state of the poultry industry.

Mr. Donald Thompson: The market for poultry meat is less buoyant than it was throughout 1988 although wholesale prices remain relatively stable. Egg sales still appear to be significantly below normal levels, but packer to producer prices have shown improvement after falling sharply in December last year.

Baby Milk

67. **Miss Lestor:** To ask the Minister of Agriculture, Fisheries and Food if he will name those brands of baby milk on which he has information that they contain high levels of aluminium; and if he will make a statement.

Mr. Ryder: The Department of Health's independent expert medical and scientific advisory committee on toxicity of chemicals in food, consumer products and the environment recently considered the results of analyses by my Department of the aluminium content of infant formulae. The committee advised that in the light of these results there was no need for action to reduce the aluminium intakes from these products.

It is not my practice to disclose information on the brands of goods monitored as part of food surveillance.

Mr. John Evans: To ask the Minister of Agriculture, Fisheries and Food what guidelines have been issued by his Department on the safety of baby milk; and if his Department has any plans to instruct manufacturers of certain brands to withdraw them from sale.

Mr. Freeman: I have been asked to reply.

I refer the hon. Member to my reply to the right hon. Member for Stoke on Trent, South (Mr. Ashley) on 6 February at column *491*.

Milk

68. **Mr. Martlew:** To ask the Minister of Agriculture, Fisheries and Food what percentage of liquid milk consumed in 1987 in England and Wales was not heat treated.

Mr. Donald Thompson: It is difficult to establish a precise figure, but in the light of information published by the Federation of United Kingdom Milk Marketing boards in the 1988 edition of "Dairy Facts and Figures" I estimate that 2 to 3 per cent. of milk sold for liquid consumption in England and Wales in 1987-88 was not heat treated.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* the number of milk bottling plants which currently produce green top milk, *(b)* what proportion of milk production this represents, and *(c)* what proportion of unpasteurised milk it represents.

Mr. Donald Thompson: Green top milk must be bottled on the farm. It follows that there are no milk bottling plants handling green top milk.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) if he will give the total level of milk production in 1988; and if he will give proportions accounted for by *(a)* green top bottled milk, *(b)* other bottled milk, *(c)* pasteurised milk for other than liquid consumption, and *(d)* unpasteurised milk for other than liquid consumption;

(2) if he will estimate the level of United Kingdom consumption of unpasteurised milk.

Mr. Donald Thompson: I refer the hon. Member to the reply I have given today to the hon. Member for Carlisle (Mr. Martlew). Further information is set out in the 1988 edition of "United Kingdom Dairy Facts and Figures". There is a copy in the Library of the House.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) how many inspections have been held of on-farm dairies producing for direct sale green top milk which have revealed listeria contamination during each of the last three years;

(2) what steps he has taken during the last two years to improve the hygiene of on-farm dairies;

(3) what steps he has taken during the last two years to improve the quality of unpasteurised milk sold direct to the public.

Mr. Donald Thompson: The production and processing of all milk is subject to strict controls under the Milk and Dairies Regulations. Producers who hold a licence to sell unpasteurised milk for liquid consumption under the special designation "untreated" are visited regularly by dairy husbandry advisers who check that the physical condition of the premises and the methods of production are in compliance with the regulations. In addition, samples of milk are taken for testing, but the milk is not tested for specific pathogens.

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what was the sale by county of *(a)* pasteurised and *(b)* unpasteurised milk in the latest available year.

Mr. Donald Thompson: The information requested is not readily available.

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what consultations he proposes to hold with consumer organisations before banning the sale of unpasteurised milk; and what representations he has received from them asking for such a ban.

Mr. Donald Thompson: The consultation exercise that my right hon. Friend announced on 3 February will range widely and will include consumer organisations. I have already received various representations arguing that a ban would be in the best interests of consumers.

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether he will publish the scientific and medical advice on the basis on which he proposes to ban the sale of unpasteurised milk.

Mr. Donald Thompson: I have been mainly influenced by information on outbreaks of food poisoning associated with consumption of untreated milk. Figures for the years 1982-88 were provided by my right hon. Friend the Secretary of State for Health in response to a question from the hon. Member for Carlisle (Mr. Martlew).

Pesticides

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what research his Department is funding concerning the toxicity of pesticides approved for slug control on *(a)* hedgehogs and other wild mammals, *(b)* birds and *(c)* amphibians.

Mr. MacGregor: Before pesticides are approved their effects must be researched by manufacturing companies and data submitted in support of the application. These are evaluated by independent experts before any approvals for use are granted by Ministers. Research conducted by my own Department at Boxworth is aimed at comparing the relative effects on wildlife of broadcasting and of drilling slug pellets. My Department also operates a scheme for investigating suspected wildlife poisonings and slug control products are occasionally implicated in these.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list those pesticides approved for use by his Department for slug control known to be toxic to *(a)* hedgehogs and other wild mammals, *(b)* birds and *(c)* amphibians.

Mr. MacGregor: All slug control pesticides have been assessed for environmental and wildlife hazards and the labels of approved products carry the relevant precautions to avoid harmful effects to birds and animals.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list those pesticides approved by his Department for the destruction of slugs.

Mr. MacGregor: Four active ingredients are approved for slug control: aluminium compounds; copper compounds; methaldehyde and methiocarb. Products containing these are listed in HMSO reference book "Pesticides 1988."

Cheese

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list the volume of imports of soft cheese made from unpasteurised milk by country of origin for each of the last two years.

Mr. Donald Thompson: The import statistics do not separately identify cheese made from unpasteurised milk.

Butter

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the replies to the hon. Member for Pembroke on 31 January, *Official Report*, column *184*, and 6 February 1989, *Official Report*, column *697*, what information is available to his Ministry from Eurostat as to the percentage of the United Kingdom packet butter market accounted for by the following countries *(a)* the United Kingdom, *(b)* Ireland, *(c)* France, *(d)* New Zealand, *(e)* Denmark, *(f)* the Netherlands and *(g)* Belgium and Luxembourg.

Mr. Donald Thompson: Eurostat does not contain information on the United Kingdom packet butter market.

Hedges

Mr. Andrew F. Bennett: To ask the Minister of Agriculture, Fisheries and Food if he will lay a report before Parliament on the state of hedges in England and Wales.

Mr. Ryder: No representative studies have been undertaken of the condition of hedges in England and Wales because of the difficulties caused by variations between hedgerow types in different locations and serving different purposes.

My Department is always ready to provide advice to farmers on hedgerow management, and grants are available for hedgerow planting and laying under the new farm and conservation grant scheme which subject to parliamentary approval will operate from next Monday.

Coastal Waters

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food if he will make a further statement on the environmental quality of British coastal waters.

Mr. Donald Thompson: All marine environmental quality standards, both EC and national, are met in British coastal waters. Levels of contaminants have generally been falling and are low. The quality of our seas is improving and I continue to seek further improvements wherever practicable.

Waste Dumping

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food what controls are applied to the dumping of waste in British waters.

Mr. Donald Thompson: I impose strict controls on dumping to ensure that no harm is caused to the marine environment. All wastes licensed have been subject to thorough scientific tests. Only very limited categories of waste are authorised. Where disposal on land is practicable sea disposal is not licensed.

Most of the material which I license for dumping at sea is dredged spoil from harbours and estuaries. We must keep our ports open. This is, of course, also the case in other European countries, some of whom dump much more both in volume terms and contamination terms than we do. All the spoil which I license for dumping meets the relevant international rules to avoid marine pollution.

Of 30 sea dumping licences for liquid industrial waste in 1987 some 20 have been reviewed in detail and either withdrawn or a firm intention to terminate given. The 10 remaining licences for liquid industrial waste are currently under review to investigate whether safe disposal on land is practicable.

Five licences for marine incineration have already been terminated and alternatives for the remaining eight are being carefully studied.

In the case of sewage sludge, this material is more than 95 per cent. water. Trace levels of contaminants in sewage sludge have been reduced by more than 60 per cent. since 1980. It was agreed at the North sea conference in 1987 not to increase contaminant levels and I am seeking to reduce them further. I am currently reviewing with the water authorities the availability of alternative methods of disposal for the sludge, including land disposal options.

Covent Garden Market

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food if he has decided what action he intends to take in respect of the possible privatisation of the Covent Garden market.

Mr. MacGregor: I am currently considering the options available on the future of the market, including the possibility of privatisation. As a first step, I have decided to commission an independent commercial feasibility study on the possibilities of privatisation, and will shortly be asking for tenders for this appointment from appropriate organisations.

EMPLOYMENT

London Jobcentres

Mr. Leighton: To ask the Secretary of State for Employment what is the median time notified vacancies remain at London jobcentres, broken down by classification.

Mr. Cope: The table shows the latest available information which is also in the Library. Analysis of median durations is shown in respect of *(a)* vacancies filled by jobcentres over the period 5 September to 2 December 1988 and *(b)* the stock vacancies remaining unfilled at jobcentres on 2 December 1988. Median durations are not estimated in respect of the total time that all vacancies, including notifications subsequently cancelled, remain in the jobcentre records.

Median duration in weeks of filled and unfilled vacancies at jobcentres in Greater London by occupation

Occupation	(a) Filled vacancies[1] 5 September to 2 December 1988	(b) Unfilled vacancies[2] 2 December 1988
Managerial and professional	2·4	4·8
Clerical	1·0	4·0
Cashiers	1·9	3·8
Secretaries and typists	2·1	4·1
Other non-manual	1·3	4·7
Textile processing crafts	1·7	3·0
Food processing crafts	2·8	3·7
Glass and ceramic crafts	1·9	4·8
Printing and bookbinding crafts	1·8	5·4
Textile and leather working	3·1	5·4
Woodworking crafts	1·5	4·1
Metal making and treating	1·0	3·5
Setters	2·3	4·0
Turners	3·1	4·7
Setter operators	2·9	4·9
Tool makers	2·0	7·0
Fitters and fitter machinists	2·8	4·5
Vehicle making	2·5	3·5
Instrument makers	2·8	6·8
Electrical and electronic	2·3	4·6
Plumbing crafts	2·3	3·1
Constructional metal crafts	2·1	5·0
Painting and coating crafts	0·3	3·8
Construction crafts	0·7	3·8
Mining crafts	[3]0·1	[3]18·6
Electricity power plant operators	[3]8·7	[3]4·0
Craftsmen and foremen N.E.S.	2·1	3·3
General labourers	0·2	4·0
Clerical sales and security	0·3	4·3
Catering and domestic	0·7	3·5
Road sweeping and personal service	1·3	3·3
Farming and fishing etc.	1·1	4·9
Processing making and repairing	1·5	4·2
Assembly packaging	0·5	4·2
Construction	0·2	4·3
Goods driving	1·4	3·0
Other transport operating	0·3	3·9
Storekeeping and materials moving	0·8	2·9
Miscellaneous	0·2	3·0
All occupations	0·8	3·9

[1] The time since notification exceeded by 50 per cent. of the vacancies filled by jobcentres.

[2] The time since notification exceeded by 50 per cent. of unfilled vacancies registered at jobcentres.

[3] Medians are likely to be affected by the small number vacancies in these cases.

Mr. Leighton: To ask the Secretary of State for Employment how many vacancies flowed through London jobcentres in the last 12 months.

Mr. Cope: The inflow of vacancies notified to jobcentres in Greater London, over the 12 months to December 1988 was 407,800, with a total outflow of 420,100 either filled or cancelled vacancies from the jobcentre records. These totals are based on the monthly seasonally adjusted series. They do not represent the total flow of vacancies in the economy.

Vacancies (London)

Mr. Leighton: To ask the Secretary of State for Employment what percentage of vacancies London employers notify to jobcentres.

Mr. Cope: A survey of employers in Greater London, carried out for the Employment Department by IFF Research Ltd. in June 1988, found that 45 per cent. of vacancies that had been filled during the preceding year had at some stage been notified to a jobcentre. At any one time, though, it is estimated that only 20 to 25 per cent. of available vacancies will have been notified to jobcentres.

Agriculture (Accidents)

Mr. Martlew: To ask the Secretary of State for Employment how many YTS trainees have suffered reportable accidents while working in the agricultural industry in each of the last five years, for which records are available.

Mr. Cope: A new computer system is currently being updated to provide more detailed analysis of YTS incident information. Accident information before 1988 by industry is not available.

Information for 1988 is as follows:

1988 Agricultural accidents[1]

	Fatal	Major injuries[2]	Minor injuries
Total number reported to the Training Agency	None	48	183
Number which would not have been reported to HSE	None	8	28

[1] Training Agency accident figures for YTS have been compiled on a similar basis to those prepared by the Health and Safety Executive for employed people. However, the agency's figures include a number

of accidents, in particular road traffic accidents during scheme time and accidents to trainees in educational establishments, which may not have been reportable to the executive had the individuals been employed.

[2] From 1 April 1986 major injuries have been classified according to severity criteria laid down in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 (RIDDOR).

Horse Racing

Mr. Martlew: To ask the Secretary of State for Employment how many YTS trainees have suffered reportable accidents while working in the equestrian and horse racing industry, in each of the last five years for which records are available.

Mr. Cope: A new computer system is currently being updated to provide more detailed analysis of YTS accident information. Accident information before 1988 by industry is not available.

Equestrian accidents: 1988[1]

	Fatal	*Major injuries*[2]	*Minor injuries*
Total number reported to the Training Agency	None	20	61
Number which would not have been reported to HSE	None	2	5

[1] Training Agency accident figures for YTS have been compiled on a similar basis to those prepared by the Health and Safety Executive for employed people. However, the agency's figures include a number of accidents, in particular road traffic accidents during scheme time and accidents to trainees in educational establishments, which may not have been reportable to the executive had the individuals been employed.

[2] From 1 April 1986 major injuries have been classified according to severity criteria laid down in the Reporting of Injuries, Diseases and Dangerous Occurrances Regulations 1985 (RIDDOR).

Child Employees (Accidents)

Mr. Archer: To ask the Secretary of State for Employment how many notifiable accidents there have been to children in the course of legal employment in each year since 1973, categorised by age of child and severity of accident.

Mr. Nicholls: The available information collected under current regulations is set out in the table. It relates to all young people aged 13 to 15 described as employees in injury reports.

Injuries to employees aged 13 to 15 reported under RIDDOR[1] *to all enforcing authorities*

	Fatal	*Major*	*Over 3 day*	*Total*
1986-87[2]				
aged 13	—	6	2	8
aged 14	1	7	2	10
aged 15	—	10	15	25
1987-88[2 3]				
aged 13	—	2	3	5
aged 14	—	12	1	13
aged 15	1	10	24	35

[1] Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985.

[2] Year commencing 1 April: analyses of data by age before 1981 are not available. Between 1981 and 1985 the apparent numbers of employed children being injured in the course of work were inflated by extensive mis-reporting and mis-coding of injuries to non-employed children and reliable figures are therefore not available. However, following a careful examination of the narrative reports of injuries to children at work from 1981 to 1984, a note was published in Health and Safety Statistics 1984-85, available in the House of Commons Library.

[3] Provisional.

Training and Enterprise Councils

Ms. Short: To ask the Secretary of State for Employment what information the new training and enteprise councills will have to make available in their three year business plans and proposed annual reports; and how much of this information will be publicly available.

Mr. Cope: Details of what information training and enterprise councils will need to provide in their three-year business plans and annual reports are under consideration. A council's report will however be a public document, and they will also have to publish a synopsis of their business plans.

Ms. Short: To ask the Secretary of State for Employment whether the new training and enterprise councils will make publicly available, scheme by scheme, statistics showing the ethnic backgrounds of the YTS and employment training trainees recruited by their local training managers-managing agents; and if he will make a statement.

Mr. Cope: The arrangements under which training and enterprise councils will operate are being developed and these matters are being given consideration. Councils will be required to continue and develop equality of opportunity on YTS and employment training.

Ms. Short: To ask the Secretary of State for Employment what information training and enterprise councils will make publicly available on the health and safety performance of the YTS and employment training schemes they are responsible for; and what information will be made publicly available in the case of accidents leading to serious injury or the death of a trainee.

Mr. Cope: The detailed arrangements under which training and enterprise councils will operate are being developed and these matters are being given consideration. Councils will be required to promote high standards of health and safety on YTS and employment training.

YTS

Ms. Short: To ask the Secretary of State for Employment what monitoring of YTS managing agents will be taking place in 1989-90; if all existing YTS-approved training organisations will be subjected to a full review of their training arrangements on all 10 criteria that make up approved training organisation status; and if he will make a statement.

Mr. Cope: The key features of the arrangements for 1989-90 are as follows:

(i) Agreement of development plans and performance targets for training outputs.
(ii) Review of achievements throughout the year.
(iii) Selective involvement in development work.
(iv) Annual review of performance.
(v) Negotiation of subsequent contract.

In addition, selective inspections are carried out by the training standards advisory service.

Compliance with the 10 ATO criteria will be fully reviewed and used in the annual review of performance. In

addition, a formal re-examination of approved status can be made at any time if evidence from the monitoring arrangements shows this to be necessary.

Working Population

Ms. Short: To ask the Secretary of State for Employment what are the current estimates and projections of the population of working age, men and women, by standard region including Greater London, for 1979, 1983, 1986, 1987, 1988 and 1989.

Mr. Lee: The figures requested are given in the table:

Estimates and projections of the population of working age

Thousand

	Men aged 16 to 64 years						*Women aged 16 to 59 years*					
		Estimates			*Projections*			*Estimates*			*Projections*	
	1979	*1983*	*1986*	*1987*	*1988*	*1989*	*1979*	*1983*	*1986*	*1987*	*1988*	*1989*
North	980	993	993	992	989	985	900	898	899	901	896	893
Yorkshire and Humberside	1,522	1,561	1,573	1,575	1,580	1,579	1,389	1,407	1,423	1,429	1,430	1,430
East Midlands	1,197	1,241	1,276	1,285	1,291	1,297	1,083	1,115	1,146	1,157	1,166	1,172
East Anglia	578	608	632	639	647	653	519	545	572	580	586	593
South East	5,317	5,476	5,587	5,610	5,663	5,682	4,907	4,995	5,118	5,148	5,176	5,193
Greater London[1]	2,183	2,185	2,203	2,203	2,214	2,213	2,040	2,026	2,052	2,056	2,062	2,063
South West	1,305	1,369	1,418	1,433	1,440	1,450	1,201	1,243	1,296	1,315	1,317	1,327
West Midlands	1,641	1,681	1,696	1,703	1,702	1,701	1,477	1,495	1,510	1,519	1,526	1,528
North West	1,991	2,025	2,037	2,039	2,039	2,034	1,839	1,836	1,848	1,855	1,853	1,850
Wales	863	879	890	896	892	891	790	798	806	813	810	810
Scotland	1,577	1,627	1,648	1,649	1,654	1,655	1,490	1,511	1,523	1,526	1,528	1,526

[1] Included in South East.

Source: Office of Population Censuses and Surveys and General Register Office for Scotland.

Employment Training

Ms. Short: To ask the Secretary of State for Employment, what safeguards he is taking to ensure the confidentiality of the personal information given to employment training training agents and managers; and if he will make a statement.

Mr. Nicholls: Personal information held on computer systems of training agents and training managers is already protected by the requirements of the Data Protection Act 1984.

Training Agency officials are considering whether any further safeguards for the protection of personal information are necessary.

Ms. Short: To ask the Secretary of State for Employment what personal information employment service staff and claimant advisers may obtain on an employment training trainee from the trainee's training manager or training agent; and if he will make a statement.

Mr. Patrick Nicholls: No information about the personal characteristics or personal circumstances of a trainee should be passed to the employment service by a training agent or training manager.

Mr. Henderson: To ask the Secretary of State for Employment how many people who are direct entrants on employment training and not transferred in have left employment training since it began; and how many have left employment training after being transferred in from a constituent part.

Mr. Nicholls: To the end of December 1988, the latest date for which information is available, 39,500 people had left employment training. It is estimated that of these about 20,000 had been direct recruits. The remainder had chosen to transfer from other programmes.

Trade Unions

Mr. Riddick: To ask the Secretary of State for Employment what estimates his Department has made as to the number of employees who belong to trade unions under *(a)* pre-entry closed shop arrangements and *(b)* post-entry closed shop arrangements.

Mr. Nicholls: On the basis of the 1984 workplace industrial relations survey, it was estimated that approximately 500,000 employees worked under pre-entry closed shop arrangements and around 3·1 million under post-entry closed shop arrangements. We expect to be able to update these estimates shortly in the light of our review of the closed shop.

Correspondence

Mr. Eadie: To ask the Secretary of State for Employment when the hon. Member for Midlothian can expect an answer to his letter dated 3 February, written on behalf of the Miners' Parliamentary Group, requesting a meeting with him.

Mr. Cope: My right hon. Friend the Secretary of State has asked me to meet the hon. Member and the meeting has been arranged.

Tourism

Mr. Speller: To ask the Secretary of State for Employment how many and what value of section 4 grants have been made for each of the past five years in the north Devon area.

Mr. Lee: I regret that this information could be obtained only at disproportionate cost.

Mr. Speller: To ask the Secretary of State for Employment how many and what value of section 4 grants have been made for each of the past five years in the Duchy of Cornwall.

Mr. Lee: Under section 4 of the Development of Tourism Act 1969, the English tourist board has offered assistance to projects in Cornwall, during the last five years, as follows:

Financial year	Number of projects	Total assistance offered £
1984-85	41	572,870
1985-86	43	433,009
1986-87	55	757,556
1987-88	36	568,948
[1]1988-89	22	618,625

[1] To January 1989.

Mr. Speller: To ask the Secretary of State for Employment how many section 4 grants have been made for each of the past five years in the West Country tourist board area; and what was their total value.

Mr. Lee: Offers of assistance made by the English tourist board under section 4 of the Development of Tourism Act 1969 to projects in the West Country tourist board area during the five years up to March 1988 were as follows:

Year	Number of projects	Total value of assistance offered £
1983-84	116	2,760,000
1984-85	125	1,934,000
1985-86	156	2,464,000
1986-87	201	3,519,000
1987-88	157	3,125,000

Mr. Speller: To ask the Secretary of State for Employment if he will lift his suspension of section 4 grants for the south-west of England to bring their regulations in line with those for Scotland and Wales; and if he will make a statement.

Mr. Lee: No. The particular scheme of assistance operated in England under section 4 of the Development of Tourism Act 1969 has been suspended pending consideration of this and a number of other issues arising out of the review of tourism policy.

Mr. Speller: To ask the Secretary of State for Employment how many section 4 grants have been paid out to firms in Devon during each of the past five years for which statistics are available.

Mr. Lee: Under section 4 of the Development of Tourism Act 1969, the English tourist board has offered assistance to projects in Devon, during the last five years, as follows:

Financial Year	Number of Projects
1984-85	43
1985-86	73
1986-87	83
1987-88	78
1988-89[1]	47

[1] (to January 1989)

Mr. Meacher: To ask the Secretary of State for Employment if he will list all projects financed by section 4 tourism grants in each region during each year since 1979 giving in each case the size of the grant and the percentage of the total expenditure on the project this represented.

Mr. Lee: This information can be obtained only at disproportionate cost.

Labour Statistics

Mr. Meacher: To ask the Secretary of State for Employment what information he has as to what was the labour force participation rate for *(a)* men and *(b)* women in the age groups (i) 16 to 19 years, (ii) 20 to 24 years, (iii) 25 to 54 years, (iv) 55 to 64 years and (v) 65 to 74 years, in 1970, 1975, 1980, 1985 and 1988, for the United Kingdom, France, West Germany, Italy, the United States of America, Japan and Sweden.

Mr. Lee: This information is not available for all the countries listed at the detailed level requested. The table below gives the available data common to all countries. More detailed information on European Community countries is included in the Eurostat publication "Labour Force Survey Results", copies of which are kept in the Library.

Total labour force as a percentage of population aged 15-64

	1970	1975	1980	1985	1986
United Kingdom					
Males	94·4	92·1	90·5	88·9	88·5
Females	50·7	55·1	58·3	60·6	61·6
France					
Males	86·9	84·3	81·7	76·7	76·3
Females	48·5	51·1	54·4	54·9	55·3
Germany					
Males	92·5	87·0	83·6	80·0	79·8
Females	48·1	49·6	50·0	50·3	51·1
Italy[1]					
Males	86·8	n/a	82·8	79·3	79·3
Females	33·5	n/a	39·6	41·0	42·3
United States					
Males	87·1	85·4	84·7	84·0	84·4
Females	48·9	53·2	59·7	63·8	64·9
Japan					
Males	89·4	89·7	89·0	87·8	87·6
Females	55·4	51·7	54·9	57·2	57·4
Sweden					
Males	88·8	89·2	87·8	84·2	84·1
Females	59·4	67·6	74·1	77·6	78·3

Source: "Labour Force Statistics 1966-1986" (OECD) except UK(DE).

[1] Population aged 14-64.

Single Parents

Mrs. Clwyd: To ask the Secretary of State for Employment how many single parents are on each Government training scheme; how many single parents on those schemes take up the child care allowance available; what is the total annual cost of the child care allowances scheme; and what is the estimated cost of providing child care allowance on training schemes for all married women who could potentially enter those schemes.

Mr. Nicholls *[holding answer 15 February 1989]:* Information on lone parents on Government training schemes is available only for employment training, which is the only such scheme under which child care allowances are available.

Over 2,000 lone parents have already joined employment training. Information on how many of them are claiming for child care payments will not be available until the end of April but, so far, advances of just over £1

million have been made to training managers in respect of their commitments to child care allowances. The cost of making child care allowances to all married women who could potentially enter Government training schemes is difficult to estimate but would undoubtedly be substantial.

ENVIRONMENT

Football Clubs

Mr. Cox: To ask the Secretary of State for the Environment how many football clubs in England and Wales the hon. Member for Lewisham, East (Mr. Moynihan) has visited since becoming Minister of Sport; and if he will list the clubs visited.

Mr. Moynihan: I have visited the following Football League clubs since my appointment as Minister for Sport:

Charlton Athletic	3 October 1987
	20 December 1987
	23 January 1988
	23 April 1988
	8 October 1988
	14 January 1989
	28 January 1989
Derby County	26 March 1988
Hartlepool United	27 February 1988
Luton Town	16 January 1988
Manchester United	1 January 1988
Millwall	19 November 1988
	29 January 1989
Oxford United	23 November 1988
Tottenham Hotspur	31 October 1987
West Ham United	8 January 1989
Reading	5 May 1988
Aston Villa	19 May 1988
Arsenal	9 August 1988
Liverpool	16 November 1988

Housing (Rural Areas)

Mr. Amos: To ask the Secretary of State for the Environment what steps he is taking to encourage the provision of low-cost housing in rural areas.

Mr. Ashton: To ask the Secretary of State for the Environment if he will provide additional finance for housing in small rural communities.

Mr. Trippier: I refer my hon. Friend and the hon. Member to the answer that I gave my hon. Friend the Member for Beverley (Mr. Cran) on 8 February at columns *726-27*.

Bed-and-Breakfast Accommodation

Mr. McCartney: To ask the Secretary of State for the Environment if he will give the latest figures for families in bed-and-breakfast accommodation in England and Wales.

Mr. Trippier: Latest estimates of households temporarily placed in bed-and-breakfast accommodation by English local authorities appear in table 4(a) of "Local authorities' action under the homelessness provisions of the 1985 Housing Act: England. Results for the third quarter of 1988. Supplementary Tables", which is available in the Library.

For Welsh figures, I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Housing Defects

Mr. Frank Cook: To ask the Secretary of State for the Environment whether he has any proposals to reform the Housing Defects Act 1984.

Mr. Trippier: We have recently consulted on possible changes intended to streamline the housing defects scheme of assistance for house owners; copies of the Department's consultation letter are in the Library. We are considering responses and will reach decisions as soon as we can.

Isle of Dogs Enterprise Zone

Ms. Gordon: To ask the Secretary of State for the Environment whether firms located in the Isle of Dogs enterprise zone at 26 April 1992, when the enterprise zone scheme ceases, will become liable for payment of unified business rates at the full amount.

Mrs. Virginia Bottomley: The consultation document on the arrangements for phasing in the effects of the uniform business rate and the 1990 revaluation issued by the Department yesterday, copies of which are in the Library, proposes that phasing of rate bills should not apply to properties in enterprise zones when those come to an end.

Ms. Gordon: To ask the Secretary of State for the Environment if he will provide a breakdown on a year by year basis of the total rate allowance claimed in the Isle of Dogs enterprise zone.

Mr. Trippier: The information is as follows:

	£
1982-83	1,093,665
1983-84	1,509,245
1984-85	2,290,567
1985-86	2,192,527
1986-87	3,192,998
1987-88	5,077,452
1988-89	11,697,261

London Docklands

Ms. Gordon: To ask the Secretary of State for the Environment (1) if he will give the new address of each firm that has been relocated from the London docklands urban development area with London Docklands development corporation assistance;

(2) if he will provide a breakdown by economic sector of those firms that have been relocated from the London docklands urban development area with London Docklands development corporation assistance;

(3) how many firms have been relocated from the London docklands urban development area with London Docklands development corporation assistance; and what was the total cost to the corporation of these relocations.

Mr. Trippier: I shall write to the hon. Member.

Ms. Gordon: To ask the Secretary of State for the Environment if he will provide an estimate of the number or proportion of the jobs attracted to the London docklands urban development area that have gone to residents of the London boroughs of Newham, Tower Hamlets and Southwark and the basis for any estimate given.

Mr. Trippier: Of the 20,317 jobs attracted to the LDDC area since 1981, some 4,955, approximately one in four, have gone to residents of Newham, Southwark or Tower Hamlets.

This estimate is based on surveys of employment in the LDDC area in 1985 and 1987 commissioned by LDDC, and relates only to "employing establishments". There are a further 5,668 jobs in "other employments", for example one man businesses and construction sites. An unknown proportion of these jobs will also be held by residents of the three boroughs.

Ms. Gordon: To ask the Secretary of State for the Environment, pursuant to his answer of 23 January, *Official Report*, column *457*, if he will provide a breakdown by economic sector of the 41 firms employing 10 or more people that closed between 1981 and 31 March 1988 in the London docklands urban development area.

Mr. Trippier: The information requested is as follows

SIC code		*Number of firms*
1	Energy and water	1
2	Extraction of minerals; Manufacture of metals	3
3	Metal goods/vehicles industry	3
4	Other manufacturing	8
5	Construction	4
6	Distribution, Hotels, Catering, Repairs	14
7	Transport and Communications	8
		41

Enterprise Zones

Ms. Gordon: To ask the Secretary of State for the Environment what sums have been paid to each local authority in the United Kingdom in lieu of rates forgone from enterprise zones for each of the years 1985-86, 1986-87, and 1987-88, respectively.

Mr. Trippier: Payments to local authorities in England in lieu of rate revenue forgone in enterprise zones for the years 1985-86, 1986-87 and 1987-88 are

Rate revenue foregone in enterprise zones in England

Local authority	*1985-86* £	*1986-87* £	*1987-88* £
Allerdale DC	194,144	395,657	223,208
Burnley BC	191,357	298,216	374,204
Corby DC	2,218,820	2,910,965	3,525,720
Dudley MBC	2,013,690	3,075,557	4,140,797
Gateshead MBC	2,638,897	5,033,264	8,245,316
Gillingham BC	328,307	442,456	537,537
Glanford BC	91,352	69,187	84,998
Gravesham BC	270,000	464,379	405,000
Hartlepool BC	416,477	484,173	882,353
Hyndburn BC	105,716	172,022	225,206
Liverpool City Council	1,853,441	1,514,011	2,279,287
Middlesbrough BC	436,244	599,627	830,644
Newcastle-upon-Tyne City Council	1,396,925	1,423,770	1,323,318
Newham LBC	140,523	160,579	16,398
Pendle BC	54,720	100,113	125,379
Rochester Upon Medway City Council	763,131	907,536	1,117,189
Rossendale BC	68,711	143,707	152,348
Rotherham MBC	616,295	900,000	1,322,538
Salford City Council	1,316,946	2,402,410	3,114,988
Scunthorpe BC	617,481	884,015	1,262,052
Tower Hamlets LBC	2,052,004	3,032,419	5,061,054
Trafford MBC	1,777,069	2,536,069	2,761,715
Wakefield MBC	871,066	1,144,653	1,210,739
Wellingborough BC	224,653	466,823	2,448,341
Wrekin DC	555,602	1,608,298	1,804,880

Note The table shows payments made in each financial year. Claims in respect of any one financial are not always made before the end of that year and may consequently be paid in a following year.

Grants (London)

Mr. Fraser: To ask the Secretary of State for the Environment what are the proposed allocations of city partnership and programme authority grants to London boroughs for 1989-90 and for 1988-89.

Mr. Trippier: I refer the hon. Member to the answers that I gave to my hon. Friend the Member for Sheffield, Hallam (Mr. Patnick) on 1 February at columns *215-17* and to the hon. Member for Burnley (Mr. Pike) on 3 February at columns *428-29*.

Accommodation Agencies

Mr. Heddle: To ask the Secretary of State for the Environment whether he has any plans to conduct a review of the conduct of accommodation agencies.

Mr. Trippier: I have no plans to do so.

Housing Statistics

Mr. Battle: To ask the Secretary of State for the Environment if he will list his initial housing investment programme allocations to local authorities in *(a)* inner London, *(b)* outer London, *(c)* the south-east outside London, *(d)* East Anglia, *(e)* the south-west, *(f)* the east midlands, *(g)* the west midlands, *(h)* Yorkshire and Humberside, *(i)* the north, *(j)* the north-west and *(k)* England as a whole for (1) 1989-90, (2) 1987-88, (3) 1985-86, (4) 1983-84, (5) 1981-82 and (6) 1979-80 at constant 1989-90 prices.

Mr. Trippier: A table giving the information requested has been laid in the Library. Since 1981-82 local authorities have been able to supplement their allocations by expenditure financed from capital receipts. Nationally, two thirds of local authorities spending power on housing in 1989-90 is expected to come from capital receipts.

Mr. Battle: To ask the Secretary of State for the Environment (1) what was the number of local authority dwellings let through the national mobility scheme and for London's other schemes *(a)* in total and *(b)* to homeless households between 1 April 1987 and 31 March 1988, in (i) Greater London, (ii) in metropolitan areas, (iii) in non-metropolitan areas in the south-east, (iv) in all non-metropolitan areas and (v) in England as a whole;

(2) what was *(a)* the total number of households and *(b)* the number of homeless households taking up nominations made between 1 April 1987 and 31 March 1988 by local authorities to secure housing association or new town tenancies in (i) Greater London, (ii) other metropolitan areas, (iii) in non-metropolitan areas in the south-east, (iv) in all non-metropolitan areas and (v) in England as a whole;

(3) what was *(a)* the total number of homeless households and *(b)* the number of homeless households in

priority need for whom local authorities accepted responsibility between 1 April 1987 and 31 March 1988, for securing accommodation in (i) Greater London, (ii) in other metropolitan areas, (iii) in non-metropolitan areas in the south-east, (iv) in all non-metropolitan areas and (v) in England as a whole;

(4) how many local authority dwellings were *(a)* vacant and available for letting on 1 April 1987 and *(b)* became available for letting between 1 April 1987 and 31 March 1988 (i) through new build, (ii) through acquisition, modernisation or conversion, (iii) through other means, including vacation by existing tenants in *(a)* Greater London, *(b)* in other metropolitan areas, *(c)* in non-metropolitan areas in the south-east, *(d)* in all non-metropolitan areas and *(e)* England as a whole;

(5) what is the number of local authority dwellings let to new tenants as secure tenancies *(a)* in total and *(b)* to homeless households between 1 April 1987 and 31 March 1988 in (i) Greater London, (ii) in metropolitan areas outside London, (iii) in non-metropolitan areas in the south-east, (iv) in all non-metropolitan areas and (v) in England as a whole.

Mr. Trippier: I refer the hon. Member to the answer that I gave him yesterday.

Chlorofluorocarbons

Mr. Stern: To ask the Secretary of State for the Environment how many nations are sending delegates or observers to the March conference on limitation of the use of chlorofluorocarbons.

Mrs. Virginia Bottomley: Invitations to the "Saving the Ozone Layer" London conference on 5 to 7 March have gone to over 150 countries active within the United Nations environment programme (UNEP). We already expect over 90 to be represented, some 75 at ministerial level. We are receiving further acceptances daily.

Rating Reform

Dr. Cunningham: To ask the Secretary of State for the Environment what instructions he proposes to give to *(a)* community charges registration officers, *(b)* charging authorities, and *(c)* valuation and community charge tribunals, concerning the provision of material in ethnic minority languages and translation facilities; and if he will make a statement.

Mr. Ridley: A practice note on the community charge canvass issued last November advised registration officers of the need to provide guidance in languages other than English in some areas. To assist those authorities with substantial ethnic minority populations the Department will make available translations of the model form and notes in Urdu, Bengali, Hindi, Gujarati and Punjabi. Camera-ready copy will be available to registration officer and charging authorities, free of charge, early next month.

Lead Pollution

Mr. Michael: To ask the Secretary of State for the Environment what information he has on the level of lead in the atmosphere which is considered acceptable in the urban environment and the level which is considered to be detrimental to the health of pedestrians and to the public at large.

Mrs. Virginia Bottomley: In order to help protect humans against the effect of lead in the environment, the EC directive on lead in air (82/884/EEC) sets a limit value of 2 microgrammes per cubic metre of air (2 mg/m^3), expressed as an annual average of measured levels.

Mr. Michael: To ask the Secretary of State for the Environment whether he will provide detailed information of the locations at which the lead content of air in Cardiff was measured during the past two years; what levels were recorded; and if he will give the dates on which measurements were made, and the methods used.

Mrs. Virginia Bottomley: Lead in air levels have been monitored since 1985 at a site in Waungron road, Cardiff. Monitoring has been continuous, using Warren Spring laboratory's M-type sampler, a method which complies with the requirements of the EC directive of lead in air (82/884/EEC).

The following results have been recorded:

Year	*Annual Average Lead Concentrations (mg/m^3)*
1985	1·28
1986	0·63
1987	0·67

Results for 1988 are not yet available.

Mr. Michael: To ask the Secretary of State for the Environment what evidence he has available of levels of lead pollution in the air in Cardiff over the last 10 years; what trends have been reflected in measurements taken during the period; and what steps he is taking to reduce lead pollution in the atmosphere in Cardiff and elsewhere in England and Wales.

Mrs. Virginia Bottomley: Lead in air levels in Cardiff have been continuously monitored since 1985. From 1 January 1986 measured levels have decreased by approximately 50 per cent. following the reduction in the permitted lead content of petrol to 0·15 g per litre. To bring about further reductions in lead in air levels, the Government are continuing vigorously to encourage the wider use of unleaded petrol.

Drinking Water

Dr. Cunningham: To ask the Secretary of State for the Environment, pursuant to his answer of 17 January to the hon. Member for Cornwall, North (Mr. Neale), *Official Report*, column *147*, on which date he wrote to the South West water authority informing it that an emergency derogation under article 10 of the EC drinking water directive (80/778/EEC) would not be appropriate.

Mr. Ridley: No letter was sent to the South West water authority to inform it that an article 10 derogation would not be appropriate. On 24 October 1988 my Department wrote to the authority agreeing to its withdrawal of its application for a derogation.

Landfill

Mr. Hoyle: To ask the Secretary of State for the Environment (1) if he will take steps to make funds available for remedial action at the landfill site at Moss lane, Rixton, Warrington, to make the site safe, in the light of the evidence of unauthorised dumping;

(2) if he will make a statement on the circumstances surrounding the dumping of waste designated for incineration at the landfill site at Moss lane, Rixton, Warrington, and as to the nature of the waste and the period over which it was dumped;

(3) if he will institute a public inquiry into the dumping of toxic waste at the landfill site at Moss land, Rixton, Warrington;

(4) what information he has as to *(a)* the source and *(b)* the nature of the waste designated for incineration which has been dumped at a landfill site at Moss lane, Rixton, Warrington;

(5) what assessment he has made of the threat to public health of the discovery of waste designated for incineration being dumped at a landfill site at Moss lane, Rixton, Warrington.

Mr. Butler: To ask the Secretary of State of the Environment what information he has as to clinical waste derived from AIDS patients which are disposed to landfill.

Mrs. Virginia Bottomley *[holding answer 9 February 1989]:* I have asked Her Majesty's inspectorate of pollution to carry out a full investigation into the circumstances surrounding the deposit of clinical waste at the landfill at Moss lane, Rixton, Cheshire, and particularly what enforcement action WDA is proposing to take. There are no plans to instigate a formal public inquiry.

Local Councils (Statistics)

Mr. French: To ask the Secretary of State for the Environment (1) if he will state in tabular form, for *(a)* Tower Hamlets, *(b)* Richmond upon Thames, *(c)* Sutton London borough, *(d)* Calderdale and *(e)* Stockport metropolitan district (i) which political party or groups of parties control the council, (ii) what has been the percentage change in spending by the council in each financial year since 1986-87, (iii) what has been the change in staffing levels in whole-time equivalents for each year since 1985 and (iv) what has been the change in the rate poundage, expressed as a percentage for each financial year since 1986-87;

(2) if he will give in tabular form for *(a)* Bedfordshire county council, *(b)* Cambridgeshire county council, *(c)* Cheshire county council, *(d)* Cumbria county council *(e)* Devon county council, *(f)* Gloucester county council, *(g)* Humberside county council, *(h)* Isle of Wight county council, *(i)* Lancashire county council, *(j)* Leicestershire county council, *(k)* Shropshire county council, *(l)* Somerset county council, *(m)* Warwickshire county council, and *(n)* Wiltshire county council (i) which political party of groups of parties has control of the council, (ii) what has been the percentage change in spending by the council in each financial year since 1986-87, (iii) what has been the change in staffing levels, in whole-time equivalents, for each year since 1985, (iv) what has been the change in the rate poundage expressed, as a percentage, for each financial year since 1986-87, (v) which councils are a nuclear-free Zone and (vi) which councils, acting as a local education authority employ staff to teach peace studies as part of the curriculum.

Mr. Gummer *[holding answer 13 February 1989]:* The information for the authorities listed is as follows:

Table A
Percentage change in net current expenditure and local rate poundage

	Percentage change in net current expenditure		*Percentage change in local rate poundage*	
	1986-87 to 1987-88	*1987-88 to 1988-89*[1]	*1986-87 to 1987-88*	*1987-88 to 1988-89*
Bedfordshire	9·1	9·4	21·1	6·1
Cambridgeshire	10·0	12·1	6·2	4·9
Cheshire	10·0	13·6	9·1	10·0
Cumbria	9·4	5·7	2·7	5·5
Devon	9·5	10·3	7·3	11·3
Gloucestershire	11·6	8·7	7·9	11·9
Humberside	8·7	9·0	10·7	20·3
Isle of Wight	9·4	7·7	10·0	9·7
Lancashire	10·7	9·1	7·3	18·5
Leicestershire	9·8	8·9	5·0	11·0
Shropshire	10·1	9·9	7·6	8·7
Somerset	11·7	11·5	7·8	11·7
Warwickshire	12·0	6·7	7·9	15·9
Wiltshire	9·4	12·1	9·9	7·8
Tower Hamlets	2·6	1·9	4·7	11·6
Richmond upon Thames	8·2	5·9	12·3	10·7
London Borough of Sutton	11·4	12·9	18·9	9·6
Calderdale	6·9	12·2	5·1	18·1
Stockport	10·3	8·4	8·6	8·8

[1] Using local authority 1988-89 budgets.

Table B
Changes in staffing levels[1] since 1985

Authority	*Total staff (full-time plus part-time)[2] at June 1985*	*Change at June, compared with a year earlier*		
		[3]*1986*	*1987*	*198*
Bedfordshire	18,441	+972	+852	+191
Cambridgeshire	19,182	+1,732	+1,082	+191
Cheshire	35,123	+1,069	+1,872	−646
Cumbria	19,044	+9	+286	+100
Devon	30,930	+728	+866	+138
Gloucestershire	16,913	+175	+709	+99
Humberside	34,790	+416	+1,929	−146
Isle of Wight	4,000	−51	+63	+131
Lancashire	51,345	+148	+406	+2,109
Leicestershire	32,649	+510	−146	+2,133
Shropshire	13,882	+328	+524	−123
Somerset	15,031	+477	+703	+704
Warwickshire	17,204	+65	+959	+283
Wiltshire	19,493	+142	+840	[4]—
Tower Hamlets	4,764	+1,726	+374	[4]—
Richmond-upon-Thames	5,320	+181	+146	+195
London borough of Sutton	5,459	−260	+449	−21

Authority	Total staff (full-time plus part-time)[2] at June 1985	Change at June, compared with a year earlier		
		[3]1986	1987	198
Calderdale	8,827	+453	+255	−4
Stockport	11,003	+260	+587	+802

[1] Figures are for general services (ie excluding law and order services).
[2] Full-time equivalent figures are not available at individual authority level.
[3] The abolition of the Greater London council and Metropolitan county councils in April 1986, and the consequent transfer of staff to the London boroughs and Metropolitan districts, will have affected individual authorities differently.
[4] Data not available.

Only three authorities of those listed—Richmond-upon-Thames, London borough of Sutton and the Isle of Wight—are currently controlled by a single party. In each case SLD has overall control.

Information is not held centrally on authorities which have declared themselves to be nuclear free zones, or which employ staff to teach peace studies as part of the curriculum.

Sea Water (Pollution)

Ms. Walley: To ask the Secretary of State for the Environment if he will give up-to-date figures on the volume of sewage pumped into British coastal waters each day and the percentage of sewage that is untreated.

Mr. Moynihan *[holding answer 14 February 1989]:* Approximately 2 million cu m of sewage are discharged into coastal waters in England and Wales each day. The discharge of sewage into the sea is regulated under the Control of Pollution Act 1974 and water authorities have to obtain consents which are legally enforceable from Her Majesty's inspectorate of pollution. In addition, all new long sea outfalls must be designed so as to ensure that the affected bathing waters meet the mandatory requirements of the EC bathing water directive.

Local Authorities (Funding)

Mr. Paice: To ask the Secretary of State for the Environment what was the total rate support grant to Cambridgeshire county council in each year from 1983-84 to 1989-90 in *(a)* cash terms and *(b)* 1989 prices together with the amount of grant withheld in those years when expenditure exceeded Government targets for the county council.

Mr. Gummer *[holding answer 14 February 1989]:* The table shows the latest figures for total rate support grant payable to Cambridgeshire county council for each year from 1983-84 to 1989-90 in both cash and 1989-90 prices.

In 1984-85 the grant of Cambridgeshire county council was abated by £4·152 million in cash terms (£5·311 million at 1989-90 prices) because its total expenditure exceeded Government targets.

Rate Support Grant payable to Cambridgeshire County Council under latest supplementary report and 1989-90 settlement report
£ million

	Cash prices	1989-90 prices
1983-84	76·567	102·897
1984-85	76·122	97·373
1985-86	72·378	87·842
1986-87	63·220	74·251
1987-88	66·786	74·507
1988-89	61·977	65·075
1989-90	54·807	54·807

Water Charges

Mrs. Margaret Ewing: To ask the Secretary of State for the Environment if he will list in the *Official Report (a)* the domestic water charges and *(b)* the industrial metered water charges per cubic metre to be levied by each English and Welsh Water Authority after 1 April 1989; and what charges were levied in the previous financial year.

Mr. Moynihan *[holding answer 15 February 1989]:* Information in the form requested by the hon. Member is not yet available.

Repairs

Mr. Soley: To ask the Secretary of State for the Environment what is his latest estimate of the number of tenants who have *(a)* applied for and *(b)* received payment for repairs carried out under the right to repairs scheme introduced under the Housing and Building Control Act 1984 in (i) 1986, (ii) 1987, and (iii)1988; what is the total cost of payments made under this scheme in each of these years; and what has been the cost to the Government and local authorities in introducing and administering this scheme.

Mr. Trippier *[holding answer 15 February 1989]:* The number of claims and their total cost in each of these years is shown in the table. The Department has incurred total costs of some £40,000 in informing tenants of the scheme and on training them; administrative costs for the scheme are not identified separately. Information on local authorities' costs other than on meeting claims is not collected by the Department.

England	Total number of claims received for payment	Total number of claims agreed[1] for payment	Total amount agreed[1] £
1986	46	42	4,400
1987	24	22	1,900
1988 (Q1) (provisional)	1	1	200

[1] Accepted by landlords as payable.

Rivers (Derbyshire)

Mr. Harry Barnes: To ask the Secretary of State for the Environment how many storm sewage overflows discharge into Derbyshire rivers; how many of these are subject to consent conditions other than volumetric conditions; and how many failed to achieve their consent conditions during the last 12 months for which figures are availble.

Mr. Moynihan *[holding answer 15 February 1989]:* Information on discharge consents is not held by the Department in a form which would allow the identification of discharges in any particular area. Details of consents

granted are, however, on the public registers maintained by water authorities—in the case of discharges in the Derbyshire area, by the Severn-Trent water authority.

Conditions normally imposed in consents for storm overflows are of volumetric nature relating to the point at which they commence operation. Non-compliance with any condition other than those does not therefore arise.

Caravan Sites

Mr. Paice: To ask the Secretary of State for the Environment how many (i) local authority and (ii) authorised private, individual sites under section 6 of the Caravan Sites Act 1968 exist in each of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Lincolnshire, Norfolk and Suffolk; and if he will also list those districts within these counties which have *(a)* applied and *(b)* been approved for designation under section 12 of the Act as amended by the Local Government, Planning and Land Act 1980.

Mr. Trippier *[holding answer 15 February 1989]:* My Department holds records of sites provided under section 6 of the Caravan Sites Act 1968 with grant aid from the Exchequer. Although this excludes private sites, information collected for the Department's latest six-monthly count reveals the number of caravans on such sites. The details are as follows:

County	*(a) Number of local authority sites at 1 January 1989*	*(b) Number of caravans on local authority sites as at 20 July 1988*	*(c) Number of caravans on private sites as at 20 July 1988*
Bedfordshire	7	125	11
Cambridgeshire	12	269	178
Essex	9	84	66
Hertfordshire	9	183	27
Lincolnshire	4	127	3
Norfolk	3	56	24
Suffolk	2	74	80

Applications for designation under section 12 of the 1968 Act, as amended, are as follows:

	(b) Applications pending	*(b) Applications granted*
Bedfordshire	—	All districts
Cambridgeshire	East Cambridgeshire	Huntingdon
		Peterborough
Essex	Epping Forest	—
Hertfordshire	—	Broxbourne
		Watford
		Dacorum[1]
		Welwyn-Hatfield[1]
Lincolnshire	—	Boston
		Lincoln CB
		West Lindsey
Norfolk	—	Great Yarmouth
Suffolk	—	Babergh
		Ipswich
		Mid Suffolk
		Suffolk Coastal

[1] Formal order making in progress.

Cambridgeshire County Council

Mr. Paice: To ask the Secretary of State for the Environment what were the annual changes in (i) total expenditure and (ii) net expenditure after block grant for Cambridgeshire county council for each year from 1983-84 to 1988-89.

Mr. Gummer *[holding answer 15 February 1989]:* The information requested is as follows:

£ million cash prices

Annual changes in	*Total expenditure*	*Total expenditure less block grant*
1983-84—1984-85	11·274	11·719
1984-85—1985-86	8·392	12·136
1985-86—1986-87	26·739	35·897
1986-87—1987-88	19·609	16·043
1987-88—1988-89	28·781	33·590

Structure Plan (North-East Hampshire)

Dr. Cunningham: To ask the Secretary of State for the Environment when he will announce his decisions in respect of alterations to the north-east Hampshire structure plan.

Mr. Ridley *[holding answer 15 February 1989]:* I am considering the report of the examination in public and will send my proposed modifications to Hampshire county council as soon as possible.

Water (Grants)

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what funds will be available to water plcs after privatisation to cover schemes presently eligible for European regional development fund grants.

Mr. Chope: It is not known what sums will be available for providing grant from the ERDF. Areas eligible for grant and the value of the proportion of the fund they will attract have not yet been finalised by the European Commission.

Applications for grant will also need to satisfy the criteria laid down in the EC regulations.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what sums each water authority has received as EC European regional development fund grants in each of the last four years.

Mr. Chope: The value of ERDF grants awarded to water authorities for infrastructure schemes in eligible areas in each of the last four years is as follows:

	1985	*1986*	*1987*	*1988*
Anglian	3·876	—	—	—
North West	5·351	40·582	22·995	3·305
Northumbrian	5·342	3·546	18·793	7·032
Severn Trent	3·352	6·027	6·886	0·804
South West	0·595	2·958	3·747	10·827
Yorkshire	12·865	0·905	3·751	4·873

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what sums South-West Water received in EC European regional development fund grants in 1987-88.

Mr. Chope: In the United Kingdom financial year 1987-88 ERDF grant to the value of £10·829 million was awarded to the South West water authority.

HOUSE OF COMMONS

Production Costs

Mr. Allen: To ask the Lord President of the Council what is *(a)* the annual cost and *(b)* the nominal average cost per Member of the yearly production of (i) the full Vote bundle, (ii) the *Official Report*, (iii) written parliamentary questions and (iv) oral parliamentary questions.

Mr. Wakeham: The annual cost of production for (i) the full Vote bundle and (ii) the House of Commons *Official Report* is currently estimated at £5 million and £7·2 million respectively. Written and oral parliamentary questions form part of the above and are not separately identifiable. The annual cost figures quoted are for all copies produced, not just those supplied to Members, and —in the case of the *Official Report*—cover daily and weekly debates, indexes, bound volumes and Standing Committee debates.

Based on 1988 volumes and current prices, the annual cost per Member of supplying one copy of (i) the Vote bundle and (ii) the daily *Official Report* would be £3,235 and £761 respectively.

Written Answers to Questions

Friday 17 February 1989

SOCIAL SECURITY

Taxes and Benefits

Mr. Squire: To ask the Secretary of State for Social Security if he will publish a table showing the number of *(a)* working heads and *(b)* dependants facing marginal tax and benefit withdrawal rates in excess of 50 per cent. in the manner of his answer on 25 March 1988, *Official Report*, column *244*.

Mr. Peter Lloyd: Precise details can be provided only in overall terms. On the basis of the earlier reply the figures for families with children are as follows. Before taking account of the effect of the March 1988 Budget, an estimated 510,000 workings heads with 1·4 million adult and child dependants had marginal deduction rates of over 50 per cent. Post-Budget, 480,000 working heads with 1·3 million dependants were in this category. The underlying assumptions are those used in "Impact of the reformed structure of income related benefits" October 1987, copies of which are in the Library. Similar figures for working heads without children are not available.

Benefit Fraud

Mr. Allen: To ask the Secretary of State for Social Security if he will break down the numbers of prosecutions for 1987-88 in his answer of 2 February, *Official Report*, column *192*, by type of offence, type of offenders and sex of offenders.

Mr. Peter Lloyd: I regret that the information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. RFD

Mr. Tony Lloyd: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Stretford concerning Mr. RFD, 3 February, *Official Report*, column *441*, if he will give details of the undertaking received by officers of his Department about the non-eviction of RFD; if he was aware that RFD was threatened with eviction prior to his Department being informed by the hon. Member for Stretford; and what advice was subsequently given.

Mr. Peter Lloyd: A verbal undertaking was given by the acting hotel manager that, pending the hotel owner's release from custody, no evictions would take place. The Department was aware that Mr. RFD feared eviction prior to the notification by the hon. Member; Mr. RFD was advised about the undertaking and his solicitors were informed about the inquiries which were in progress. If the hon. Member requires further information perhaps he would write to me.

Pensions

Mr. Roy Hughes: To ask the Secretary of State for Social Security (1) if he has any plans to restore the link with earnings when the annual adjustment to pensions takes place;

(2) if he has any plans to raise the basic level for the retirement pension to half of average earnings for a couple and a third of average earnings for a single pensioner.

Mr. Peter Lloyd: The Government are pledged to maintain the value of the state retirement pension as a result of our policies, pensioners' average total net incomes rose by 23 per cent. in real terms in the seven years from 1979. This compares with only 3 per cent. between 1974 and 1979, when pensions were uprated by the higher of prices or earnings increases.

Mr. Roy Hughes: To ask the Secretary of State for Social Security if he has any plans to replace the 25p pension increase in the weekly payment to *(a)* those aged 80 plus years and *(b)* those aged 75 plus years and over by a substantial increase.

Mr. Peter Lloyd: No. Pensioners over 80 on low incomes receive higher pensioner premiums under income support. From next October the higher pensioner premiums will be increased over and above the increase due from next April, and in addition there will be new premiums for pensioners aged 75 and over. The October increase will mean an extra £2·50 per week for single pensioners and £3·50 for couples. The 25p age addition is paid to pensioners from age 80.

Winter Heating Premium

Mr. Roy Hughes: To ask the Secretary of State for Social Security if he has any plans for a non means-tested winter heating premium for pensioners during the winter months.

Mr. Peter Lloyd: No. Such a premium would not be an effective way of using available resources. Income support provides benefit for less well-off pensioners. The rates are intended to cover basic living costs including heating. Extra help is targeted through the premiums which will be enhanced for older and disabled pensioners from October 1989. These provisions are reinforced by the social fund cold weather payments scheme which this winter was extended to include income support recipients aged 60-64 as well as those aged 65 and over.

Social Fund

Mr. Madden: To ask the Secretary of State for Social Security whether he will publish in the *Official Report* the social fund expenditure of each local office in the north-east region for loans and grants, respectively, and the same figures expressed as percentages of monthly profiles *(a)* for the latest month available and *(b)* for the total period covered by the social fund, on the same basis as the information given in the answer of 31 October 1988 to the hon. Member for Derby, South (Mrs. Beckett) *Official Report*, columns *497-500*.

Mr. Peter Lloyd *[holding answer 15 February 1989]:* The information available is given in the table.

Social Fund
Expenditure on grants and loans for December 1988

North eastern region social security offices	*Grants*		*Loans*	
	Expenditure	*As percentage of profile*	*Expenditure*	*As percentage of profile*
Ashington	1,406·89	18	21,995·84	123
Barnsley East	24,930·11	109	60,538·14	118
Barnsley West	1,380·64	10	24,674·50	82
Berwick upon Tweed	928·10	93	2,989·84	141
Bishop Auckland	10,731·03	74	44,157·47	137
Blyth	5,407·54	70	16,239·26	94
Bradford East	21,753·39	134	46,364·38	128
Bradford South	14,077·60	96	37,550·64	114
Bradford West	14,092·09	85	39,439·95	107
Bridlington	2,570·58	63	8,586·89	96
Castleford	5,212·30	75	11,882·76	77
Chester le Street	7,346·94	99	15,202·18	91
Darlington	5,032·22	30	37,720·67	99
Dewsbury	8,808·94	84	20,189·03	87
Doncaster East	5,230·42	42	25,965·99	92
Doncaster West	9,200·61	46	50,222·19	112
Durham	2,050·21	36	19,510·21	153
Eston	3,515·34	35	22,385·64	99
Gateshead	12,076·25	56	60,996·60	129
Goole	3,439·65	82	7,000·76	75
Grimsby	7,358·42	38	48,119·56	111
Halifax	22,923·39	136	51,175·43	137
Harrogate	1,132·38	20	8,608·82	69
Hartlepool	5,496·02	46	33,554·50	125
Hemsworth	2,568·85	46	9,163·66	73
Hexham	676·87	36	3,330·29	82
Houghton le Spring	2,109·00	36	14,683·75	112
Huddersfield	17,350·79	131	48,172·62	163
Hull East	22,622·51	92	78,813·79	144
Hull West	10,828·57	54	58,573·51	131
Jarrow	8,793·29	71	26,817·29	97
Keighley	7,768·45	109	13,690·43	88
Leeds East	24,255·27	112	62,191·52	129
Leeds North	29,981·24	113	58,178·31	98
Leeds North West	12,530·31	97	27,699·37	96
Leeds South	8,613·75	96	31,117·41	157
Leeds West	4,384·43	36	30,455·82	112
Middlesbrough	32,698·64	102	87,604·59	121
Newcastle St. James	11,366·52	63	51,778·01	128
Newcastle East	9,927·42	64	41,731·95	121
Newcastle West	10,841·65	72	45,157·34	134
Northallerton	766·68	26	6,429·58	96
North Shields	7,646·35	61	30,057·97	108
Peterlee	7,097·74	99	24,166·91	150
Pontefract	4,030·28	59	13,177·84	86
Redcar	11,682·30	110	33,919·81	142
Rotherham North	4,439·30	73	14,556·21	107
Rotherham South	20,737·96	106	66,332·81	151
Scarborough	2,519·65	43	14,511·32	113
Scunthorpe	4,546·03	34	34,265·32	113
Seaham	5,810·41	211	6,374·48	104
Sheffield North East	34,682·61	94	98,402·06	119
Sheffield North West	20,115·26	74	71,072·57	116
Sheffield South East	24,900·94	142	35,298·08	91
Sheffield South West	21,444·55	90	50,766·64	95
Skipton	1,618·00	135	2,871·72	112
South Shields	10,805·46	68	35,119·85	99
Stanley	8,317·15	75	32,429·63	130
Stockton	34,374·75	148	61,187·17	117
Sunderland North	13,058·05	42	82,332·23	118
Sunderland South	16,815·50	88	45,251·44	106
Wakefield	14,118·12	118	23,538·96	88
Wallsend	9,900·98	98	41,864·47	187
Wath on Dearne	5,054·07	41	25,454·13	91
York	5,518·40	52	21,907·40	92

Social Fund
Expenditure on grants and loans April to December 1988 inclusive

North Eastern Region Social Security Offices	Grants		Loans	
	Expenditure	As per cent. of Profile	Expenditure	As per cent. of Profile
Ashington	35,588·53	53	155,677·77	98
Barnsley East	93,066·00	48	410,850·52	90
Barnsley West	29,965·75	26	211,954·70	79
Berwick upon Tweed	5,413·27	64	16,126·85	86
Bishop Auckland	32,513·46	27	215,250·85	75
Blyth	34,879·33	53	141,577·61	92
Bradford East	119,101·34	87	294,357·90	91
Bradford South	51,120·28	41	242,869·54	83
Bradford West	78,106·56	56	299,570·99	91
Bridlington	30,920·95	90	63,642·44	80
Castleford	25,280·40	43	130,493·52	95
Chester le Street	33,626·12	54	134,257·24	91
Darlington	44,568·23	31	228,921·15	68
Dewsbury	58,259·26	66	186,096·78	90
Doncaster East	36,543·01	34	226,859·29	90
Doncaster West	85,697·09	51	334,633·77	84
Durham	15,670·59	32	107,937·57	95
Eston	25,363·58	30	184,195·66	91
Gateshead	78,888·75	44	419,662·48	100
Goole	45,623·23	128	62,619·63	75
Grimsby	43,149·80	26	342,642·43	89
Halifax	114,779·53	80	337,606·27	102
Harrogate	9,465·15	20	49,643·88	45
Hartlepool	25,019·19	25	217,002·25	91
Hemsworth	30,479·51	65	90,952·78	82
Hexham	4,216·21	27	26,199·60	73
Houghton le Spring	18,632·47	38	113,292·90	97
Huddersfield	64,403·76	57	215,479·83	82
Hull East	147,276·04	71	390,430·58	80
Hull West	123,828·67	73	327,306·78	82
Jarrow	44,761·75	43	193,667·33	79
Keighley	41,525·64	69	125,746·05	91
Leeds, East	120,104·24	66	395,590·91	92
Leeds, North	171,511·44	77	402,744·19	77
Leeds, North West	90,830·56	83	213,350·01	83
Leeds South	52,315·16	69	157,847·93	90
Leeds West	48,804·32	47	202,915·15	84
Middlesbrough	125,726·79	46	553,889·86	86
Newcastle St. James	72,970·59	48	325,669·94	91
Newcastle East	60,716·33	46	294,468·91	96
Newcastle West	60,787·48	48	282,168·13	94
Northallerton	10,103·74	40	44,028·54	74
North Shields	52,118·13	49	219,030·09	88
Peterlee	43,818·48	72	123,709·48	87
Pontefract	36,557·80	63	122,411·35	89
Redcar	73,867·19	82	193,692·25	91
Rotherham North	35,874·91	70	116,564·78	96
Rotherham South	129,407·89	78	358,792·21	92
Scarborough	14,435·77	29	95,934·66	84
Scunthorpe	43,831·89	38	242,375·26	90
Seaham	21,691·39	93	51,787·17	95
Sheffield North East	183,532·77	59	587,895·85	80
Sheffield North West	128,558·20	56	494,260·31	91
Sheffield South East	94,880·84	64	324,684·34	94
Sheffield South West	139,250·17	69	348,334·79	73
Skipton	5,698·79	56	17,057·77	75
South Shields	83,878·58	62	282,894·47	90
Stanley	45,101·33	48	209,429·39	94
Stockton	139,515·75	71	399,243·12	86
Sunderland North	77,670·51	30	518,806·98	84
Sunderland South	54,986·89	34	325,645·87	86
Wakefield	88,930·99	88	235,121·50	99
Wallsend	40,732·51	48	195,918·52	98
Wath on Dearne	27,756·40	26	219,723·40	88
York	64,502·76	72	193,222·40	92

Note:—The percentage figures quoted are based on the profile set in April 1988.

ENERGY

Nuclear Power

Mr. Flynn: To ask the Secretary of State for Energy if he will make it his policy to initiate a study on the Health and Safety Commission's report on the "Tolerability of Risk from Nuclear Power Stations".

Mr. Michael Spicer: Following publication of the Health and Safety Executive's document in February 1988, a number of individuals and organisations made comments on the report. These were published on 9 January.

West Stadrill Rig (Defects)

Mr. Meacher: To ask the Secretary of State for Energy if he will make a statement on the discovery of a defective gas detection system, defective fire alarm, and one fire pump out of action on the West Stadrill rig; what estimates he makes of the likelihood of such defects on other rigs; and what additional action is being taken by the inspectorate over and above the normal schedule of inspections, to uncover and prevent such defects in safety systems on rigs.

Mr. Peter Morrison: My safety directorate undertook an inspection of the mobile drilling rig West Stadrill on 31 January and 1 February 1989. The inspector found major safety deficiencies and ordered the immediate cessation of well-drilling activities.

Prime responsibility for safety rests with the owner and operator of an installation. However, my inspectors will continue to be vigilant in this vital area of safety and to rigorously enforce the strict safety regulations which apply offshore.

British Coal

Mr. Patchett: To ask the Secretary of State for Energy when he last met the chairman of British Coal; and what matters were discussed.

Mr. Michael Spicer: My right hon. Friend and I meet the chairman of British Coal regularly to discuss all aspects of the coal industry.

Gas Standing Charges

Mr. Roy Hughes: To ask the Secretary of State for Energy if he plans to have any discussions with the Director General of Gas Supply about relieving pensioners from standing charges for gas.

Mr. Peter Morrison: No.

Electricity Standing Charges

Mr. Roy Hughes: To ask the Secretary of State for Energy if he has any plans to relieve pensioners from standing charges for electricity.

Mr. Michael Spicer: No. Standing charges are the fairest means of recovering the industry's fixed costs in providing a supply of electricity. If pensioners were relieved of paying standing charges the unit rate of electricity for domestic consumers would need to rise by about 3·5 per cent. to recoup the lost revenue.

Nuclear Energy Futures

Mr. Flynn: To ask the Secretary of State for Energy if he will arrange a copy of the transcript of the BBC Radio 4 "Analysis" programme broadcast on 9 February on nuclear energy futures to be placed in his Departmental library.

Mr. Parkinson: No.

CEGB

Mr. Flynn: To ask the Secretary of State for Energy, pursuant to his reply to the hon. Member for Leyton (Mr. Cohen), 3 February, *Official Report*, column *424*, if he will set out the criteria he uses to decide between questions for which he has responsibility in regard to the Central Electricity Generating Board, and questions which are the responsibility of the chairman of the board.

Mr. Michael Spicer: Questions which relate specifically to matters within the management competence of the Central Electricity Generating Board are referred to the chairman of the board.

Petroleum Production

Mr. Amos: To ask the Secretary of State for Energy what are the Government's latest forecasts of levels of United Kingdom petroleum production.

Mr. Parkinson: The latest forecasts for United Kingdom petroleum production in the years 1989 to 1993 are as follows:

	million tonnes
1989	95-115
1990	100-120
1991	90-120
1992	85-115
1993	80-120

As in previous years, the forecasts are presented in the form of a range of outcomes for each year. These take into account the many uncertainties involved. The figures comprise stabilised crude oil, natural gas liguids (NGLs) and condensates. NGL and condensate production is expected to contribute between 6 and 12 million tonnes annually to the figures.

NATIONAL FINANCE

Credit Cards

Sir Anthony Grant: To ask the Chancellor of the Exchequer if he will take steps to ascertain the percentage of bank credit card holders who have repaid in full each month for each year since 1984.

Mr. Lilley: Details of repayments by credit card holders are primarily a matter for the institutions concerned.

Building Societies

Mr. Hind: To ask the Chancellor of the Exchequer whether he plans any further extension of the powers of building societies; and whether he will make a statement.

Mr. Lilley: The series of orders extending building societies' powers, made last June, were designed to set the

future framework for building societies within which they could make sensible plans about their development. However, I indicated then that it would be necessary from time to time to make minor changes by order to suit particular circumstances, within that broad policy framework.

I announced last June that the Building Societies Commission would consult societies and other interested bodies about one such order, namely one to permit societies to own, or to take an equity stake in, companies involved in the acquisition of mortgages from other lenders. Following those consultations, the order was made by the Commission yesterday and will be laid before Parliament shortly. Recently, the attention of the Treasury and Building Societies Commission has been drawn to the two minor respects in which the intention of the June 1988 measures is not being fulfilled as expected.

The first is that some societies have been frustrated in developing money transmission services by the fact that although they could offer such services to companies, they cannot offer them incidental overdraft facilities. I accordingly intend to table a draft order for approval by Parliament to be made under section 19 of the Building Societies Act 1986, to create a new type of class 3 asset. It would empower societies to offer temporary or occasional overdraft facilities, incidental to the provision of money transmission business. But it would not allow continuing unsecured lending to a company in the form of a permanent overdraft.

The second limitation is that a society can provide a wide range of financial services to companies, but they can neither provide companies with unsecured loans themselves, nor introduce the borrower to another lender. I adhere to the view that for at least the next stage of their development, societies should continue to be limited in making unsecured loans on their own balance sheet only to individuals. But I have agreed to a proposal from the Building Societies Commission that it should make an order which would enable societies to introduce, or otherwise arrange, unsecured loans and leases for companies as agents of another financial institution.

The Building Societies Commission is initiating consultations on two new draft orders, so that the draft money transmission order may be laid before Parliament shortly. Many societies have their annual general meetings during March and April, and they may wish to adopt the revised powers at this time.

EC (Economic and Finance Council)

Mr. Hind: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the latest meeting of the European Community's Economic and Finance Council.

Mr. Lilley: The ECOFIN Council met in Brussels on 13 February. I represented the United Kingdom.

The council heard proposals from the Commission for two new directives. The first would introduce a common minimum withholding tax on interest income. The second would amend directive 799/77 concerning co-operation between national tax administrations in the field of direct taxation and VAT. The proposed directives will be discussed by officials of the member states before being considered further at the April meeting of the ECOFIN Council.

National Income

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer what is the growth in *(a)* non-oil national income and *(b)* national income including oil per head since 1979.

Mr. Major: The only measure which is compiled including and excluding oil is the output-based measure of the gross domestic product (GDP). Expressed in per capita terms, this grew 14·8 per cent. between 1979 and 1987. Excluding the contribution of the extraction of mineral oil and natural gas, the growth over the same period was 12·3 per cent.

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what benefits would accrue to the United Kingdom from joining the exchange rate mechanism of the European monetary system; and if there are any comparable disadvantages.

Mr. Lilley *[holding answer 16 February 1989]:* I refer my hon. Friend to the answers I gave to my hon. Friend the Member for Holland with Boston (Sir R. Body) on 20 January 1989 at column *358* and the hon. Member for Berwick-upon-Tweed (Mr. Beith) on 1 February 1989 at column *226* and to my right hon. Friend's reply to a question from the hon. Member for Dunfermline, East (Mr. Brown) at column 1162 on 26 January 1989.

THE ARTS

Dance Companies

Mr. Butler: To ask the Minister for the Arts what was the subsidy per seat via the Arts Council and local authorities to the leading touring dance companies in the latest available year.

Mr. Luce: The information requested is as follows:

Dance company	*Subsidy[1] per seat* £
Royal Ballet	20·25
Sadlers Wells Royal Ballet	16·55
Rambert Dance Company	12·25
London Festival Ballet	11·00
London Contemporary Dance Trust	9·50
Northern Ballet Theatre	4·60

[1] 1987-88, including Arts Council and local authority subsidy.

CIVIL SERVICE

Discretionary Pay

Mr. Baldry: To ask the Minister for the Civil Service if he will make a statement about the discretionary pay scheme for grades 2 and 3 staff in the home Civil Service.

Mr. Luce: In the second round of awards made under the arrangements announced by my right hon. Friend, the Prime Minister on 23 April 1987, awards have been made to 11 grade 2s and 41 grade 3s. The total number of staff currently in receipt of awards following the first and second rounds of the scheme is 34 grade 2s and 108 grade 3s, respectively 25 per cent. and 22 per cent. of all those in each grade.

The full year cost of these awards is £322,000 or about 1·25 per cent. of the annual pay bill for the grades concerned.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Goodlad: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to his Union of Soviet Socialist Republics counterpart about the withdrawal of Soviet troops from the Wakhan corridor in Afghanistan; what response he has received; and if he will make a statement.

Mr. Eggar: We have repeatedly called upon the Soviet Union to withdraw all its forces from Afghanistan. A Soviet Government statement published in Pravda on 16 February announced that withdrawal had been completed. We have no reason to believe that there are now any Soviet troops in Afghanistan's Wakhan corridor.

PRIME MINISTER

Select Committees

Mr. Austin Mitchell: To ask the Prime Minister how many Select Committee recommendations the Government have accepted since the last general election and in which Departments.

The Prime Minister: This information is not held centrally.

London Docklands

Mr. Leighton: To ask the Prime Minister how many Government Departments have a locus in training in London Docklands.

The Prime Minister: The Department of Employment (which includes the Training Agency), the Department of the Environment, and the Department of Education and Science each have a locus in the provision of training in London Docklands.

Unpasteurised Milk Cheese

Mr. Salmond: To ask the Prime Minister if she will make a statement on co-ordination between the Scottish Office, the Department of Health and the Ministry of Agriculture, Fisheries and Food on action concerning unpasteurised milk cheese.

The Prime Minister: Regulations controlling the composition, advertising and labelling of all cheese offered for sale for human consumption in England and Wales are made jointly under the Food Act by the Minister of Agriculture, Fisheries and Food and the Secretary of State for Health. Regulations also exist in Scotland and Northern Ireland respectively.

Newspaper Proprietors (Entertainment)

Mr. Mullin: To ask the Prime Minister if she will give the cost of entertaining proprietors of United Kingdom-based newspapers over the last year; and if she will break the cost down by proprietor.

The Prime Minister: No. Information in the form requested is not available.

Pensioners Groups

Mr. Roy Hughes: To ask the Prime Minister if she has any plans for pensioners groups to be represented on policy making bodies including the areas of *(a)* broadcasting and television, *(b)* the health service, *(c)* social services, *(d)* housing authorities and *(e)* local government.

The Prime Minister: Ministers are in regular contact with pensioner groups and the major voluntary organisations representing pensioner interests. Pensioners' interests are therefore already taken into account in the Government's decision-making process.

SCOTLAND

Golf Courses

Mr. Salmond: To ask the Secretary of State for Scotland if he will make a statement on the role of (i) the Scottish tourist board, (ii) the Scottish Development Agency, (iii) the Locate in Scotland office and (iv) any other public body in attracting large-scale luxury golf courses and associated developments to Scotland.

Mr. Lang: Where such developments further the various objectives of bodies like the Scottish Development Agency and Locate in Scotland, then advice or assistance may be offered to the schemes' promoters.

In 1987, the Scottish tourist board commissioned a report from consultants on the marketing and provision of golfing facilities. The board assesses that golf has the potential to attract more visitors to Scotland but that major investment will be required if Scotland is to compete with rival destinations.

Mr. Salmond: To ask the Secretary of State for Scotland what advice is available from his Department to local authorities concerning the development of large-scale luxury golf courses and associated developments.

Mr. Lang: No specific advice has been given to local authorities on the planning issues arising from such developments. Local authorities are expected to have regard to our general advice on development in the countryside.

Mr. Salmond: To ask the Secretary of State for Scotland what information he has about the number of applications for the development of large-scale luxury golf courses and associated developments; and if he will make a statement.

Mr. Lang: I understand that a number of proposals to develop golf courses and associated hotel facilities in locations throughout Scotland have been announced recently. Information on the number of these developments for which planning permission has been or is being sought is not held centrally.

Mr. Salmond: To ask the Secretary of State for Scotland if his Department has any plans to carry out an impact assessment of the development of large-scale luxury golf courses and associated developments on the economies of the areas in which they are situated and on the Scottish economy as a whole.

Mr. Lang: No.

A consultant's report on golfing facilities commissioned by the Scottish tourist board (STB) in 1987 indicated that there could be a considerable and growing market for Scottish golf both at home and abroad. It is already an important asset to Scottish tourism. Information available to STB suggests that visiting golfers contribute at least £6·5 million to Scottish golf courses with golfers participating in organised tours adding a further £5 million.

Mr. Salmond: To ask the Secretary of State for Scotland what public funds have been spent by his Department and public bodies for which he is responsible, in attracting large-scale luxury golf courses and associated developments to Scotland.

Mr. Lang: The Scottish tourist board has made a number of small grants to golf clubs towards the improvement of courses and clubhouse facilities.

The Scottish Development Agency and the Cumbernauld development corporation are assisting the development of a hotel and leisure complex, which will be associated with golfing facilities, at Westerwood, Cumbernauld.

Tourist Developments

Mr. Salmond: To ask the Secretary of State for Scotland what studies have been carried out by *(a)* his Department and *(b)* the Scottish tourist board on the impact on the relative tourist industry in Scotland of large-scale luxury developments, and small-scale indigenous developments.

Mr. Lang: The Industry Department for Scotland has undertaken a study of the net impact of a sample of projects assisted by the Scottish tourist board. This work was undertaken as a contribution to an evaluation of the cost effectiveness of the National tourist boards' scheme of financial assistance to tourist projects.

The Scottish tourist board conducts feasibility, research and planning studies, details of which are contained in the board's annual reports, copies of which are available in the Library. The board also undertakes ongoing monitoring of projects which they assist.

NHS Video

Mr. Galbraith: To ask the Secretary of State for Scotland (1) on whose authority a register of attendance is being taken of hospital staff attending the video presentation of "Working for Patients";

(2) if he will give the purpose of maintaining a register of attendance of hospital staff at the video presentation of "Working for Patients".

Mr. Michael Forsyth: I hope that all who work in the Scottish Health Service will have the opportunity to see the video presentation, which explains the Government's proposals in "Working for Patients". Arrangements for providing such an opportunity are a matter for the health boards, as part of their day-to-day management function. My right hon. and learned Friend has issued no specific instructions on such local arrangements.

Winter Herding Act 1686

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland whether he intends to review the level of penalty applicable under the Winter Herding Act 1686 for trespass from its current level of half a merk per beast.

Lord James Douglas-Hamilton: The Winter Herding Act 1686 was repealed by the Animals (Scotland) Act 1987.

Law Society of Scotland

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland on how many occasions in each of the past 10 years recommendations contained in memoranda of observations of committees of the Law Society of Scotland have been adopted by the departments to which such recommendations were addressed; and if he will list the recommendations in each case.

Lord James Douglas-Hamilton: This information is not centrally collated.

DEFENCE

Aircraft Spares

Mr. Jim Cousins: To ask the Secretary of State for Defence how many aircraft, and of what type, have been used for spares in each year since 1980.

Mr. Neubert: The information is not readily available in the form required, and could not be provided without disproportionate cost.

AWRE Aldermaston

Sir Michael McNair-Wilson: To ask the Secretary of State for Defence what work is currently being carried out on the reactor equipment at atomic weapons research establishment, Aldermaston; and whether he will make a statement.

Mr. Sainsbury: AWE Aldermaston's HERALD research reactor was closed down in September last year after 30 years of operation. The reactor fuel elements have been removed and safely stored. The reactor building is now being put on a care and maintenance basis.

Nuclear Reactors

Mr. Flynn: To ask the Secretary of State for Defence (1) if his Department has made any study of the feasibility of using a linear proton accelerator to produce tritium on the closure of British Nuclear Fuels plc's Chapelcross plant;

(2) if, pursuant to his reply to the hon. Member for Workington (Mr. Campbell-Savours), 7 February, *Official Report*, column *786*, he will make a statement on the long-term effectiveness of British Nuclear Fuels plc's present nuclear reactors to provide military nuclear materials for the United Kingdom defence programme.

Mr. Sainsbury: The reactors at Chapelcross are expected to be effective for the production of any military nuclear materials which may be required, until the late 1990s. Any longer-term defence requirements and options for the replacement of reactors will be kept under review as appropriate.

Military Aircraft

Mr. Flynn: To ask the Secretary of State for Defence if, pursuant to his reply to the hon. Member for Woolwich (Mr. Cartwright), *Official Report*, 25 January, column *651*, about military aircraft destroyed or severely damaged in accidents during the last 10 years, he will set out the total costs for these losses in pounds sterling at present day values.

Mr. Neubert: It is not our practice to publish unit production costs of equipment. For information on the costs of major equipment projects I refer the hon. Member to table 3.2 of volume 2 of the statement of Defence Estimates 1988 (Cm. 344-11).

Nuclear Missiles

Mr. Flynn: To ask the Secretary of State for Defence what information he has on the number of nuclear missiles removed from the European theatre by the Soviet Union; and what is the source of this information.

Mr. Archie Hamilton: The Soviet Union has publicly announced that it will be withdrawing about 24 short range missile systems from the forward area as part of the unilateral withdrawals that they intend to make before 1991. This will be in addition to the complete removal of INF systems under the terms of the INF treaty.

Soviet Union (Nuclear Systems)

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his reply to the hon. Member for Wealden (Sir G. Johnson Smith), *Official Report*, 7 February, column *795*, if he will set out the source of his information that the Soviet Union has modernised all its shorter-range nuclear systems in the last few years.

Mr. Archie Hamilton: It is not our practice to discuss in detail the sources of our information on such matters.

Nuclear Non-proliferation Treaty

Mr. Flynn: To ask the Secretary of State for Defence if he has recently discussed the nuclear non-proliferation treaty with his counterparts in North Atlantic Treaty Organisation countries.

Mr. Archie Hamilton: No, but nuclear proliferation and the non-proliferation treaty are kept under continual scrutiny by Ministers and officials in the Foreign and Commonwealth Office and the Ministry of Defence.

NORTHERN IRELAND

Child Care Workers

Ms. Richardson: To ask the Secretary of State for Northern Ireland what proportion of his Department's appropriate grant aid budget has been allocated to the training of child care workers over the last five years to date.

Mr. Needham: The information requested is not available in the form requested, since the financial records of the Department of Health and Social Services do not distinguish between grants allocated for the training of child care workers and for other purposes.

Health and social services boards meet their own training costs out of their annual revenue allocations from the Department. In May 1988, I announced that an extra £50,000 a year was being made available to boards for at least three years to provide additional training in tackling child abuse. £25,000 has been allocated to date, and the annual sum will be increased to £100,000 in 1989-90. In addition, the Department is contributing to the cost of developing the University of Bath's computer software programme, CHIAC, to assist social workers handling child abuse cases. Development costs for the Northern Ireland programme will amount to £28,000 and £48,000 has been allocated to boards towards the acquisition of computers to enable them to make full use of CHIAC.

The Department funds directly the training of the staff of voluntary social services organisations and offers bursaries and studentships to individual social work students. The Department's expenditure on these items in 1987-88 was £673,700.

Social Security Payments

Mr. Hume: To ask the Secretary of State for Northern Ireland what information he has on the numbers of dependants of those claiming income support or supplementary benefit in each social security office in the past four years.

Mr. Needham *[holding asnwer 13 February 1989]:* The available information, which is based on a 5 per cent. sample, is as follows:

	1986	*1987*
Dependants of people on supplementary benefit	183,700	185,800

Criminal Injuries Compensation

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will publish a table showing the number of punishment cases involving paramilitaries in Northern Ireland for which criminal injuries compensation has been paid and the amounts in each of the years 1979, 1984 and 1987.

Mr. Stewart: The information that is readily available relates only to criminal injury claims for punishment shootings in the form of kneecapping and is as follows. The annual figure represents those cases settled within that calendar period and not those initiated during the year. I understand that five cases were initiated in 1987 of which four have recently been resolved and the other is currently under appeal.

Kneecapping cases

Year	*Cases awarded compensation*	*Compensation paid*
		£
1979	7	16,200
1984	3	85,500

WALES

Water Supplies (EEC Standards)

Mr. Michael: To ask the Secretary of State for Wales if he will list all those water supplies in Wales which

currently fail to meet the standards set out in the EEC directives on the quality of drinking water and whether or not these are subject to derogations; how and when it is proposed for each of those water supplies to meet the standards laid down; and what is the estimated cost of complying with the standards in each case.

Mr. Wyn Roberts: For the supplies covered by derogations I refer the hon. Gentleman to the reply given on 3 February to the hon. Member for Gateshead, East (Ms. Quin).

The following table lists those supplies for which application has been made to the Commission under article 20 for a longer period in which to comply fully with the directive. For these supplies improvement programmes have been submitted which should mean that most of those sources will comply with the directive by 1992.

Source

Nantybwch
Preseli
Capel Dewi
Strata Florida
Bontgoch
Georgetown
Alwen
Cynwyd
Meifod
Carno
Talybont
Portis
Pontsticill
Eaton Bishop
Llandeilo Graban
Llanwrtyd Wells
Cross Way
Byford
Bolton Hill

Small Source (serving less than 1,000 population)

Ffynnon Rhys
Llanfynydd
Bettws-y-Coed
Maenllwyd
Talwaenydd
Byton
Barmouth

Health Promotion Authority

Sir Raymond Gower: To ask the Secretary of State for Wales what allocation of resources is to be made to the Health Promotion Authority for Wales for the financial year 1989-90.

Mr. Grist: Subject to parliamentary approval £2·057 million will be made available for allocation to the Health Promotion Authority for Wales in 1989-90. The allocation will be conditional upon satisfactory completion of annual performance review. It represents a further and substantial additional commitment of resources to HPAW over the £1·792 million allocated in 1988-89.

Air Pollution

Mr. Michael: To ask the Secretary of State for Wales whether he has received a report from the Government researchers based at Warren Springs on lead in the air in Cardiff; what significance he places on the latest available figures for Cardiff; and if he will make a statement.

Mr. Grist *[holding answer 16 February 1989]:* My right hon. Friend has received a report including figures for Cardiff up to 1987. The Cardiff figures are well below the limit value required by the EC directive on lead in air.

(Overseas Development)

Net Flows

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the level of net flows from the United Kingdom to developing countries in each year from 1979 to 1987 at 1979 prices; and what is his definition of net flows.

Mr. Eggar: Total net flows comprise those official and private flows set out in table 3 of "British Aid Statistics 1983-87" which is available in the Library of the House. The information requested is as follows:

Net flows from the United Kingdom to developing countries at 1979 prices (£ million)

	Official	*Private*	*Total*
1979	1,083	5,277	6,360
1980	607	3,782	4,388
1981	948	3,446	4,394
1982	778	1,716	2,494
1983	795	1,864	2,659
1984	901	1,389	2,290
1985	886	253	1,139
1986	812	1,755	2,567
1987	699	77	776

Aid Programme

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs in what circumstances it is his practice to tie British overseas aid grants or loans under either the multilateral or the bilateral aid programme to the purchase of British goods or services.

Mr. Eggar: Goods and services funded by bilateral aid are generally British and provided by British firms. In the poorer countries generous provision is made within project aid to help meet the local costs of projects incurred within the recipient country. Part of our contribution to the World Bank's special programme for Africa, project loans and investments by the Commonwealth Development Corporation, budgetary aid, food aid, debt relief and disaster relief are untied. European Community aid is tied to member states and recipient countries. Other multilateral aid is effectively untied.

HOME DEPARTMENT

Criminal Injuries Compensation Board

Sir Michael McNair-Wilson: To ask the Secretary of State for the Home Department what sum of money in total is made available to the Criminal Injuries Compensation board; and by what formula payments are made.

Mr. John Patten: In 1988-89, £70 million has been provided for compensation and £7.4 million for administration. This expenditure falls on the votes of the Home Office and the Scottish Home and Health Department and is paid as grant-in-aid monthly in advance to meet forecast expenditure. Details about the administration and scope of the criminal injuries compensation scheme and the basis on which compensation is paid are set out in the board's latest annual report (Cm. 265), copies of which are in the Library.

Horserace Betting

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department when he proposes to initiate the inquiry into horserace betting recommended by the Royal Commission on Gambling in 1978.

Mr. John Patten: The Royal Commission recommended a study of bookmaking finances, possibly through the Office of Fair Trading and the Monopolies and Mergers Commission. Beginning in 1986, the Office of Fair Trading undertook extensive inquiries into the off-course bookmaking industry, to see if it should be the subject of a complex monopoly reference to the Monopolies and Mergers Commission. In January 1988, the Director-General of that Office announced that he had decided that there were no grounds for such a reference.

We are considering a recommendation from the chairman of the Horserace Betting Levy Board that, following my right hon. Friend's forthcoming determination of the 28th horserace betting levy scheme, there should be an inquiry into the long term financing of racing.

Broadcasting

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department whether he will publish his estimates of television advertising revenue and the increase in total advertising necessary to support a viable fifth television channel, satellite television, cable television and channels 3 and 4 plus three new national radio channels and new local radio stations as envisaged in his Broadcasting White Paper; and what consultations he has had with the advertising industry about its own projections of revenue.

Mr. Renton: My right hon. Friend does not think it appropriate for him to publish forecasts of the revenue that will arise under the new broadcasting arrangements. I am, however, aware of a number of academic studies undertaken in this area and of a variety of forecasts by the advertising industry. In July 1988, we held a seminar on television advertising expenditure to explore the implications of such studies and forecasts for broadcasting policy. Regular contact is maintained with representatives of the advertising industry.

Justices' Clerks

Mr. Bermingham: To ask the Secretary of State for the Home Department where a salary is paid in excess of the JNC for the justices' clerks national salary arrangements to a clerk to the justices, what proportion of the excess is contributed by his department; and if he will make a statement.

Mr. John Patten: The Home Office meets 80 per cent. of the cost of justices' clerks salaries under the provisions of the Justices of the Peace Act 1979. The Secretary of State may, however, impose conditions on the payment of grant.

Needles (Prisons)

Mr. Bermingham: To ask the Secretary of State for the Home Department if he has any proposals to seek to eliminate the use of needles and halt the market in illegal drugs, needles and syringes in prisons by the introduction of treatment facilities to replace injectable illegal drugs; and if he will make a statement.

Mr. Douglas Hogg: The possibility of a history of drugs misuse is one of the factors that medical officers inquire into during the course of their examination of inmates being received into prison custody. Staff are particularly watchful for signs that illicit drugs have been injected. The nature and extent of medical help offered is determined by the medical officer's clinical assessment of the individual case. Counter-measures have been taken to tackle the smuggling and misuse of illicit drugs and implements, and further steps are under consideration.

Registration and Naturalisation

Mr. Madden: To ask the Secretary of State for the Home Department how long applications now being considered for *(a)* registration and *(b)* naturalisation, are taking on average, to complete; and what reduction in time taken to complete consideration of such applications he anticipates by the end of 1989.

Mr. Renton: The average time takent to complete applications for registration and naturalisation in January 1989 was 14 months and 21 months respectively.

In view of the enormous number of applications received towards the end of 1987, no improvement in the average processing times is anticipated during 1989 but a considerable improvment is expected during the course of 1990-91.

Prison (Facilities)

Mr. Redmond: To ask the Secretary of State for the Home Department what action he is taking in respect of recommendations by the Chief Inspector of Prisons that all prison cells should have in-cell toilet facilities; and if he will make a statement.

Mr. Douglas Hogg *[pursuant to his reply, 9 February, c. 760]:* Her Majesty's Chief Inspector of Prisons report on prison sanitation will now be published on 20 February.

TRANSPORT

Elderly Persons (Transport Facilities)

Mr. Roy Hughes: To ask the Secretary of State for Transport if he has any plans to increase public transport facilities for the elderly.

Mr. Portillo: Local authorities already have powers under the Transport Act 1985 to make provision for special transport facilities for the elderly and disabled. They can also make grants to improve transport facilities and equipment for the disabled and such improvements often benefit the elderly too.

Mr. Roy Hughes: To ask the Secretary of State for Transport if he has any plans to extend the existing schemes of free of charge public transport for pensioners throughout the United Kingdom.

Mr. Portillo: Local authorities already have discretionary powers under section 93 of the Transport Act 1985 to establish cheap or free travel schemes for pensioners. In addition, private operators such as British Rail and National Express provide travel concessions for the elderly on a commercial basis.

Merseyrail Facilities (Safety)

Mr. Alton: To ask the Secretary of State for Transport when he expects to announce a decision of Merseyside Passenger Transport Authority's application for section 56 funding for safety improvements to Merseyrail facilities; and if he will make a statement.

Mr. Portillo: I expect to announce a decision very shortly.

A361 (Taunton-Barnstaple)

Mr. David Nicholson: To ask the Secretary of State for Transport which local authorities he informed of his proposal, following the detrunking of the A361 between Taunton and Barnstaple, to declassify it and renumber it the B3227; and when this was done.

Mr. Peter Bottomley: All the local authorities and parish councils through which the A361 runs were notified of the proposal to reclassify it as a classified road when the draft detrunking order was published in September 1984, and again when the order was made in August 1986.

The number B3227 was agreed for the Taunton to South Molton section in 1982 with Somerset and Devon county councils.

Oil Pollution (Court Cases)

Mr. Michael: To ask the Secretary of State for Transport whether he will make it his policy to review the remedies available to the courts when sentencing, after a finding of guilt, in respect of a case of oil pollution in British waters in order to ensure the equal treatment of British and foreign owners.

Mr. Portillo: I have no reason to believe that the courts treat British and foreign owners differently either in oil pollution cases or in any others. Where it is not possible to bring a foreign owner before a British court the Department notifies the relevant flag Administration and invites them to consider prosecution.

Road Tunnels (Ventilation)

Mr. Burns: To ask the Secretary of State for Transport whether his Department's design standards for ventilation in road tunnels are intended to deal with lead in vehicle emissions; and if he will make a statement.

Mr. Peter Bottomley: Yes. Road tunnel design standards control the dominant pollutants in vehicle emissions and set fresh air requirements for conditions when tunnel traffic is fully congested and emissions are at their worst.

The ventilation standards are for carbon monoxide and diesel smoke and can safely disperse the small quantities of lead to be found in some tunnel atmospheres. Even the unlikely event of a lengthy traffic delay would not cause tunnel users to remain in a tunnel long enough appreciably to increase their overall exposure to lead.

The issue of lead and health was considered by a Department of Health and Social Security working party on lead in the environment. After considering all sources of lead and the variability of short-term average exposures, it recommended that the annual mean concentration at places where people might be exposed to lead in air continuously and for long periods should not exceed 2 mg per cubic metre. The same limit was subsequently adopted in EEC directive No. 82/884—Council directive on a limit value for lead in air. The working party did not recommend, and the directive does not impose, any limits for short term exposures for lead in air, but the Health and Safety Executive sets occupational health limits in its guidance note EH 40/88 "Occupational Exposure Limits 1988". These are based on average exposures over eight-hour periods and would be relevant to tunnel maintenance workers, in particular those allowed to work in tunnels which remain fully or partially open to traffic. In such cases it is standard practice for tunnel ventilation systems to remain in operation.

There is no evidence to suggest that lead arising from vehicle emissions in tunnels increases health risks significantly for tunnel users, maintenance workers or nearby residents. In longer tunnels the environment is continuously regulated and in all cases tunnel exhaust shafts and portals are sited to minimise the impact of tunnel pollution on the immediate vicinity. The steps now taken to protect those working in or living close to tunnels from any adverse effects from tunnel pollution will be reinforced by the reduction of levels of lead in petrol, the increasing availability of unleaded fuel and the implementation of the requirement that from next year all new cars should be capable of running on unleaded petrol.

Pedestrian Crossings

Mr. Nigel Griffiths: To ask the Secretary of State for Transport when the malfunction of pedestrian crossings with an audible facility was detected, and on what dates subsequent action was taken by his Department.

Mr. Peter Bottomley *[holding answer 14 February 1989]:* On 26 September 1988. On 27 September 1988, 24 November 1988, 21 December 1988, 3 January 1989 and 1 February 1989.

TRADE AND INDUSTRY

Advisory Panel on Deregulation

Mr. David Porter: To ask the Chancellor of the Duchy of Lancaster what is the current membership of the advisory panel on deregulation; and when he will be appointing new members.

Mr. Maude: A new member has been appointed and will join the panel on 1 March 1989. He is Mr. Neil McArthur, chairman of Thurnall Engineering Ltd., Northbank industrial estate, Cadishead, Manchester. A further four appointments will be made in April.

The advisory panel makes an important contribution to the enterprise and deregulation unit's work by advising it on the impact of regulatory requirements on business and enterprise development.

The new appointment will help to ensure the panel's continuing effectiveness as a source of valuable advice.

The existing membership of the advisory panel on deregulation is as follows:

Sir Nigel Mobbs, DL *(Chairman)*—Chairman and Chief Executive, Slough Estates plc, Slough.
Mr. Colin Dauris—Chairman and Managing Director, James Dauris & Co. Ltd., London.
Mr. Mike Fisher—Managing Director, Whale Tankers Ltd., Solihull, West Midlands.

Mrs. Teresa Graham—Senior Manager, Price Waterhouse, Newcastle.
Mr. George Gray—Chairman and Managing Director, Valley Capital Ltd., Carnforth, Lancashire, and Deputy Chairman, Development Commission.
Mr. Damon de Laszlo—Chairman, Harwin Ltd., Portsmouth.
Mr. Stephen Moss—Managing Director, BCP Parking, and Director, Drakes Restaurant, London.
Mr. Tom O'Connor—Chairman and Managing Director, Elta Plastics, Stockton-on-Tees.
Mrs. Jenifer Rosenberg, OBE—Managing Director, J & J Fashions Ltd., London.
Mrs. Celia Urquhart—Managing Director, CU Data Ltd., Glasgow.
Mr. Phillip White—Chairman and Chief Executive, WYKO Group plc, Dudley, West Midlands.

Exports-Imports Ratio

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster what is the ratio of exports to imports for *(a)* manufactured goods and *(b)* all goods and services for each year since 1979 for the United Kingdom, Germany, Italy, Spain, Sweden and Finland.

Mr. Alan Clark: The available information is in the table.

Ratio of Exports to Imports, Per cent.

Year	*United Kingdom*	*Federal Republic of Germany*	*Italy*	*Spain*	*Sweden*	*Finland*
Manufactures[1]						
1979	104	165	166	124	119	123
1980	112	161	138	119	115	113
1981	108	169	160	124	126	129
1982	101	179	165	119	122	132
1983	89	167	178	126	127	124
1984	88	167	161	143	129	134
1985	90	172	158	134	125	130
1986	87	170	150	95	129	122
1987	86	166	136	78	116	112
1988	79	[2]. .	[2]. .	[2]. .	[2]. .	[2]. .
Goods and Services						
1979	101	102	104	102	97	105
1980	109	98	89	87	94	98
1981	112	103	92	90	100	104
1982	108	109	96	91	98	103
1983	104	107	103	97	107	102
1984	100	108	99	111	112	109
1985	104	113	98	110	107	103
1986	97	121	108	112	112	106
1987	96	121	104	101	107	102

[1] SITC Sections 5 to 8; exports fob, imports cif.
[2]. . = Not readily available.
Source: OECD, Monthly Review of External Trade Statistics.

EDUCATION AND SCIENCE

Student Unions

Mr. Amess: To ask the Secretary of State for Education and Science if he will make a further statement on the progress of his Department's review of student unions.

Mr. Jackson: My Department is nearing completion of its analysis of the responses submitted to its questionnaire. In the light of its findings, the Government will in due course consider what action might best be taken and will then consult all those concerned.

City Technology Colleges Trust

Mr. Straw: To ask the Secretary of State for Education and Science if he will specify the dates and amounts of any moneys paid or payable to the city technology colleges trust by way of *(a)* grants and *(b)* loans.

Mr. Kenneth Baker: Grant payments have been made to the CTC trust as follows:

	£
In respect of the 1987-88 financial year:	
6 April 1988	12,630
25 May 1988	7,510
In respect of the 1988-89 financial year:	
28 September 1988	17,936
16 November 1988	18,000
20 January 1989	1,946

The total amount payable under the grant agreement during the four years 1987-88 to 1990-91 is two thirds of actual expenditure up to a maximum of £200,000.

Grant-maintained Schools

Mr. Straw: To ask the Secretary of State for Education and Science (1) what amounts of grant Grant-Maintained Schools Ltd. has sought to meet expenditure incurred or to be incurred by it *(a)* for the purposes of or in connection with, the provision or proposed provision, of educational services in grant-maintained schools or proposed grant-maintained schools and *(b)* for any other purposes; and if he will specify those purposes;

(2) how much loan or grant to Grant-Maintained Schools Ltd. he has approved, or expects to approve.

Mr. Kenneth Baker: When the Education (Grants) (Grant-Maintained Schools Ltd.) Regulations 1989 come into force grant may be paid to Grant-Maintained Schools

Ltd. for the purpose of or in connection with, the provision or proposed provision, of educational services in grant-maintained schools or proposed grant-maintained schools. Grant-Maintained Schools Ltd. has submitted an application for a grant of £25,000 in the current financial year and £150,000 in the next financial year. Grant support is sought to enable it to provide advice on financial, managerial and educational matters, and related training, to schools which have been approved for grant-maintained status. No decision has been made about this application and it will be considered on its merits.

Mr. Straw: To ask the Secretary of State for Education and Science what is the maximum amount of grant, for any purpose, which could be made payable to Grant-Maintained Schools Ltd.

Mr. Kenneth Baker: My Department pays grant to many organisations. We do not set a maximum amount of grant. Similarly, when they come into force my powers to pay grant under the Education (Grants) (Grant-Maintained Schools Ltd.) Regulations 1989 will not lay down any maximum. All applications for grant are considered on their merits.

Mr. Straw: To ask the Secretary of State for Education and Science what financial provision or plans have been made, and in respect of what years, to enable grant to be payable to Grant-Maintained Schools Ltd.

Mr. Kenneth Baker: No specific provision has been made, since no decision to pay grant has yet been taken. If the application for the grant of the Grant-Maintained Schools Ltd. is agreed, funds will be found from within provision made for grants to persons other than local educational authorities for or in connection with education services.

Mr. Straw: To ask the Secretary of State for Education and Science what is the nature of the educational services in respect of which Grant-Maintained Schools Ltd. may be paid a grant under the Education Reform Act 1988.

Mr. Kenneth Baker: I have powers under section 100(1)(b) of the Education Act 1944 as amended by section 213(3) of the Education Reform Act to make provision by regulations to pay grant to persons other than local education authorities in respect of expenditure incurred or to be incurred by them for the purposes of, or in connection with, the provision—or proposed provision—of educational services.

Brain Drain

Mr. Pawsey: To ask the Secretary of State for Education and Science what evidence he has on the alleged academic brain drain.

Mr. Jackson: Recent movements of full-time wholly unversity financed non-clinical academic staff between universities in Great Britain and employment or study abroad have been as follows:

	Inflow	*Outflow*	*Net inflow*
1980	276	249	27
1981	183	203	−20
1982	118	214	−96
1983	220	153	67
1984	318	138	180
1985	292	154	138
1986	260	204	56
1987	199	191	8

HEALTH

Mental Illness Hospitals

Mr. Fishburn: To ask the Secretary of State for Health how many of the staffed beds in mental illness hospitals and units in England in 1988 were unoccupied; and what information he has on the average mental illness hospital bed occupancy rates recommended by the Royal College of Psychiatrists.

Mr. Freeman: At the end of 1986, the latest year for which occupancy figures are currently available, about 15 per cent. of the available beds in National Health Service mental illness hospitals and units in England were unoccupied. The Department is aware of the Royal College's observations on bed occupancy rates but considers that with the wide variation in service requirements, it would not be appropriate to set general targets for occupancy rates.

Grading

Mr. Wigley: To ask the Secretary of State for Health whether he will list for each regional health authority the number of mental handicap nurses from each of the old grades who have been assimilated to each of the new grades.

Mr. Freeman: We do not hold this information centrally.

Dioxins

Mr. John Browne: To ask the Secretary of State for Health if he will make a statement concerning the levels of dioxin traces that he considers both acceptable and safe in sanitary products, tissue, and food products, including packaging.

Mr. Freeman: Research has shown that levels present in these products are extremely low and are likely to present a negligible risk to health. However, the Department's committee on toxicity of chemicals in food, consumer products and the environment has been asked to advise on the possible health effects from dioxins.

Huddersfield Royal Infirmary

Mr. Riddick: To ask the Secretary of State for Health what were the waiting list figures for Huddersfield Royal infirmary for each of the last five years; and if he will make a statement.

Mr. Freeman: Since the introduction of the Korner information system in April 1987, we no longer collect waiting statistics centrally for individual hospitals. It would not be practical to collect the more detailed Korner information centrally below district level.

Therefore, of the last five years, figures for 1987 and 1988 cannot be provided centrally; for these my hon. Friend may wish to write to the general manager of Huddersfield district health authority.

The figures for the earlier years to which my hon. Friend refers are:

Year	Numbers waiting
1984	2,924
1985	2,963
1986	2,277

"Working for Patients"

Mr. Matthew Taylor: To ask the Secretary of State for Health what is his timetable for altering the composition of health authorities, as proposed in "Working for Patients".

Mr. Kenneth Clarke: As soon as possible after the necessary legislation has received Royal Assent.

Cyclotron

Mr. Fearn: To ask the Secretary of State for Health if, pursuant to his reply of 19 January, *Official Report*, column *302*, there are to be other costs incurred by his Department associated with the cyclotron at St. Thomas' hospital.

Mr. Freeman: In addition to the £6 million grant we are making to the Cyclotron trust, we shall meet up to 60 per cent. of the direct running costs of the cyclotron insofar as they are not met from other sources.

Mr. Fearn: To ask the Secretary of State for Health, pursuant to his reply 19 January, *Official Report*, column *302*, what research documentation and other sources of information were used by his Department before he approved the grant of £6 million to the Cyclotron trust to reach the understanding that neutron therapy that the Cyclotron can provide, can give relief for the effects of certain cancers.

Mr. Freeman: We gave careful consideration to the case presented by the Cyclotron trust, and to a wide range of published material, of which the following are illustrative examples:

Catterall, M.: The treatment of malignant salivary gland tumours with fast neutrons. International Journal of Radiation Oncology, Biology, Physics, 7 (1981), 1737-1738;

Caterall, M., Blake, P. R. and Rampling, R. P.: Fast neutron treatment as an alternative to radical surgery for malignant tumours of the facial area. British Medical Journal, 289 (1984), 1653-55;

Cohen, L., Hendrickson F., Kurup, P. D., et al; Clinical evaluation of neutron therapy: current results and prospects 1983. Cancer, 55 (1985), 10-17;

Medical Research Council neutron therapy working group: A comprehensive review of the Hammersmith (1971-75) and Edinburgh (1977-82) neutron therapy trials of certain cancers of the oral cavity, oropharynx, largnx and hypoharynx. Britis Journal of Radiology,59; 701 (1986), 429-440.

Elderly People

Mr. Roy Hughes: To ask the Secretary of State for Health (1) if he has any plans to extend community care facilities for the elderly;

(2) if he has any plans to ensure that there are a sufficient number of day centres for the elderly to meet current and future need;

(3) if he has any plans to introduce a charter of rights defining the services and standards of care to which elderly people should be entitled.

Mr. Kenneth Clarke: The provision of services to elderly people, as to other groups, including daycare is a matter for the statutory authorities locally. They are responsible for deciding the level and extent of services in the light of local needs and the overall level of resources available.

Although centrally we issue guidance to authorities on the discharge of these functions I do not think that it would be helpful if we prescribed in detail the services and standards of care to be provided.

Mr. Roy Hughes: To ask the Secretary of State for Health if he has any plans to ensure that a greater amount of health services resources are directed to the health care of the elderly.

Mr. Freeman: Health authorities are responsible for planning levels of expenditure and services which take into account both local needs and Ministers' aims and objectives, including those for services for elderly people. The Department issues guidance, and must approve plans submitted by regional and special health authorities, but essentially these plans reflect local decisions. Elderly people do, of course, make use of many NHS services, not just those which are dedicated solely to their needs.

Mr. Roy Hughes: To ask the Secretary of State for Health if he has any plans to introduce an independent national inspectorate to oversee all forms of health, social and care services for the elderly.

Mr. Freeman: No. We already receive regular advice and assistance from the health advisory service and the social services inspectorate of the Department.

Community Care

Mr. Hunter: To ask the Secretary of State for Health (1) if he will publish statistics indicating the increase in resources devoted to care in the community in each year since 1983;

(2) if he will make a further statement on the resources available for care in the community, in particular with regard to schizophrenia sufferers and support for their families.

Mr. Freeman: Resources for care in the community are made available from the main programme expenditure of health authorities and local authorities. The way in which HAs and LAs deploy these resources is a matter for them to decide in the light of local needs and circumstances. Within HA budgets a specific allocation of joint finance is identified for community schemes jointly agreed between HAs, LAs, family practitioner committees and voluntary organisations.

Gross current expenditure figures for personal social services and hospital and community health services, for each financial year since 1983, in cash terms are as follows:

	PSS £ million	HCHS £ million
1983-84	2,466	8,882
1984-85	2,638	9,386
1985-86	2,794	9,886
1986-87	3,090	10,623
1987-88	3,477	11,730

Data breaking down expenditure figures by type of spend are available from a number of sources, but because

of inconsistencies in definition, these data do not allow us to identify separately expenditure on community care although we are giving consideration as to whether it may be possible to do so in future.

Of the PSS totals given it is estimated that some 70 per cent. is spent on community care (that is on the cost of community services for all client groups except children). Of the HCHS totals it is estimated that some 10 per cent. in 1986-87, was spent on community health services.

A detailed breakdown of health and local authorities' expenditure for 1987-88 is not yet available. In 1986-87 local authorities spent (at then current prices) an estimated £44 million on residential care and day centre facilities for mentally ill people, including sufferers from schizophrenia. Other items within overall personal social services expenditure included elements of community care for mentally ill people which are not readily identifiable. In addition, health service expenditure in the same year included £151 million on out-patient and day-patient facilities for mentally ill people.

The Department of Health makes a direct contribution under section 64 of the Health Services and Public Health Act 1968 by grant-aiding the central administrative costs of a range of voluntary organisations, among which the National Schizophrenia Fellowship, the Northern Schizohprenia Fellowship and the North West Fellowship are particularly concerned with the needs of schizophrenia sufferers and their families.

Food Poisoning

Mr. Gordon Brown: To ask the Secretary of State for Health what was the number of notified cases of people infected by *(a)* salmonella and *(b)* listeria in each year since 1978.

Mr. Kenneth Clarke: Laboratory reports of cases of salmonellosis submitted to the public health laboratory service for the years 1978 to 1987 are given in the table. The number of cases for 1988 is not yet available.

	Cases of salmonellosis
1978	9,042
1979	10,380
1980	9,502
1981	9,532
1982	11,041
1983	13,250
1984	13,093
1985	11,172
1986	14,177
1987	16,991

The number of cases of human listeriosis reported to the public health laboratory service for these years are as follows:

	Cases of listeriosis
1978	87
1979	70
1980	75
1981	86
1982	77
1983	115
1984	115
1985	149
1986	137
1987	259
1988	291

Reports of cases for 1978 to 1982 were submitted by laboratories only; those for 1983 to 1988 were from laboratories and the public health laboratory service's extended surveillance system.

Foster Parents

Mr. Austin Mitchell: To ask the Secretary of State for Health what is his policy on mandatory training for foster parents.

Mr. Freeman: We believe that preparation and training is necessary for all foster parents. The recently issued handbook of guidance on the Boarding-out of Children (Foster Placement) Regulations 1988 stresses that local authorities and voluntary organisations should provide intitial preparation and training, specialised training as appropriate and continuing training for foster parents.

Brucellosis and Tuberculosis

Mr. Ron Davies: To ask the Secretary of State for Health (1) what information his Department has concerning the infection of humans with brucellosis or tuberculosis through the consumption of green top milk;

(2) what information his Department has concerning the incidence of brucellosis in humans.

Mr. Kenneth Clarke: During the ten year period 1978 to 1987, 244 cases of brucellosis in humans were reported by laboratories in England and Wales to the public health laboratory service communicable disease surveillance centre. A total of 146 of these were presumed to have contracted their infection in the United Kingdom and the number of these indigenous cases over the decade declined from 34 in 1978 to eight in 1987.

Of the 146 presumed indigenous cases of brucellosis referred to, seven were known to have consumed raw milk, and the most recent of these was in 1982.

We have no information available on cases of bovine tuberculosis possibly connected with the consumption of unpasteurised milk.

Medicines Control Agency

Mr. Bermingham: To ask the Secretary of State for Health (1) what is the proportion of unfilled posts of recruitment grade of professional pharmaceutical posts within the Medicines Control Agency; and if he will make a statement;

(2) what are the likely effects on the works of the Medicines Control Agency of relaxation of the experience requirement on new recruits to the agency; and if he will make a statement.

Mr. Freeman: Around half of the recruitment grade of professional pharmaceutical posts are unfilled at present.

Medicines division, which will become the Medicines Control Agency from 1 April 1989, has recently advertised for candidates to fill vacancies in the agency concerned with the assessment of the quality of product licence applications. To widen the field, qualifications in both

pharmacy and sciences related to pharmacy have been asked for. This does not mean there will be any relaxation in the standards of ability and experience that successful candidates will be required to possess. After the necessary training has been given, the overall effect of filling the vacancies will be to shorten the time needed by the licensing authority to assess the quality of product licence applications.

Pharmaceutical Products

Mr. Bermingham: To ask the Secretary of State for Health what is the average length of delay in the issue of approvals for pharmaceutical products on application; and if he will make a statement.

Mr. Freeman: The mean average time to grant product licences for established drug substances for the 12 months ending 31 December 1988, the latest date for which statistics are available, was 15 months. The corresponding time for new active substances was 21 months. These periods include the time taken by applicants to respond to inquiries from Medicines Act section 4 committees of the licensing authority.

Listeria

Mr. Hinchliffe: To ask the Secretary of State for Health if, in order to reduce the risk of listeria, he will take steps to introduce legislation to ensure that the permitted length of refrigeration of cooked food is limited to the shortest possible time.

Mr. Kenneth Clarke *[holding answer 13 February 1989]:* The length of time for which cooked products may be kept depends on a number of things such as the type of cooking process, packaging, preservatives etc. It is not possible to lay down one single period of shelf life which would be appropriate for all these products.

Ambulance and Blood Transfusion Services

Ms. Primarolo: To ask the Secretary of State for Health what criteria he proposes to lay down for regional health authorities to decide whether *(a)* blood transfusion and *(b)* ambulance services should be contracted out to the private sector.

Mr. Freeman *[holding answer 14 February 1989]:* We have no plans to contract out the blood transfusion service. With regard to the ambulance service, we published a scrutiny report on the non-emergency sector of the ambulance service in April 1984 when we said that it was open to district health authorities to buy-in part of the ambulance service from the private sector if that is more cost effective and provided the quality of service was maintained. Many NHS ambulance authorities already use private contractors, the hospital car service and voluntary aid societies to transport appropriate NHS patients. This has been the case for many years and helps to ensure that skilled ambulance crews and specialist vehicles are used for those who need the special care and attention which they can provide.

Ms. Harman: To ask the Secretary of State for Health, if he will make a statement about the future of the blood transfusion service under the proposals in the Government's White Paper on the National Health Service.

Mr. Kenneth Clarke *[holding answer 14 February 1989]:* The blood transfusion service will continue to be an integral part of the National Health Service. Its organisation at national and supra-regional level will remain essentially as now, save that operational responsibility will rest with the NHS management executive in succession to the NHS management board. Services below this level are mostly organised on a region-wide basis. Regional health authorities will be asked, in line with paragraph 2.8 of the White Paper, to review these services and to ensure that they are in future managed in the most cost-effective manner and consistent with the wider management changes that are being introduced in the National Health Service.

Lead Pollution

Mr. Michael: To ask the Secretary of State for Health whether he has received a report from the Government researchers based at Warren Springs on lead in the air in Cardiff; what significance he places on the latest available figures for Cardiff; and if he will make a statement.

Mr. Roger Freeman *[holding answer 16 February 1989]:* I refer the hon. Member to the reply given to him today by my right hon. Friend the Secretary of State for Wales.

ENVIRONMENT

World Climate Conference

Mr. Flynn: To ask the Secretary of State for the Environment what plans he has for *(a)* departmental input and *(b)* consultancy input to the world climate conference in June 1990.

Mrs. Virginia Bottomley: The principal United Kingdom input to the world climate conference will be through the Meteorological Office although representatives from the Department are also likely to attend. The Department is commissioning scientific work in this area through its air pollution research programme and if relevant the scientists responsible will be encouraged to submit papers.

Football

Mr. Dunnachie: To ask the Secretary of State for the Environment when he next plans to meet representatives of football supporters clubs; and what matters will be discussed.

Mr. Moynihan: I met representatives of the National Federation of Football Supporters Clubs and the Football Supporters Association on 6 December and offered to meet them again to discuss the Football Spectators Bill as it progresses through Parliament.

Mr. Martlew: To ask the Secretary of State for the Environment which Football league grounds he expects to visit in an official capacity in the near future.

Mr. Moynihan: I intend to make a number of visits to football grounds over the next few months. Details of these visits will be finalised shortly.

Halon

Mr. Hunter: To ask the Secretary of State for the Environment what is his policy with regard to changing

the Montreal protocol to restrict the production of halon 1301 and encourage the use of halon 1211 to combat air pollution.

Mrs. Virginia Bottomley: The Government's policy is set out in paragraph 8.10(iii) of their reply to the first report from the Environment Committee, session 1987-88, HC 270-1 "Air Pollution" published in December 1988 (Cm. 552).

Greenhouse Effect

Mr. Hunter: To ask the Secretary of State for the Environment to what extent he has implemented the Environment Committee's recommendations with regard to chlorofluorocarbons, the ozone layer and the greenhouse effect; and what further measures he intends to take.

Mrs. Virginia Bottomley: The Government's reply to the committee's recommendations was published in December 1988 (Cm. 552).

Planning Inquiries

Mr. Robert Banks: To ask the Secretary of State for the Environment what is the number of public inquiries held into planning proposals in the last year and their cost.

Mr. Chope: In 1988, 1,799 public inquiries into planning proposals were held. Financial information is not held in a form from which the cost to the Department of holding these inquiries can be extracted.

Planning Law

Mr. John Marshall: To ask the Secretary of State for the Environment when he intends to introduce legislation to amend the planning law.

Mr. Chope: Legislation to implement the proposals in the paper on the future of development plans will be introduced as soon as parliamentary time permits.

Tin Cans

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what advice he gives to domestic consumers who wish to save tin cans for them to be recycled.

Mrs. Virginia Bottomley: Consumers are advised to contact their local authority to ascertain what facilities are available locally. In some areas, tin-plated steel cans are extracted magnetically from waste during its processing; in others, facilities are provided for the public to deposit cans.

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment how many recycling banks there are for tin cans in England and Wales; and what comparable information he has for other European countries.

Mrs. Virginia Bottomley: I am informed that Save-a-Can operates 189 skips in England and Wales which receive tin-plated steel and aluminium cans. No directly comparable information for other European countries is available as market conditions vary considerably but the greater use of incineration for domestic waste disposal in some countries permits the magnetic extraction of steel from the waste stream.

Bottle Banks

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment what resources are available to achieve the target of one bottle bank per 10,000 people by 1991.

Mrs. Virginia Bottomley: DOE circular 13/88 drew attention to the fact that recycling helps reduce waste disposal costs and invited all waste disposal authorities to follow the example of those which gave a rebate to collection authorities who arrange for recycling. It is for collection authorities to provide facilities to enable people to separate glass from their other waste. The glass manufacturing industry has agreed to accept all the glass that is collected.

A consultation paper published on 24 January (*Official Report* 25 January col. *504*) proposed that collection authorities would become directly responsible for arranging for the disposal of their waste; it would thus be possible for them to seek savings directly by encouraging recycling.

Drought

Sir Anthony Grant: To ask the Secretary of State for the Environment what contingency plans he is making for the supply of water in the event of there being in the current year a drought situation similar to 1976; and if he will make a statement.

Mr. Howard: Responsibility for taking measures to maintain essential water supplies in the event of drought rests with the water undertakers. However, we are keeping a close watch on the situation by arrangements with the water industry associations. Total rainfall over England and Wales during the last three months amounted to only half the long-term average and it has been the driest such period for over 80 years, particularly in southern areas. Reservoir and groundwater levels are generally at satisfactory levels except in parts of the south-east. Much depends upon the weather during the next two months, but overall there is no cause for concern yet.

Recycling

Mr. Fearn: To ask the Secretary of State for the Environment what information he makes available to people who wish to learn more about recycling facilities available to them.

Mrs. Virginia Bottomley: Those who wish to learn more about recycling activities are invited to contact Waste Watch at the National Council for Voluntary Organisations. Waste Watch, which is supported by a grant from the Department, is developing a national list of post-consumer recycling activities and is able to answer specific inquiries about their locality.

Water

Mr. Onslow: To ask the Secretary of State for the Environment if he will now invite water authorities in England and Wales to provide him with a forecast of the adequacy of water supplies in their areas for the coming nine months, together with an indication of their plans to limit abstraction from any rivers into which there have, within the past two years, been discharges of effluent which have consistently breached discharge consent standards.

Mr. Howard: We do not consider it necessary to take the action suggested. Suitable arrangements to monitor the effects of low winter rainfall have been agreed with the water industry associations.

Pensioners

Mr. Roy Hughes: To ask the Secretary of State for the Environment what attempts are being made to ensure that pensioners' groups have a forum in local councils.

Mrs. Virginia Bottomley: It is for each local authority to decide in what way they wish to consult pensioners.

Elderly (Housing)

Mr. Roy Hughes: To ask the Secretary of State for the Environment if he has any plans to increase the amount of sheltered housing and specialised units available for the elderly.

Mr. Trippier: I refer the hon. Member to the reply that I gave to the hon. Member for Burnley (Mr. Pike) on 14 December at column *618*.

Political Restrictions

Mr. Tony Banks: To ask the Secretary of State for the Environment what criteria he will use to appoint a person to consider applications for exemption from the proposed political restrictions on local government employees.

Mr. Gummer: The person to be appointed to adjudicate on applications for exemption will need to have a sound knowledge of local government, and to be able to apply an independent judgment to the questions which will arise.

Mr. Tony Banks: To ask the Secretary of State for the Environment if his Department has reviewed the implications of the proposed restrictions on the political activity of local government officers with regard to the European Court of Human Rights judgments.

Mr. Gummer: Yes.

Council Committees

Mr. Tony Banks: To ask the Secretary of State for the Environment how the proposed new rules on party balance on council committees will be drawn up in order to ensure the effective working arrangements of councils are guaranteed.

Mr. Gummer: The proposed new rules on party balance on local authority committees are set out in clauses 13 to 15 of, and schedule 1 to, the Local Government and Housing Bills. In so far as regulations are required to implement these provisions, they will be drafted after consultation with representatives of local government.

Housing Action Trusts

Mr. Tony Banks: To ask the Secretary of State for the Environment (1) if he intends to proceed with the establishment of housing action trusts under part III of the Housing Act 1988; and if he will make a statement;

(2) whether the consultancy work on housing action trusts was put out to tender; whether the consultants were asked to report by a certain date; and when he expects the reports to be published;

(3) what consultants' fees were paid for the studies of the proposed housing action trust estates; and if he will provide a breakdown by estate.

Mr. Trippier: I wrote to the hon. Member on 17 October 1988 about the consultancy studies, which we commissioned following competitive tendering, to advise on the proposed housing action trust areas. The latest position on the reports is set out in the answer I gave on 15 February to the hon. Member for Hammersmith (Mr. Soley) at column *280*.

Housing

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will direct the London residuary body to recover monies from Thamesmead town which can be distributed to London boroughs as capital receipts to be used for the purposes of housing.

Mr. Trippier: My right hon. Friend directed the LRB on 17 July 1987 to dispose of Thamesmead on payment of a capital sum and supplementary sums in respect of receipts from sales of dwellings by Thamesmead town up to 31 March 1999. The Local Government Reorganisation (Capital Money) (Greater London) Order, 1988 (SI No. 359) provides for the distribution of capital receipts received by the LRB to the London rating authorities.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he has received any representations about the London borough of Redbridge's proposals to dispose of a portion of its housing stock; and if he will make a statement.

Mr. Trippier: The Department has received no such representations.

Tenants' Choice

Mr. Tony Banks: To ask the Secretary of State for the Environment what publicity his Department will be producing on part IV of the Housing Act 1988; and what sums of money have been set aside for this.

Mr. Trippier: The Housing Corporation is already providing advice, information and assistance to council tenants and prospective new landlords about "Tenants' Choice". The Government have currently set aside approximately £700,000 to inform tenants of their rights and opportunities under the scheme. The precise form that this information will take is under consideration.

Rents

Mr. Tony Banks: To ask the Secretary of State for the Environment whether he intends to use the powers in part VI of the Local Government and Housing Bill to assume different rent levels for individual local authorities.

Mr. Trippier: The calculation of entitlement to housing subsidy under the 1985 Housing Act already provides for different rent levels to be assumed for individual local authorities. My right hon. Friend intends that this feature should be carried forward into the system proposed in part VI of the Local Government and Housing Bill.

Political Advisers

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will list the paid political advisers in his private office, their salaries and the procedure for their appointment.

Mr. Ridley: Mrs. K. C. Ramsey is my special (political) adviser and Mr. P. R. J. Rock is special (political) adviser to the Minister for Local Government and the Minister for Water and Planning.

It is not our practice to reveal the salaries of individual advisers as they are individually negotiated in relation to previous outside earnings and are therefore confidential.

Special advisers are appointed personally by the Minister or Ministers they advise. Appointments are approved by the Prime Minister and an appropriate salary is negotiated between the adviser and the employing department with the approval of the Treasury.

County Hall

Mr. Tony Banks: To ask the Secretary of State for the Environment how much each London borough will gain from the disposal of County hall.

Mrs. Virginia Bottomley: This will not be known until after completion.

Mr. Tony Banks: To ask the Secretary of State for the Environment what is the nature of the pecuniary interest held by Mr. Michael Roberts, a member of the London residuary body, in the contract for the sale of County hall; when he was informed of this interest; and what involvement Mr. Roberts had in the London residuary body's discussion and decision making on the contract for the sale of County hall.

Mr. Trippier: Mr. Michael Roberts, on his appointment as a member of the board of the London residuary body, was and has continued to be a partner in the firm of Deloitte, Haskins and Sells. That firm are auditors and advisers on VAT to the County hall development group, the purchasers of County hall. Mr. Roberts declared to the board that the effect in financial terms of his indirect pecuniary interest was very small indeed. The board resolved that he could take part in the consideration and discussion of relevant matters but not so as to permit him to vote on any question with respect to it. My Department became aware of Mr. Robert's interest last December.

London Residuary Body

Mr. Tony Banks: To ask the Secretary of State for the Environment why the London residuary body has maintained separate board accommodation in Orange street over the past three years; and what has been the cost in each year.

Mrs. Virginia Bottomley: The continuing location and costs to the London residuary body (LRB) of its accommodation at St. Vincent house, Orange street are a matter for the LRB.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he has any plans to make additional appointments to the London residuary body; and if he will make a statement.

Mrs. Virginia Bottomley: My right hon. Friend will be considering the need to make additional appointments to the London residuary body in the light of its new responsibilities under the Education Reform Act 1988.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will give details of the salaries, allowances and expenses paid to each member of the London residuary body in the current financial year; when the salaries were last increased; and when is the next review.

Mrs. Virginia Bottomley: The current salaries of the chairman and board members of the LRB are as follows:

	£ per annum[1]
Chairman (full-time appointment):	
Sir Godfrey Taylor	57,080
Members (part-time appointments):	
Mr. Alan Blakemore, CBE Mr. Jack Esling Mr. Jack Wolking CBE	13,792
Mr. Wallace Mackenzie, OBE	17,240
Mr. Michael Roberts	20,688
Cllr. Sir Peter Bowness, CBE	6,896

[1] From 1 October 1988.

Remuneration is subject to abatement, if applicable, in respect of public sector pension received.

The expenses and allowances paid to the chairman and board members is a matter for the residuary body.

Information on the total expenses paid to the chairman and board members during 1987-88 is contained in the residuary body's annual report and accounts for that financial year, which were laid before Parliament on 31 October 1988.

The next review of salaries is expected to take place in the context of the 1989 review of remuneration of members of public bodies.

Mr. Tony Banks: To ask the Secretary of State for the Environment what changes he proposes to make to the London residuary body when its prime duties and responsibilities will be the winding up of Inner London education authority matters; and if he will make a statement.

Mrs. Virginia Bottomley: My right hon. Friends the Secretary of State for the Environment and the Secretary of State for Education and Science will be considering this.

EC Directives

Mr. Flynn: To ask the Secretary of State for the Environment if he will list all environmental directives from the European Commission since 1973 not entered fully into force in the United Kingdom, the dates of the directives and the reasons they have not been implemented.

Mrs. Virginia Bottomley: It is believed that the United Kingdom has implemented all European Community environmental directives, save those where the date of entry into force has not yet been reached. Detailed questions about the precise limits of required implementation of individual directives are regularly discussed with the EC Commission and other interested bodies.

Metropolitan Authorities

Mr. Gordon Brown: To ask the Secretary of State for the Environment if he will list *(a)* the metropolitan authorities that have been abolished, *(b)* the non-departmental public bodies set up to take over the functions of the metropolitan authorities and *(c)* the number of people directly employed by each of these bodies.

Mrs. Virginia Bottomley: The authorities which were abolished as a consequence of the Local Government Act 1985 were the metropolitan county councils of Greater Manchester, Merseyside, South Yorkshire, Tyne and Wear, West Midlands and West Yorkshire.

The non-departmental public bodies established to take over those functions of the abolished authorities which were not directly transferred at abolition to successor authorities were:

Greater Manchester Residuary Body
Merseyside Residuary Body
South Yorkshire Residuary Body
Tyne and Wear Residuary Body
West Midlands Residuary Body
West Yorkshire Residuary Body
Greater Manchester Museum of Science and Industry
National Museums and Galleries on Merseyside

Details of the number of staff directly employed by each of the residuary bodies is provided in their annual reports and accounts for 1987-88, copies of which were laid before Parliament on 31 October 1988. The number of staff employed by the Greater Manchester museum of science and industry, and the National museums and galleries on Merseyside is detailed in the publication "Public Bodies 1988", copies of which are held in the Library.

Sewage Works

Mr. Harry Barnes: To ask the Secretary of State for the Environment if he has any plans to relax sewage works consent standards and to advertise such relaxations.

Mr. Moynihan *[holding answer 15 February 1989]:* My hon. Friend the Minister for Water announced on 7 December 1988 at column *199*, that applications for temporary variations in discharge consent conditions will be considered for those sewage works where capital improvements are programmed for completion by March 1992.

Section 36 of the Control of Pollution Act 1974 provides that an application need not be advertised where the discharges in question have no appreciable effect on receiving waters.

Decisions on whether to advertise applications for consent variations will be taken on a case-by-case basis.

Hazardous Waste

Mr. Bermingham: To ask the Secretary of State for the Environment what is the latest progress in negotiations towards the treaty to govern international trade in hazardous industrial waste; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 15 February 1989]:* Detailed provisions of the proposed global convention are under active consideration in the UNEP negotiations. There is still much to be agreed but I hope the convention will be ready for signature next month.

Environmental Health Officers

Ms. Walley: To ask the Secretary of State for the Environment what assessment he has made of the adequacy of the present numbers of environmental health officers to provide a sufficient level of inspection of water cooling systems with respect to the presence of legionella.

Mr. Freeman *[holding answer 13 February 1989]:* I have been asked to reply.

The staffing of environmental health departments is a matter for local authorities who take into account their statutory responsibilities for the enforcement of the Health and Safety at Work etc Act 1974.

Water Privatisation

Mrs. Ann Taylor: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Epping Forest (Mr. Norris) of 14 February, whether the European Commissioner included in his statement on 7 February a view on the Government's proposal to reverse or prevent mergers in the water industry after privatisation which reduce the number of water companies in independent ownership.

Mr. Howard *[holding answer 16 February 1989]:* The statement said that the Commission had found nothing in the Government's water privatisation proposals that would raise problems in the competition field.

EMPLOYMENT

Employment Training

Ms. Short: To ask the Secretary of State for Employment if he will give the recruitment statistics for each month of employment training, specifying by region and for Great Britain as a whole, the number of *(a)* employment training starters, *(b)* employment training leavers, *(c)* trainees on community programme wages and *(d)* the cumulative total of trainees who are on benefit plus training allowances.

Mr. Nicholls: The information requested for *(a)* *(b)* and *(c)* is given in the following tables. The number of employment training leavers is not available by region. The information for *(d)* is provided as the number in training each month and not as a cumulative total.

Table 1

Employment training—starts and leavers monthly totals: September to December 1988

Region	*September*		*October*		*November*		*December*	
	ET Starts	*ET Leavers*[1]	*ET Starts*	*ET Leavers*[1]	*ET Starts*	*ET Leavers*[1]	*ET Starts*	*ET Leavers*[1]
South East	1,533	—	2,050	—	1,987	—	1,707	—
London	2,503	—	3,057	—	3,110	—	2,405	—
South West	1,075	—	1,724	—	2,023	—	1,742	—
West Midands	2,470	—	3,733	—	3,829	—	3,303	—

Region	September		October		November		December	
	ET Starts	ET Leavers[1]	ET Starts	ET Leavers[1]	ET Starts	ET Leavers[1]	ET Starts	ET Leavers[1]
East Midlands and Eastern	1,771	—	2,728	—	2,860	—	2,202	—
Yorks and Humber	2,974	—	4,523	—	5,509	—	4,402	—
North West	3,029	—	4,962	—	5,544	—	4,145	—
Northern	2,395	—	3,219	—	3,646	—	2,895	—
Wales	1,381	—	1,967	—	2,649	—	2,172	—
Scotland	2,331	—	3,120	—	4,045	—	3,894	—
Great Britain	21,462	1,000	31,083	5,000	35,202	7,000	28,867	7,000

[1] The leavers figures are estimated and relate to trainees who were not transferred from previous programmes.

Table 2

Employment training; trainees on CP wages and ET allowances
Monthly totals: September to December 1988

Region	September		October		November		December	
	CP wages	ET allowances	CP wages	ET allowances	CP wages	ET allowances	CP wages	ET allowances
South east	4,353	3,799	3,367	5,164	2,614	6,253	1,924	7,049
London	6,691	4,602	5,402	6,325	4,174	9,220	3,295	10,510
South west	6,,414	2,987	5,031	4,266	3,670	5,742	2,859	6,847
West midlands	15,104	5,221	11,992	7,678	9,109	10,114	6,706	12,066
East midlands	9,628	3,898	7,646	5,704	5,971	7,569	4,639	8,943
Yorkshire and Humberside	13,260	9,764	12,355	10,182	9,454	14,464	7,062	15,999
North west	20,339	6,668	16,523	9,878	12,668	13,413	9,778	15,484
Northern	19,863	4,425	16,212	7,069	12,839	9,667	9,676	11,845
Wales	11,770	2,360	9,020	4,437	7,134	5,996	5,400	7,394
Scotland	13,996	4,361	12,763	6,608	10,439	9,095	8,621	11,660
Great Britain	121,418	48,085	100,311	67,311	78,072	91,533	59,960	107,797

Ms. Short: To ask the Secretary of State for Employment if he will give up-to-date statistics showing how many unemployed people have been referred to employment training agents since the start of the scheme; how many have had action plans completed; and how many have started training and how many have not, giving the results for each month by region and for Great Britain as a whole.

Mr. Nicholls: The information requested is set out in the table.

Employment training: Referrals, action plans and training manager starts
Monthly totals 1988

Region	Referrals to training agents				Agreed action plans				Starts with training managers			
	September	October	November	December	September	October	November	December	September	October	November	December
South East	20,725	17,914	16,816	14,103	3,196	3,147	3,585	3,334	1,533	2,050	1,987	1,707
London					3,172	4,166	4,660	4,388	2,503	3,057	3,110	2,405
South West	5,131	4,380	3,873	3,475	1,706	2,257	2,389	1,796	1,075	1,724	2,023	1,742
West Midlands	10,347	8,652	9,111	8,159	4,345	4,363	4,950	4,563	2,470	3,733	3,829	3,303
East Midlands and Eastern	7,533	6,687	6,278	4,642	3,085	3,618	3,639	2,632	1,771	2,728	2,860	2,202
Yorkshire and Humberside	10,120	9,080	8,940	7,552	4,176	5,132	5,660	4,452	2,974	4,523	5,509	4,402
North West	12,732	11,402	11,132	9,150	4,119	5,830	6,417	5,151	3,029	4,962	5,544	4,145
Northern	12,453	7,690	6,434	5,661	4,389	4,351	4,467	3,597	2,395	3,219	3,646	2,895
Wales	5,225	5,383	5,697	5,092	1,948	2,500	3,076	2,433	1,381	1,967	2,649	2,172
Scotland	12,259	11,678	12,126	10,472	4,146	4,959	6,580	5,485	2,331	3,120	4,045	3,894
Great Britain	96,525	82,866	80,407	68,306	34,282	40,323	45,423	37,831	21,462	31,083	35,202	28,867

Notes:

1. The September figures include some referrals made in the two weeks prior to the official launch date.
2. The figures for referrals to training agents are provided by the employment service. However, the regional boundaries are not always co-terminus with those of the training agency.
3. Some of those people for whom an action plan was not agreed, may have been referred to alternative opportunities.

Mr. Henderson: To ask the Secretary of State for Employment how many employment training places are contracted for each employment office area; and of those places how many are from the new job training scheme and how many from the community programme.

Mr. Nicholls: The information is not available in the precise form requested. The following table gives the number of contracted employment training places by Training Agency area. Information on how many of those places moved forward from the new job training scheme, the community programme or are new places, is not available.

Employment training—contracted places

Area office	*Contracted places*
South East Region	
Berkshire and Oxfordshire	1,833
Buckinghamshire and Hertfordshire	2,553
Essex	3,595
Hampshire and Isle of Wight	3,221
Kent	3,791
Surrey	1,155
Sussex	3,020
London Region	
Inner London North	7,316
Inner London South	4,745
London East	2,890
London North	4,141
London South	1,729
London West	1,467
South West Region	
Avon	3,873
Devon and Cornwall	7,090
Dorset and Somerset	2,983
Gloucester and Wiltshire	2,927
West Midlands Region	
Birmingham and Solihull	10,797
Coventry and Warwickshire	4,653
Dudley and Sandwell	4,936
Staffordshire	4,939
The Marches, Hereford/Worcester	4,195
Wolverhampton and Walsall	5,410
East Midlands and Eastern Region	
Bedfordshire and Cambrideshire	2,055
Derbyshire	4,401
Leicestershire and Northamptonshire	4,408
Lincolnshire	2,032
Norfolk and Suffolk	4,125
Nottinghamshire	5,453
Yorkshire and Humberside Region	
Bradford, Calderdale and Kirklees	6,300
Humberside	5,787
North Yorkshire and Leeds	6,655
Sheffield and Rotherham	8,118
Wakefield, Doncaster and Barnsley	6,882
North West Region	
Cheshire	5,048
Cumbria	2,170
Lancashire	7,179
Central Manchester	9,257
Greater Manchester North	6,480
Greater Manchester East	3,901
Merseyside	16,551
Northern Region	
Cleveland	9,583
County Durham	7,120
Northumberland, North Tyneside and Newcastle	7,511
Sunderland, South Tyneside and Gateshead	9,856
Wales	
Dyfed and West Glamorgan	6,329
Gwent	3,902
Gwynned, Clwyd and Powys	5,426
Mid and South Glamorgan	8,202
Scotland	
Ayrshire, Dumfries and Galloway	4,664
Central and Fife	4,856
Glasgow City	9,854
Grampian and Tayside	4,397
Highlands and Islands	1,700
Lanarkshire	4,730
Lothian and Borders	5,258
Renfrew, Dumbarton and Argyll	6,014

Accident Statistics

Mr. Meacher: To ask the Secretary of State for Employment how many *(a)* fatal and *(b)* serious injury accidents have occurred in each of the last five years amongst (i) the largest 20 manufacturing companies and (ii) the largest 10 construction companies.

Mr. Nicholls: *[holding answer 16 February 1989]:* The Health and Safety Executive's records of fatal and major injuries relate to individual premises or sites. The information could be supplied in the form requested only at disproportionate cost.

Employment Protection (Consolidation) Act 1978

Mr. Colvin: To ask the Secretary of State for Employment if he will implement section 131 of the Employment Protection (Consolidation) Act 1978.

Mr. Nicholls: My right hon. Friend has no immediate plans to do so.

Industrial Tribunals

Mr. Colvin: To ask the Secretary of State for Employment when he intends to update the rules under which industrial tribunals operate; and if he will make a statement.

Mr. Nicholls: The current Employment Bill proposes extending my right hon. Friend's powers to make regulations as to industrial tribunal procedure. They will be implemented once the Bill has obtained Royal Assent.

YTS

Mr. Wigley: To ask the Secretary of State for Employment what steps he is taking to ensure that YTS courses contain sufficient recognised skill training content to be seen by employers as a step towards apprenticeships or equivalent recognised qualifications: and what is his estimate of the proportion of YTS places that currently fall into this category.

Mr. Cope: Every YTS training programme must offer trainees the opportunity of achieving a vocational qualification, or of gaining credit towards one. Increasing numbers of vocational qualifications have been made a specific requirement in YTS. These are approved by the National Council for Vocational Qualifications and reflect broad standards of occupational competence defined by industry and commerce. Already such qualifications are available for 75 per cent. of YTS programmes. Managing agents are required to introduce those specified qualifications within a defined timescale.

Employment Discrimination (Conventions)

Mrs. Fyfe: To ask the Secretary of State for Employment if he will list those international conventions on discrimination in employment on grounds of political beliefs which Her Majesty's Government *(a)* have and *(b)* have not ratified; whether he plans to give further effect to any provisions of those listed under *(b)*; and if he will make a statement.

Mr. Nicholls: The relevant international instruments are:

the International Labour Organisation (ILO) conventions Nos. 111 (Discrimination: Employment and Occupation), 122 (Employment Policy) and 158 (Termination of Employment); the International Covenant on Economic, Social and Cultural Rights, article 6; the Universal Declaration on Human Rights, article 23; the European Social Charter, article 1 and the European Convention on Human Rights.

The United Kingdom has ratified or accepted these instruments with the exception of ILO conventions Nos. 111 and 158. The Government have no plans to ratify ILO convention No. 111, for reasons already explained to the hon. Member on 10 February at column *720*. Regarding convention No. 158, the Government believe that existing United Kingdom legislation, in conjunction with statutory codes of practice, gives employees sufficient protection against unfair dismissal and to be consulted on proposed redundancies, and the Government have no plans for ratification.

Young People (Work Restrictions)

Mrs. Wise: To ask the Secretary of State for Employment how many jobs he estimates will be created *(a)* in shops and *(b)* as a whole, by the removal of restrictions on hours of work of young people under 18 years of age.

Mr. Cope: No such estimates can be made.

Working Hours

Mrs. Wise: To ask the Secretary of State for Employment what research he has commissioned on the effect of long hours, shift work, or night work on *(a)* adults and *(b)* young workers under the age of 18 years; and if he will give details of the research projects.

Mr. Nicholls: My right hon. Friend has not directly commissioned such research but the Health and Safety Executive has been reviewing the scientific literature on this subject and finds that it supports the conclusions of Professor Harrington in his review "Shift Work and Health", published by HSE in 1978.

Retail Prices Index

Mr. Gordon Brown: To ask the Secretary of State for Employment (1) if he will publish all papers examining the inclusion of the poll tax in the retail price index;

(2) if he will publish a calculation for the retail price index with poll tax payments replacing rates;

(3) what is his policy on including the poll tax in the retail price index;

(4) when he expects the report of the Retail Prices Index Advisory Committee.

Mr. Lee: My right hon. Friend the Secretary of State has asked the Retail Prices Index advisory committee to consider the effect of the abolition of domestic rates on the construction of the index. The report is expected shortly and an announcement will be made in due course.

Incomes

Mr. Wigley: To ask the Secretary of State for Employment what is his estimate for the most recent available date of the proportion of households in Wales and Scotland and in each of the standard regions of England, respectively, whose annual household income is below £4,000 per annum.

Mr. Lee: The information for 1986, which is the latest year available, as set out as follows, comes from the family expenditure survey and relates to average gross household income in Wales, Scotland and the standard regions of England. The results are subject to sampling errors and should be treated with caution; percentages are subject to errors of about plus or minus 3 per cent.

Households with gross income below £4,000 per annum (1986)

Region	*Number in sample*	*Percentage of all households*
Total number of households	1,363	19·3
North	102	23·7
Yorkshire and Humberside	165	24·8
North West	173	20·8
East Midlands	104	21·2
West Midlands	124	19·1
East Anglia	39	15·0
South East—total	327	15·5
Greater London	146	18·3
Rest of South East	181	13·7
South West	85	15·1
Wales	72	18·5
Scotland	172	26·4

AGRICULTURE, FISHERIES AND FOOD

ESA Scheme

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what is the estimated cost to his Department of the administration of the ESA scheme for each year of its operation; and whether these costs have been additional or absorbed within his Department's Estimate.

Mr. Ryder: In the two years which ESAs have operated we estimate the full administrative cost of the scheme to have been £0·44 million in 1987-88 and £0·71 million in 1988-89. These figures are included in my Departments published estimates.

Aluminium

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library copies of the *(a)* guidance offered to the infant and dietetic food industry about levels of aluminium in infant and dietetic foods, and *(b)* regulations which exist with regard to infant and dietetic foods; and who is responsible for the enforcement of such guidance and regulations.

Mr. Ryder: The recently completed survey on aluminium levels in infant formulae is to be discussed with the trade shortly. The results will be published as soon as possible.

There are currently no specific regulations on infant and diatetic foods. However, these foodstuffs, like all others, are covered by the general provisions of the Food Act 1984 and the food labelling regulations which include specific provisions controlling claims for infant and diatetic foods. The proposed EC directive on foods for particular nutritional uses would provide for specific directives which may control the description, composition, labelling, advertising and presentation of cerain categories of foods, including infant and diatetic foods. Enforcement of food law is carried out by those local authorities which are food and drugs authorities.

Crops

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the potential of crops or parts of crops for use in industries such as paper making, paint, plastics and phamaceuticals; and what investment his Department is making to enable the full potential to be realised.

Mr. MacGregor: My Department has considered the potential of crops for use in industry in reports issued on the disposal and utilisation of straw (1984) and on agraforestry (1986). A review of alternative crops and livestock enterprises for United Kingdom agriculture was carried out by the centre of agricultural strategy, under MAFF sponsorship in 1985. A further review, by the MAFF novel crops and livestock enterprises review group, is due to be released this year. Where appropriate, these reviews include recommendations on industrial potential.

My Department is supporting work on the development of dual purpose flax for fibre and for oil production, and is involved in the European Community's ECLAIR programme on agricultural production for industrial use.

It should also be noted that under the common agricultural policy arrangements already exist to encourage the industrial use of starch derived from cereals and potatoes and of sugar. Starch used in the manufacture of specified industrial products, including paper, plastics and pharmaceuticals, and certain sugar products used in the chemical industry, are eligible for a production aid.

Potato Marketing

Mr. Amos: To ask the Minister of Agriculture, Fisheries and Food how many representations he has received on the consultation paper, "Potato Market Policy" in Great Britain after 30 June 1990; when he expects to make a decision on future policy; and if he will make a statement.

Mr. Donald Thompson: Ninety three representations on the consultation document were received by the deadline of 31 December 1988. I am now considering these. I am not yet able to say when this process will be considered, but a decision will not be unduly delayed.

Soil Erosion

Mr. John Garrett: To ask the Minister of Agriculture, Fisheries and Food what recent studies the soil survey and land research centre has carried out of soil erosion in England and Wales; and if he will publish such reports.

Mr. Ryder: The soil survey and land research centre is currently writing up the results of a five year collaborative study undertaken with my Department's agricultural and development and advisory service. This study, which covered 17 sites in lowland England and Wales, is to be continued in 1989-90 in a modified form. Selected high risk areas will be the subject of a detailed analysis of the factors influencing erosion. Other work for 1989-90 includes the production of maps of areas at risk in England and Wales. Future plans include consideration of erosion in upland areas using existing and fresh aerial photographic data. Reports of these studies will be published in the relevant scientific journals.

Whales

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what protests have been made to the Japanese Government concerning the slaughter of minke whales in the Antarctic.

Mr. Donald Thompson: Recently we have expressed our serious concerns to the Japanese Government about their current feasibility programme of whaling for scientific purposes both directly and through the relevant forum of the International Whaling Commission (IWC). In December the United Kingdom commissioner of the IWC expressed our views to the chairman of the IWC in a letter circulated to all member Governments including Japan. This made clear our firm view that Japan should not implement her plans until the major concerns about these identified by the scientific committee to the IWC had been addressed and resolved. The letter was passed personally by the United Kingdom commissioner to the Japanese embassy in London with a clear explanation of the United Kingdom Government's concern.

Further, once the period for consideration of the scientific committee's views by commissioners was complete and learning that the programme was to go ahead I authorised our commission to propose a resolution for consideration by the IWC. This was seconded by Australia and New Zealand. If adopted it will put on a formal and international basis the call to Japan to cease its current programme.

Our embassy in Tokyo is also in close touch with the Japanese Government. Also, similar concerns expressed by the Falkland Islands Executive Council have been passed to the Japanese embassy.

BST

Mr. Gordon Brown: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the number of people drinking milk supplied from cows injected with BST.

Mr. Donald Thompson: The data necessary for such an estimate are not available.

Mr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he has received advice from the Veterinary Products Committee that BST should be given a product licence.

Mr. Donald Thompson: The Veterinary Products Committee (VPC) provides advice in confidence at any stage of an application, if appropriate. The VPC will not make a final recommendation on an application until it has received all pertinent information, including data generated in field trials.

Eggs

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many eggs have been destroyed at his Department's expense since 1 December 1988.

Mr. Ryder: About 63 million. Eggs were also destroyed by the Agriculture Departments of Wales, Scotland and Northern Ireland. In the United Kingdom as a whole about 90 million eggs were destroyed. The destruction of eggs has now ceased.

BSE

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list those EEC countries in which BSE is a notifiable disease;

(2) what information he has concerning the incidence of BSE in EEC countries;

(3) what information he has concerning the incidence of BSE in the Republic of Ireland.

Mr. Donald Thompson: BSE is a notifiable disease in Great Britain and Northern Ireland. A single case has recently been confirmed in the Republic of Ireland, where the Minister of Agriculture and Food has announced that the disease will shortly become notifiable. BSE has not yet been reported in any other member state.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what action his Department takes to ensure the testing of culled dairy cows for BSE infection.

Mr. Donald Thompson: All cattle suspected of having BSE are compulsorily slaughtered and the brains subjected to laboratory examination to confirm whether or not the animals were affected by the disease.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that beef imports from the Republic of Ireland do not come from BSE infected cattle.

Mr. Donald Thompson: Following the recent confirmation of the first case of BSE in the Republic of Ireland, legislation is shortly to be introduced which will require the compulsory slaughter and destruction of all animals affected by the disease. Although there is no evidence of a risk to humans similar measures were introduced in Great Britain last August, purely as a precautionary measure.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) what evidence his Department has that the current level of compensation for BSE infected cattle is encouraging owners to submit suspect cattle to slaughter prior to the result of clinical signs of BSE;

(2) if he will introduce a new compensation scheme in respect of BSE based on payments of 100 per cent. of the value of infected animals.

Mr. Donald Thompson: I believe that 50 per cent. compensation is reasonable, given that the animals are suffering from a terminal illness but are valued as if free from BSE. There is no evidence to suggest that owners are deliberately evading their legal obligation to notify the Ministry of cattle suspected of having BSE. Indeed, the number of cases being reported suggests a high level of co-operation from farmers in tackling this new disease problem.

Scrapie

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what action his Department takes to ensure the early diagnosis of sheep suffering from scrapie.

Mr. Donald Thompson: There is no diagnostic testing in live animals. Advice is available to farmers from ADAS on the control of the disease and flock owners may also participate in a monitoring scheme under the Ministry's sheep and goat health scheme.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the incidence of scrapie in sheep during 1988.

Mr. Donald Thompson: Scrapie is not a disease which is notifiable under the Animal Health Act 1981. However, the provisional figures for last year show that veterinary investigation centres diagnosed about 190 cases from samples of sheep brain tissue submitted for laboratory analysis.

Animal Health Standards

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the proposal of the Directorate-General for Agriculture of the European Commission that rabies, Aujeszky's disease and certain other diseases of animals, poultry and fish should be treated as third category diseases subject only to discretionary controls and voluntary eradication procedures; and what steps will be taken to protect animal health standards in relation to rabies and other diseases following the implementation of the single European Market in 1992.

Mr. Donald Thompson *[holding answer 16 February 1989]:* The European Commission has yet to make proposals to the Council of Ministers in relation to the Community animal health regime to apply after the completion of the internal market. They have, however, outlined a suggested strategy which would categorise diseases, and the rules which would apply, in relation to the relative seriousness of individual diseases and the prospects of eradicating or controling them.

In its strategy, the Commission envisage that category 1 would include serious diseases such as classical swine fever and foot and mouth disease with controls on movements from affected zones or areas; category 2 would control movements on the basis of herd freedom from diseases such as tuberculosis and brucellosis; category 3 would include Aujeszky's disease and rabies and these would be subject to voluntary health scheme controls.

The Commission has recently said that rabies would now be considered as a special category and we await further proposals. As far as Aujeszky's disease is concerned, we have said that the proposed voluntary health scheme approach (category3) would not provide the necessary safeguards against disease spread and would therefore put Great Britain's hard won achievements at risk. Other member states share our concerns.

In considering the animal health aspects of the single European market, the Government will continue to press for effective veterinary controls, including quarantine where justified, as long as these remain necessary to prevent the introduction of disease.

Farmers

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list in the *Official Report* the proportions of British farmers that fell into the annual income categories *(a)* below £8,000, *(b)* £8,000 to £10,000, *(c)* £10,000 to £12,000, *(d)* £12,000 to £14,000 and *(e)* above £14,000 for each of the last five years, at 1983 prices.

Mr. Donald Thompson *[holding answer 15 February 1989]:* I regret that the information is not available in the

form requested. The farm business survey does, however, allow estimates to be made of the proportional breakdown of farm businesses according to broad income band at nominal prices. Information relating to the five latest years for which data are available, is set out in the table.

Percentage distribution of farm businesses according to net farm income in Great Britain: 1983-84 to 1987-88
All types of farm

Years ending on average in February	*Level of net farm income (£)*			
	Less than 0	*0 to less than 10,000*	*10,000 to less than 20,000*	*20,000 and over*
1983-84	20	46	18	16
1984-85	18	41	20	20
1985-86	28	41	17	12
1986-87	23	39	21	18
1987-88	20	38	20	20

Notes:

(a) Figures are derived from data collected in Farm Business Surveys by universities and agricultural colleges in Great Britain.

(b) Net farm income represents the return to the farmer and spouse for their manual and managerial labour and on tenant type capital in livestock, crops, machinery etc. but excluding land and buildings. It is calculated before the deduction of interest on any farming loans. All farms are treated as rented in the derivation of net farm income and an imputed rental value for owner-occupied land is charged as an expense in the accounts.

Family Farms

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of family farms in the United Kingdom during 1960, 1970 and 1980, together with his estimate for 1990 and 2000.

Mr. Ryder: *[holding answer 16 February 1989]:* Statistics on family farms are not collected as there is no statistical definition of such farms. However, the following information from a special European Community sample survey of farm work is relevant. Forecasts for future members are not made.

United Kingdom	*1985*
Farm holdings[1]	258·5 thousand
Farmed by a person[2]	240·5 thousand
As a percentage of holdings	93 per cent.
Estimated proportion of holdings with one or more family workers in addition to the farmer	62 per cent.

[1] These are main holdings in the annual census of agriculture. They exclude minor holdings below a defined threshold of size.

[2] ie Not farmed by a firm or institution.

Written Answers to Questions

Monday 20 February 1989

DEFENCE

Anti-missile Defence System

Mr. David Howell: To ask the Secretary of State for Defence whether he has received a report on the practicability of a strategic anti-missile defence system for the United Kingdom; and whether he will make a statement.

Mr. Archie Hamilton: I have nothing to add to the answer that I gave to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) on 26 January 1989 at column *754*.

Queen's Flight

Mr. David Young: To ask the Secretary of State for Defence when renewals of aircraft in the Queen's Flight will be required; if he will make it his policy to purchase such aircraft from British manufacturers; and if he will make a statment.

Mr. Sainsbury: Replacement dates for aircraft in the Queen's Flight are kept under review. Our procurement policy for such aircraft, as for other equipment, is aimed at meeting the requirement in the most cost-effective way.

Service Children's Education Authorities

Mr. Cartwright: To ask the Secretary of State for Defence what efforts are being made to ensure that teachers working for the service children's education authorities and who have separate contracts employing them to undertake lunchtime supervision are paid *(a)* the back-pay due to them and *(b)* regularly in the future on a monthly basis.

Mr. Neubert: Arrangements for the payment of senior lunch-time supervisory duties in respect of United Kingdom-based teachers employed with the service children's education authorities have been established effective from 1 December 1988. Payment will be paid on a termly basis. We expect to resolve the question of back-pay for hours worked prior to this date shortly.

Lance Missile Replacement

Mr. Flynn: To ask the Secretary of State for Defence if has received any notification from the United States Defence Department on the replacement of Lance missiles with the multiple-launch rocket system missile.

Mr. Archie Hamiliton: The United States announced its choice of the M270 multiple-launch rocket system (mlrs) as a launcher for a successor missile to Lance to NATO's high level group on 5 December, publicly confirming this decision the following day. A nuclear missile for the launcher has not yet been selected. The choice of launcher and missile are national United States decisions; NATO has not yet agreed to the deployment of a Lance successor.

Armilla Patrol

Mr. Adley: To ask the Secretary of State for Defence if he will make a further statement about the role of the Armilla patrol.

Mr. Archie Hamilton: The Armilla patrol is continuing to provide reassurance to British merchant shipping in the Gulf by independently patrolling international waters and remaining immediately available to go to their protection if necessary. Royal Navy ships will remain in the Gulf for as long as we judge that there remains a job to be done upholding freedom of navigation there.

OVERSEAS DEVELOPMENT

Kampuchea

Ms. Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs what he has done to bring about substantial reconstruction and development aid for Kampuchea.

Mr. Eggar: We do not give Government-to-Government aid to the regime in Phnom Penh. We have, however, contributed £100,000 to the FAO appeal for Cambodia and £250,000 to the UNICEF programme there. In addition, my hon. Friend the Minister for Overseas Development has announced an increase of £500,000 to support projects, including humanitarian projects in Cambodia, proposed by British voluntary agencies for assistance under the joint funding scheme.

AIDS

Mr. Butler: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Ealing, North (Mr. Greenway) of 13 February, *Official Report*, column *14*, how the study referred to defines exceptional demographic change as a result of AIDS; and what evidence he has of such exceptional demographic change in sub-Saharan African countries.

Mr. Eggar: Data are insufficient at this stage to assess accurately the long-term impact of AIDS on populations. The objective of this research project is to obtain information on how communities have coped in the past with disease and disasters which have had an impact on their populations. This will assist policy-makers establish appropriate ways of fostering and supporting community self-help methods of alleviating the potential impact of AIDS.

Amazonia (Dams)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if, in the light of the proposals of Electronorte for financing projects such as the Tucurui and Balbina dams in Amazonia, the United Kingdom executive director to the World Bank was instructed to support any electric power sector loan requested by Brazil.

Mr. Eggar: The Tucurui and Balbina dams were constructed without World Bank loans. The World Bank has stated that it has financed no hydroelectric power schemes in Amazonia and has no plans to do so. It is not the policy of Her Majesty's Government to disclose instructions given to our executive directors in international financial institutions.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Brazil about World Bank finance, and British private finance for Plan 2010, with regard to the proposals to build dams in Amazonia.

Mr. Eggar: None.

Zambia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what promises of aid were made by the United Kingdom to Zambia at the meeting of the World Bank consultative group held on 25 and 26 June 1988.

Mr. Eggar: The World Bank consultative group on Zambia did not meet in 1988 although an informal meeting among donors to Zambia was held under World Bank auspices in June. No promises of aid were sought or given.

Brazil (Dam Projects)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance Her Majesty's embassy in Brasilia has given in support of British consultants seeking the consultancy for dams on the Xingu river near Altamira, and for the Grande Carajas project; and what steps the Overseas Development Administrations permanent delegation to the World Bank is taking to monitor the progress of these projects.

Mr. Eggar: No approaches have been made by United Kingdom consultants to the British Embassy in Brasilia on either of these projects. I understand that original proposals for hydroelectric power development on the Xingu river near Altamira are being reconsidered. Work on the Carajas iron ore mine project, which was financed in part by a World Bank loan, was completed some time ago.

Amazonia (Indebtedness)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the development committee of the World Bank has taken to deal with the chronic indebtedness of countries in the Amazonian basin to private banks and international institutions and with what results; and what further action is proposed.

Mr. Eggar: The development committee has repeatedly endorsed the current case-by-case growth-oriented strategy. This approach has encouraged a number of Latin American countries to embark on the economic reforms required to overcome their debt difficulties and led creditor Governments to provide financial assistance in support of adjustment programmes. The committee has called on debtors and banks further to broaden the choice of market-based options for use in voluntarily negotiated arrangements.

Brazil

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make available the World Bank's staff appraisal reports for all projects covered by the electric power sector loan requested by Brazil.

Mr. Eggar: The proposed second power sector loan will not be for specific projects. The World Bank specifies that appraisal reports may be used by recipients only in the performance of their official duties; and their contents may not otherwise be disclosed without World Bank authorisation.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the latest arrangements that the United Kingdom director has agreed to in relation to the indebtedness of Brazil and its ability to meet its obligations to the International Monetary Fund, the International Bank of Reconstruction and Development and the International Development Association.

Mr. Eggar: The executive board of the IMF agreed a loan of $1·4 billion in July 1988; the executive board of the IBRD agreed a loan of $300 million for the agriculture sector in June 1988 (Brazil is not eligible for IDA lending). These loans are designed to support the economic reforms necessary if Brazil is to overcome its debt difficulties. Debt owed to the IMF and World Bank is only a small part of Brazil's debt.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment has been made of the human rights record of the Brazilian Government in relation to the Amerindians of Amazonia; and how Her Majesty's Government propose to vote in the light of such considerations on the World Bank structural adjustment loan for Brazil.

Mr. Eggar: There has been widespread concern in the United Kingdom at the constitutional provision for Amerindian landholding. We watch this closely and are in touch with interested groups. The Brazilian authorities are well aware of our concern at reports of Amerindian deaths at the hands of gold panners and settlers. Our embassy in Brasilia is monitoring developments closely. We will take account of environmental and social considerations in forming a view of the proposed second power sector loan.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what were the projects for which loans were sought from the World Bank by Brazil during each of the last five years; what was the outcome; and how Her Majesty's Government instructed their representative on the World Bank executive board to vote;

(2) what was the value of the loans made by the World Bank for each of the last five years to Brazil.

Mr. Eggar: Loans brought to the World Bank's executive board and approved in the past five years are listed in the table. It is not the policy of Her Majesty's Government to disclose instructions to our executive director.

World Bank loans to Brazil: 1984-88

Fiscal year ended 30 June	*Amount of loan $ million*	*Purpose*
1984	303	Agricultural credit.
	65·2	Agricultural development in north west Brazil.
	22·8	Agricultural development and Environment Project.
	7·7	Irrigation development project in north east Brazil.
	40	Basic education in north and central west Brazil.

Fiscal year ended 30 June	Amount of loan $ million	Purpose
	20	Technician training.
	250·6	Power distribution systems in north east and north west Brazil, and in low income metropolitan areas of Rio de Janeiro and Sao Paulo.
	222·8	Rural electrification.
	57·5	Primary health care programme in Sao Paulo; strengthening health planning in federal government.
	352	Expansion of small scale, export oriented manufacturing industries.
	210	Highway rehabilitation and technical assistance.
	52·7	Urban development in Parana.
	1,604·3	
1985	100	National Land Administration Programme.
	122·7	Rural development in north east Brazil (2 loans).
	72	Science and Technology education.
	400	Electricity transmission.
	312	Electricity distribution in highly industrialised areas.
	300	Third development banking project for small-scale enterprises.
	200	Financial rehabilitation of Federal Railway.
	16·3	Water supply and sanitation in rural areas.
	1,523	
1986	500	Restructuring agricultural credit system.
	155	Second agricultural extension project for small scale farmers.
	92	North east rural development programme.
	57	Irrigation project in north east Brazil.
	48	Irrigation survey project in north east Brazil.
	500	Power sector rehabilitation project.
	59·5	Health project in north east Brazil.
	29	Public sector management project.
	100	Rehabilitation of flood damaged urban areas in the north east region.
	55	Urban development in Salvador metropolitan region.
	24·5	Urban development in state of Santa Catarina.
	1,620	
1987	612	7 loans for agricultural development in the states of Bahia, Ceara, Maranhao, Piau, Paraiba, Minas Gerais and Alagoas respectively.
	51	Veterinary services.
	50	Reduction of industrial pollution in Sao Paulo.
	74·5	Strengthening the National Vocational Training System.
	174	Highway rehabilitation in Sao Paulo.
	100	Rehabilitation of Sao Paulo Railway Company.
	200	Urban transport improvement in Brazil's nine largest cities.
	1,261·5	
1988	300	Agroindustry development.
	300	Agriculture credit.
	195	Infrastructure for irrigation development.
	132	Mitigation of human cost of resettling families displaced by Itaparica reservoir.
	48·5	Support for programme of planting of up to 165,000 hectares of forest and charcoal manufacturing infrastructure in Minas Gerais.
	109	Health programme in north east Brazil, and help in developing an AIDS programme.
	20	Technical assistance to improve efficiency of ports.
	175	Reconstruction and rehabilitation following floods in Rio de Janeiro.
	80	Water and sewerage to poor areas of urban centres.
	1,359·5	

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken through the World Bank and the International Monetary Fund to ensure that adequate funds are available to Brazil to undertake structural adjustment programmes.

Mr. Eggar: The World Bank has lent substantial sums to support the process of structural adjustment in Brazil, and the International Monetary Fund has lent in support of stabilisation policies. An effective response by international financial institutions is dependent on the Brazilian Government promoting an adequate macro economic framework that will re-establish stability and permit the resumption of sustainable growth.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will discuss with the World Bank methods of ensuring that Brazil repays its international debt on reasonable terms.

Mr. Eggar: As a member of the World Bank we participate in regular discussion of the World Bank's lending programme in Brazil. These discussions cover Brazil's ability to meet its obligations to the World Bank. Paris Club creditors agreed last July to reschedule Brazil's official debt. Official creditors are agreed that Brazil's commercial debts are a matter for Brazil to negotiate with the banks themselves. We and the World Bank have both welcomed the elements of debt reduction in the innovative menu agreement reached between Brazil and the banks last year.

Amazonia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to ensure that the World Bank does not make loans for projects which, if carried out, would be likely to cause environmental or rain forest damage in Amazonia.

Mr. Eggar: Environmental concerns now receive considerable attention in the World Bank, due in part to the efforts of the United Kingdom and several other members. The reorganisation of the bank in 1987 strengthened its capacity to ensure that environmental costs and benefits are systematically addressed in project appraisal.

Brazil and Colombia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what environmental and cultural policy guidelines govern project lending by the World Bank and the intergovernmental group on Brazil and Colombia.

Mr. Eggar: The World Bank incorporates environmental and sociological considerations as an overall part of project design. Projects and programmes are required to meet economic and social objectives based on the most efficient and sustainable use of environmental resources. Projects which might affect indigenous groups or wildlands must incorporate components to mitigate any possible adverse effects. The bank can offer help to strengthen the local implementing agencies if this is necessary to ensure the successful design and implementation of the components.

I have no information about any intergovernmental group on Brazil and Colomnbia.

Rain Forests, Amazonia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action has been taken as a result of the acceptance of the FAO tropical forest action plan; what was the response from the president of the World Bank to representations stressing Her Majesty's Government's belief in the importance of environmental factors in respect of other aid programmes; and what discussions he has had with fellow donors on means of donor co-ordination in protecting rain forests in Amazonia.

Mr. Eggar: Under the tropical forestry action plan more than 50 developing countries have asked for help over the formulation and co-ordination of their national forestry policies. The plan has already led to seven forestry sector reviews being completed, and another 36 are under way.

The World Bank shares our view that the environmental aspects of development must be properly taken into account.

My hon. Friend the Minister for Overseas Development has not had any formal discussions with other donors specifically about protecting the Amazon rain forests; but when I visited Brazil last year I made clear to the Brazilian President the concern felt in Britain about the environmental effects of deforestation in the Amazon and that season's disastrous fires. As signatories of the international tropical timber agreement, the United Kingdom and Brazil and other donor and developing countries are pledged to encourage the development of international policies aimed at the sustainable use and conservation of tropical forests.

Amazonian Indians (Gathering)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he sent to the invitation to attend the gathering of Amazonian Indians at Altamira on 21 to 25 February.

Mr. Eggar: My hon. Friend the Minister for Overseas Development told the organisers that he was unable to accept the invitation because of earlier commitments but that he hoped to receive a report on the outcome of the meeting.

Kayapo Tribe Homelands, Brazil

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has of the destruction of Kayapo tribe homelands in Brazil; and what representations he has received on that subject.

Mr. Eggar: My hon. Friend the Minister for Overseas Development met Chief Paulinho Paiakan of the Kayapo last November to hear his concerns for the future of his people if proposed hydroelectric power developments on the Xingu river, which would inundate a large area of rain forest, were to proceed. We understand that the Brazilian authorities are re-appraising the sites originally proposed.

St. Helena Ferry

Mr. David Porter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the completion for the St. Helena ferry now that the Hall Russell company has gone into receivership; and what opportunities now exist for other British shipbuilding companies to be involved.

Mr. Eggar: It remains Her Majesty's Government's intention to complete the construction of the ship in the Hall Russell shipyard at Aberdeen if possible.

UNESCO

Mr. Canavan: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make an up-to-date statement giving a breakdown, by project, of the resources reallocated to development projects resulting from the savings arising from the United Kingdom's withdrawal from the United Nations Educational, Scientific and Cultural Organisation.

Mr. Eggar: In the financial year 1987-88 the money saved by our withdrawal from UNESCO was re-allocated and spent as follows:

Re-allocation of UNESCO savings final expenditure 1987-88

	£ Committed	£ Spent
Overseas Development Administration (ODA) technical co-operation training programme	1,872,000	1,772,848
English language training courses	799,000	600,300
ODA shared scholarship schemes	320,000	320,000
Foreign and Commonwealth Office (FCO) scholarships and awards scheme	640,000	640,000
ODA cultural projects	100,000	100,000
Public expenditure survey transfer to FCO for cultural projects	100,000	100,000
Chinese student scholarships in the United Kingdom	950,000	950,000
Distance learning project in Commonwealth countries	100,000	100,000
Nassau fellowships	500,000	650,131
Commonwealth media development fund	150,000	150,000
Royal Society	112,000	112,000
Research in arid Commonwealth Africa	300,000	300,000
Inter-governmental Oceanographic Commission	96,000	80,864
Man and the Biosphere/International Hydrological Programme/ International Association of Hydrological Sciences	200,000	200,000
Dissemination of results of research	200,000	200,000

	£ Committed	£ Spent
Total	6,439,000	6,276,143

Allocations for this financial year are similar.

Mr. Canavan: To ask the Secretary for State for Foreign and Commonwealth Affairs what was done with the £1,710,448 committed but not spent as referred to in his reply to the hon. Member for Falkirk, West on 29 July 1988, *Official Report*, columns *624-26*, on savings arising from the United Kingdom's withdrawal from the United Nations Educational, Scientific and Cultural Organisation.

Mr. Eggar: Underspending in the year in question permitted expenditure on other aid programmes. The cash limit for the year was virtually fully spent. It is not practical to identify the specific use to which these rather than other savings were put.

WALES

Housebuilding

14. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales how many new local authority dwellings were completed in Wales in 1988; and if he will give comparable figures for 1974 and 1979.

Mr. Grist: Provisional returns for 1988 show that 789 local authority dwellings were completed. Comparable figures for 1974 and 1979 are 3,046 and 3,010 dwellings respectively.

Labour Statistics

15. **Mr. Roy Hughes:** To ask the Secretary of State for Wales what are the latest unadjusted figures for unemployment in *(a)* Newport, *(b)* Gwent and *(c)* Wales; and if he will give the equivalent figures for 1979 on the most nearly comparable basis.

Mr. Peter Walker: On 12 January 1989 the number of unemployed claimants in the Newport district, Gwent and Wales were 6,173, 18,614 and 116,245 respectively. Unadjusted figures for 1979 are not available on a basis that enables a valid comparison to be made. I am sure the hon. Gentleman will welcome the continuing downward trend in seasonally adjusted unemployment in Wales, which fell by 25,800 in the last 12 months and by 62,000 in the last 34 months.

16. **Mr. Win Griffiths:** To ask the Secretary of State for Wales how many people there were in employment in *(a)* Wales, *(b)* Mid Glamorgan and *(c)* the travel-to-work area in which Bridgend is situated in June 1979 and the latest month for which figures are available; and how many of these jobs were part-time.

Mr. Peter Walker: There were 1,157,000 people in employment or self-employed in Wales in June 1979. The comparable figure for June 1988 was 1,029,000. Of these, 165,000 and 190,000 respectively were female part-time employees. Figures for male part-time employees, and for Mid Glamorgan and the Bridgend travel-to-work area, are not available for the dates requested.

Housing for Wales

17. **Mr. Murphy:** To ask the Secretary of State for Wales when he last met the chairman of Housing for Wales; and what matters were discussed.

Mr. Grist: My right hon. Friend and I have met the chairman of Housing for Wales on a number of occasions recently to discuss matters relevant to the setting up of the new body.

Place Names Advisory Committee

18. **Mr. Barry Field:** To ask the Secretary of State for Wales when the place names advisory committee last met; and what it discussed.

Mr. Wyn Roberts: The work of the place names advisory committee is carried out entirely by correspondence.

Pupil Costs

19. **Mr. Knox:** To ask the Secretary of State for Wales how much was spent per pupil in primary schools in Wales in the most recent year for which figures are available; and what was the comparable figure for 1978-79, at constant prices.

Mr. Wyn Roberts: The figures were £909 (in 1986-87), and £747 (in 1978-79). This represents a real terms increase of 21·7 per cent.

Hospital Waiting Lists

20. **Mr. Morgan:** To ask the Secretary of State for Wales when he expects to achieve his targets for maximum time on a waiting list for *(a)* operations and *(b)* out-patient appointments.

Mr. Grist: Health Authorities are not yet in a position to predict when all lists will meet the targets. However, officials of the Welsh Office will be keeping a close watch on the position through six-monthly reports from authorities.

"Working for Patients"

21. **Dr. Marek:** To ask the Secretary of State for Wales what representations he had received in response to the Welsh Office booklet entitled "Working for Patients", as to the continuance of local government representation on the reconstructed health authorities in Wales.

Mr. Grist: None.

Road Communications

22. **Mr. Flynn:** To ask the Secretary of State for Wales what plans he has to improve road communications in Wales.

Mr. Wyn Roberts: Outline plans will be announced in the Welsh Office commentary on the public expenditure White Paper and the detail will be provided in the forthcoming edition of "Roads in Wales."

Council of Ministers

23. **Mr. Gareth Wardell:** To ask the Secretary of State for Wales how many meetings of the Council of Ministers a Welsh Office Minister has attended since 1979; and which Councils they were.

Mr. Peter Walker: It has not been the normal practice of Welsh Office Ministers to attend meetings of the European Council of Ministers since or before 1979. They have, of course, frequently met members of the European Commission since 1979 to discuss issues of importance to Wales.

Planning Appeals

24. **Sir Anthony Meyer:** To ask the Secretary of State for Wales what percentage of appeals against refusals of planning permission by local authorities have been upheld by his Department during the last five years.

Mr. Peter Walker: Thirty-seven per cent.

Homelessness

Mr. Coleman: To ask the Secretary of State for Wales if he will publish in the *Official Report* the number of people listed as homeless in each of the Welsh districts, at the latest count.

Mr. Grist: The number of persons in households accepted as homeless during the third quarter of 1988 (July-September) are shown in the table:

Number of persons in households accepted as homeless, July-September 1988

	Number
Clwyd	
Alyn and Deeside	131
Colwyn	25
Delyn	175
Glyndwr	9
Rhuddlan	49
Wrexham Maelor	310
Dyfed	
Carmarthen	54
Ceredigion	57
Dinefwr	40
Llanelli	88
Preseli	50
South Pembrokeshire	76
Gwent	
Blaenau Gwent	152
Islwyn	55
Monmouth	161
Newport	398
Torfaen	268
Gwynedd	
Aberconwy	14
Arfon	28
Dwyfor	9
Meirionnydd	45
Ynys Môn	40
Mid Glamorgan	
Cynon Valley	153
Merthyr Tydfil	47
Ogwr	319
Rhondda	98
Rhymney Valley	143
Taff Ely	75
Powys	
Brecknock	40
Montgomery	44
Radnor	6
South Glamorgan	
Cardiff	706
Vale of Glamorgan	247
West Glamorgan	
Lliw Valley	38
Neath	169
Port Talbot/Afan	70
Swansea	125
Wales total	4,534

British Steel (Job Losses)

Mr. Alan Williams: To ask the Secretary of State for Wales how many meetings he personally has had with British Steel about the impending job losses in Wales and the closure of Velindre.

Mr. Peter Walker: I maintain regular contact with the company about matters of mutual interest, and I have discussed the rationalisation of tinplate production in south Wales with British Steel management. I discussed this specific closure and the prospects for dealing with job losses two weeks ago.

Welsh Water

Mr. Michael: To ask the Secretary of State for Wales if he will give in full the terms of his communication to the European Commission seeking clearance for limiting to 15 per cent. the maximum single holding in Welsh Water after privatisation and the complete text of the European Community's reply.

Mr. Grist: I refer the hon. Gentleman to the statement made by the Commission Vice President, Sir Leon Brittan, on 7 February in which he said:

"The proposed 15 per cent. limit on a single share holding presents no difficulty under community law so long as its application is non-discriminatory".

Higher Education

Dr. Thomas: To ask the Secretary of State for Wales when he last met representatives of the institutions of higher education in Wales; and what matters were discussed.

Mr. Wyn Roberts: My right hon. Friend and I met the vice-chancellor of the university of Wales and the director of the polytechnic of Wales, together with a number of industrialists, on 25 July 1988. The topic of discussion was the interaction between higher education and industry.

Historic Monuments

Mr. Gwilym Jones: To ask the Secretary of State for Wales whether he will make a statement on the future relationship between Cadw—Welsh Historic Monuments —and the Royal Commission on Ancient and Historical Monuments for Wales.

Mr. Wyn Roberts: The relationship between the Royal Commission (RCAHM(W) and Cadw—Welsh historic monuments—has been looked at in the context of a policy review of the activities and functions of the commission and the equivalent bodies for Scotland and England. This review is being conducted jointly with my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Secretary of State for the Environment. We shall be announcing conclusions in due course.

Meanwhile, my right hon. Friend the Secretary of State for Wales has decided that certain issues of principle can be settled now in advance of the completion of the policy review. There is the question whether RCAHM(W) should be merged with Cadw and the suggestion in a consultancy report by Peat Marwick McLintock that consideration should be given to the transfer of some functions from Cadw to the Welsh Commission. Peats recommended that the Royal Commission should be retained as a separate body responsible for maintaining the national archive of heritage information and manage the NMR. My right hon. Friend and I are persuaded by this analysis and take the view that the Royal Commission should continue as a separate body.

Peats emphasised that the arguments for and against the transfer of functions were finely balanced. We have decided that the Royal Commission should in future be recognised as the lead national body for oversight of the system of local sites and monuments records. In exercising this responsibility the commission would need to ensure proper liaison with Cadw regarding local decision-making and conservation of the built heritage of Wales generally.

On the matter of transferring listing and scheduling to the Commission, we have concluded that as its purpose is to identify buildings and monuments which should be given special consideration in the planning and development control process, listing and scheduling should be linked to considerations of conservation, rather than record, and for that reason my right hon. Friend and I have concluded that it is more appropriate for Cadw to continue to provide advice to us on these issues.

We do believe, however, that the Royal Commission should be more formally involved in this function and that a mechanism should be established that encourages Royal Commission staff to advise Cadw on sites they may visit. We have asked Cadw to consider this and recommend as appropriate. Provided the RCAHM(W)'s input to advice on listing and scheduling is formulated in such a way we take the view that the duty placed on the Royal Commission in 1908 to make its own direct recommendations to Government on buildings "worthy of preservation" should be regarded as overtaken by the development of the statutory framework of listing and scheduling and dropped from its responsibilities.

Peats comment that as experts on heritage information, the Royal Commission is best placed to judge priorities and to deal with the rescue archaeology grant system. However, we consider that there are good policy and practical arguments for the same organisation handling all aspects of archaelogical casework—scheduled monument consent, negotiations with developers and rescue archaeology if that proves necessary. Accordingly, we feel that it is best for Cadw to continue to deal with rescue archaeology.

Whatever the future dispositions of functions may be, there will always be areas where both Cadw's and the Royal Commission's expertise and concerns need to be taken into account by each other.

With these issues of principle resolved, we consider that there is now a very satisfactory basis for a supportive and constructive future relationship between the Royal Commission and Cadw. I have written to the commission's chairman to inform him of our conclusions.

EMPLOYMENT

Training (Expenditure)

Mr. Meacher: To ask the Secretary of State for Employment how much has been spent on training programmes in *(a)* the public sector and *(b)* the private sector, in each EEC country and the United States of America, Japan and Sweden (i) including the cost of training allowances, and (ii) excluding the cost of training allowances, in real terms at 1989 prices and as a percentage of annual gross domestic product for each year that information is available since 1980.

Mr. Cope: I regret that the information requested is not available.

YTS

Mr. Redmond: To ask the Secretary of State for Employment if he will make a statement on the average weekly take-home pay for YTS leavers in the economic region of Yorkshire and Humberside; and what steps he is currently taking to review this.

Mr. Cope: Estimates from the youth cohort study for England and Wales, covering those young people who reached minimum school leaving age in the academic year 1984-85 and were surveyed in spring 1988, show that the average weekly take-home pay for those in a job in the economic region of Yorkshire and Humberside who said that they had had YTS experience within the previous three years was £71·27.

The Government are continuing to fund the youth cohort study to establish information on this and other areas in the education, training and employment of young people.

Departmental Leaflets

Mr. Bill Michie: To ask the Secretary of State for Employment if he will list the titles and code numbers of the 10 most issued leaflets published by his Department and indicate which of these leaflets has been issued in translation and in which languages.

Mr. Cope: The 10 most issued leaflets are as follows:

Title	*Code Number*
1. Responsibilities of Claimants While Unemployed	UBL 18
2. Jobclub leaflet	JCL 12
3. Availability For Work (Tear-off slip)	UBL 671
4. Put you In The Picture	REST L1
5. Enterprise Allowance Scheme	EAS 102
6. Get into Training	TA M66
7. Better Off In Work	BOI W1
8. Employment Training Action Plan	M64
9. How Unemployment Benefit Entitlement Is Decided	UBL 48
10. Be Your Own Boss	EAS 113

Publication 3 "Availability For Work" (UBL 671) is presently being prepared in the following 14 languages:
Arabic; Bengali; Cantonese; French; German; Gujarati; Hindi; Italian; Punjabi; Somali; Spanish; Urdu; Vietnamese; Welsh.

Leaflet 4 "Put You In The Picture" (REST L1) is produced in the following 12 languages:
Arabic; Bengali; Cantonese; Gujarati; Hindi; Italian; Punjabi; Somali; Spanish; Urdu; Vietnamese; Welsh.

Leaflets 5 "Enterprise Allowance Scheme" (EAS 102) and 10 "Be Your Own Boss" (EAS 113) are at present only available in English, but editions are being prepared in the following eight other languages:
Gujarati; Hindi; Bengali; Urdu; Punjabi; Cantonese; Vietnamese; Welsh.

Leaflet 8 "Employment Training Action Plan" (M64) is produced in the following seven ethnic minority languages:
Urdu; Punjabi; Chinese; Bengali; Gujarati; Hindi; Vietnamese.

Retail Prices

Mr. Gordon Brown: To ask the Secretary of State for Employment in which years since 1959 the annual rate of increase in retail prices was lower than in the previous year.

Mr. Lee: In 1963, 1966, 1967, 1972, 1976, 1977, 1978, 1981, 1982, 1983 and 1986.

Press Notices

Mr. Leighton: To ask the Secretary of State for Employment how many press notices his Department, including the Manpower Services Commission and Training Agency, issued in each 12-month period since 1979.

Mr. Cope: The information is as follows:

	Numbers
1979	425
1980	385
1981	415
1982	398
1983	464
1984	416
1985	496
1986	484
1987	402
1988	386

Note: These figures do not include press notices issued on behalf of the Department of Employment, the Manpower Services Commission and the Training Agency through the Central Office of Information regional offices.

Labour Statistics

Mr. Alton: To ask the Secretary of State for Employment if he will list the numbers of people unemployed for more than five years in each of the travel-to-work areas.

Mr. Lee: The following information is also in the Library. The table shows the number of unemployed claimants who had been unemployed for more than five years in October 1988, the latest available date, for each of the travel-to-work areas in Great Britain.

Number of claimants unemployed for more than five years in each travel-to-work area in Great Britain

Travel-to-work area	*Number of unemployed claimants*
Andover	57
Ashford	196
Aylesbury and Wycombe	270
Banbury	148
Basingstoke and Alton	156
Bedford	231
Bicester	34
Brighton	1,184
Canterbury	171
Chelmsford and Braintree	229
Chichester	120
Clacton	202
Colchester	332
Crawley	200
Dover and Deal	155
Eastbourne	200
Folkestone	213
Gosport and Fareham	234
Guildford and Aldershot	335
Harwich	69
Hastings	277
Hertford and Harlow	632
Hitchin and Letchworth	193
Isle of Wight	330
Medway and Maidstone	1,282
Milton Keynes	308
Newbury	46
Oxford	525
Portsmouth	1,151
Reading	297
Sittingbourne and Sheerness	349
Slough	390
Southampton	1,064
Southend	1,705
Thanet	420
Tunbridge Wells	195
Watford and Luton	1,245
Winchester and Eastleigh	122
Worthing	234
Beccles and Halesworth	72
Bury St. Edmonds	63
Cambridge	259
Cromer and North Walsham	107
Diss	49
Fakenham	58
Great Yarmouth	396
Haverhill	37
Huntingdon and St. Neots	113
Ipswich	474
King's Lynn and Hunstanton	340
Lowestoft	241
Newmarket	112
Norwich	876
Peterborough	590
Sudbury	59
Thetford	124
Wisbech	182
Woodbridge and Leiston	71
Heathrow	1,744
London	23,676
Barnstaple and Ilfracombe	149
Bath	299
Bideford	75
Blandford	21
Bodmin and Liskeard	133
Bournemouth	480
Bridgwater	188
Bridport	30
Bristol	2,056
Bude	43
Chard	41
Cheltenham	274
Chippenham	99
Cinderford and Ross on Wye	248
Cirencester	47
Dartmouth and Kingsbridge	38
Devizes	30
Dorchester and Weymouth	120
Exeter	398
Falmouth	109
Gloucester	413

Travel-to-work area	Number of unemployed claimants
Helston	85
Honiton and Axminster	78
Launceston	49
Minehead	42
Newquay	30
Newton Abbot	109
Okehampton	25
Penzance and St. Ives	142
Plymouth	1,208
Poole	207
Redruth and Camborne	291
Salisbury	141
Shaftesbury	51
South Molton	18
St. Austell	157
Stroud	182
Swindon	478
Taunton	211
Tiverton	55
Torbay	330
Torrington	30
Totnes	32
Trowbridge and Frome	186
Truro	114
Wareham and Swanage	27
Warminster	20
Wells	104
Weston super Mare	254
Yeovil	152
Birmingham	12,398
Burton-on-Trent	374
Coventry and Hinckley	3,412
Dudley and Sandwell	5,458
Evesham	105
Hereford and Leominster	316
Kidderminster	390
Leek	47
Ludlow	87
Malvern and Ledbury	129
Oswestry	80
Rugby and Daventry	235
Shrewsbury	291
Stafford	287
Stoke	1,700
Telford and Bridgnorth	1,066
Uttoxeter and Ashbourne	55
Walsall	2,718
Warwick	386
Whitchurch and Market Drayton	119
Wolverhampton	2,895
Worcester	457
Alfreton and Ashfield	435
Boston	164
Buxton	87
Chesterfield	1,010
Corby	216
Derby	1,494
Gainsborough	127
Grantham	143
Horncastle and Market Rasen	75
Kettering and Market Harborough	160
Leicester	1,806
Lincoln	683
Loughborough and Coalville	226
Louth and Mablethorpe	89
Mansfield	533
Matlock	68
Melton Mowbray	86
Newark	220
Northampton	465
Nottingham	3,802
Retford	155
Skegness	87
Sleaford	70
Spalding and Holbeach	104
Stamford	69
Wellingborough and Rushden	189
Worksop	311
Barnsley	1,274
Bradford	2,548
Bridlington and Driffield	131
Calderdale	612
Castleford and Pontefract	591
Doncaster	1,626
Goole and Selby	202
Grimsby	902
Harrogate	103
Huddersfield	548
Hull	3,135
Keighley	148
Leeds	2,872
Malton	25
Northallerton	48
Pickering and Helmsley	19
Richmondshire	52
Ripon	23
Rotherham and Mexborough	1,978
Scarborough and Filey	162
Scunthorpe	594
Settle	18
Sheffield	4,692
Skipton	36
Thirsk	18
Wakefield and Dewsbury	1,044
Whitby	82
York	459
Accrington and Rossendale	316
Blackburn	622
Blackpool	876
Bolton and Bury	1,982
Burnley	429
Clitheroe	31
Crewe	332
Lancaster and Morecambe	358
Liverpool	14,312
Macclesfield	170
Manchester	9,176
Northwich	363
Oldham	805
Pendle	198
Preston	1,153
Rochdale	679
Warrington	605
Widnes and Runcorn	1,049
Wigan and St. Helens	3,683
Wirral and Chester	3,661
Barrow in Furness	261
Carlisle	372
Kendal	41
Keswick	22
Penrith	52
Whitehaven	268
Windermere	7
Workington	411
Alnwick and Amble	108
Berwick-on-Tweed	42
Bishop Auckland	651
Darlington	519
Durham	643
Hartlepool	965
Hexham	66
Middlesbrough	3,628
Morpeth and Ashington	585
Newcastle-upon-Tyne	6,654
South Tyneside	1,411
Stockton-on-Tees	1,661
Sunderland	4,173
Aberdare	372
Aberystwyth	47
Bangor and Caernarfon	421

Travel-to-work area	Number of unemployed claimants
Blaenau Gwent and Abergavenny	646
Brecon	39
Bridgend	539
Cardiff	2,413
Cardigan	73
Carmarthen	88
Conwy and Colwyn	147
Denbigh	56
Dolgellau and Barmouth	35
Fishguard	41
Haverfordwest	247
Holyhead	333
Lampeter and Aberaeron	47
Llandeilo	22
Llandrindod Wells	32
Llanelli	350
Machynlleth	15
Merthyr and Rhymney	804
Monmouth	59
Neath and Port Talbot	352
Newport	994
Newtown	38
Pontypool and Cwmbran	466
Pontypridd and Rhondda	1,008
Porthmadoc and Ffestiniog	38
Pwllheli	48
Shotton Flint and Rhyl	761
South Pembrokeshire	114
Swansea	1,434
Welshpool	32
Wrexham	549
Aberdeen	522
Alloa	291
Annan	72
Arbroath	86
Ayr	572
Badenoch	27
Banff	69
Bathgate	600
Berwickshire	29
Blairgowrie and Pitlochry	73
Brechin and Montrose	78
Buckie	34
Campbeltown	86
Crieff	16
Cumnock and Sanquhar	502
Dumbarton	471
Dumfries	182
Dundee	1,630
Dunfermline	414
Dunoon and Bute	92
Edinburgh	2,335
Elgin	86
Falkirk	709
Forfar	76
Forres	28
Fraserburgh	63
Galashiels	59
Girvan	75
Glasgow	12,713
Greenock	974
Haddington	65
Hawick	44
Huntly	21
Invergordon and Dingwall	142
Inverness	255
Irvine	1,092
Islay/Mid Argyll	36
Keith	35
Kelso and Jedburgh	21
Kilmarnock	479
Lanarkshire	3,145
Lochaber	76
Lockerbie	25
Newton Stewart	48
North East Fife	103
Oban	53
Orkney Islands	81
Peebles	23
Perth	180
Peterhead	74
Shetland Islands	25
Skye and Wester Ross	53
Stewartry	51
Stirling	300
Stranraer	117
Sutherland	56
Thurso	58
Western Isles	96
Wick	93

Loan Guarantee Scheme

Mr. Fatchett: To ask the Secretary of State for Employment if he will provide the latest estimate of the numbers, location and cost of the jobs created by the loan guarantee scheme.

Mr. Cope: A review in 1988 of the loan guarantee scheme undertaken by National Economic and Research Associates for the Department of Employment found that in a sample of 106 firms that had used the scheme, 310 full-time additional jobs were created in the first year. The net Exchequer cost of the LGS per person leaving the unemployment count is estimated at £450. Statistics are not collected by my Department on the actual numbers or locations of jobs created by the loan guarantee scheme.

Shipyard Workers

Dr. Godman: To ask the Secretary of State for Employment what steps he proposes to take following the number of successful appeals by former shipyard workers who had been denied unemployment benefit for 13 weeks, in respect of workers in other trades who have been made redundant under similar circumstances; and if he will make a statement.

Mr. Lee: The decision of the independent adjudicating authorities in relation to a redundant shipyard worker relates specifically to that particular worker and his terms of redundancy. Where applicable, British Shipbuilders workers whose circumstances were identical can have their benefit position reviewed. The decision has no direct effect on workers made redundant in other industries.

Cigarettes (Cost of Living Index)

Mr. Jessel: To ask the Secretary of State for Employment (1) what machinery exists to register appropriate changes to the weighting of components in the cost of living index to relate to changes in normal household consumption of different items; and if he will list those as applied to cigarettes in the last 30 years;

(2) what weighting is given at the present time and 10, 20 and 30 years ago or at suitable convenient dates to cigarettes in the retail prices index or its predecessor.

Mr. Lee: The weighting of the retail prices index is updated at the beginning of each year. Since 1962 the weight for each component has been revised in the light of the latest available information on household consumption from the family expenditure survey. In the case of a

few items (including cigarettes) allowance is made for under-recording of expenditure in the survey, by supplementing its results with more comprehensive information from the consumers' expenditure estimates in the national accounts. As they are introduced the new weights are published in *Employment Gazette*. Those for cigaretes have been as follows:

Weight for cigarettes in general RPI (parts per thousand)

Date	*Weight*
1959-61	70
1962	70
1963	69
1964	66
1965	67
1966	68
1967	64
1968	59
1969	60
1970	57
1971	53
1972	48
1973	44
1974	39
1975	42
1976	42
1977	42
1978	44
1979	40
1980	37
1981	33
1982	37
1983	36
1984	33
1985	34
1986	35
1987	33
1988	32

TRADE AND INDUSTRY

Footwear

Mr. Pike: To ask the Chancellor of the Duchy of Lancaster what has been the United Kingdom market share of footwear produced in Taiwan and Korea for each of the last five years; and what are the corresponding figures for the home share of the same market.

Mr. Atkins: The figures are as follows:

United Kingdom Footwear Market (SIC 4510)
Percentage (by value) taken by United Kingdom production for the home market and by imports from South Korea and Taiwan

	1983	*1984*	*1985*	*1986*	*1987*
United Kingdom	55·5	52·8	54·5	54·6	52·9
South Korea	2·2	2·1	1·9	2·0	3·0
Taiwan	3·2	3·8	3·3	2·9	4·0

Furniture (Foam Filling)

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster how many representations he has received from retailers requesting Government compensation for loss of retail value of suites made from foam to the new standards but without the white label and therefore needing to be sold by 1 March.

Mr. Forth: I have received a small number of suggestions from furniture retailers that compensation should be paid to them for furniture which they are legally unable to sell after 28 February 1989 because it does not meet the requirements of the new regulations. Only one or two of these representations have referred to the temporary problem of furniture lacking the prescribed label but otherwise conforming. Any retailers placed in that position should make arrangements with the furniture manufacturer to obtain new permanent labels for furniture which otherwise meets the requirements of the Furniture and Furnishings (Fire) (Safety) Regulation 1988.

Sanitary Towels and Tampons

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if he will take steps to encourage the sanitary tampon industry to standardise absorbency ratings.

Mr. Forth: No. This is primarily a matter for the industry to consider in the light of consumer demands. If a request were made to the British Standards Institution for work to be undertaken in this field, it would be considered on its merits.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster (1) if he will take steps to impose restrictions on the use of chemicals in the manufacture of sanitary tampons;

(2) what information he has as to what chemical traces remain in sanitary towels after manufacture.

Mr. Forth: I have asked the industry what chemicals they add to tampons and sanitary towels and what checks they run on residues of pesticides and biocides in the cotton used. When I have this information our toxicologists will advise the Government on whether they pose any hazard.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster (1) if he will introduce legislation requiring manufacturers to label clearly packets with a comprehensive list of the contents of sanitary towels;

(2) if he will introduce stricter controls on the manufacture of sanitary goods in respect of safety standards and sterile procedures for the manufacture of these goods.

Mr. Forth: No. I am satisfied that the existing voluntary prior approval scheme for tampons adequately ensures the safety of the public.

Disposable Nappies

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if he will take steps to end the use of synthetic chemicals in the manufacture of disposable nappies which are similar to those used in sanitary tampons removed from sale in the United States of America because of their association with toxic shock syndrome in consumers; and if he will make a statement.

Mr. Forth: No. Toxic shock syndrome is not a problem with babies. However, I will ask the industry which chemicals are added to disposable nappies and this information will be considered by our toxicologists.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if his Department will actively promote the use of chlorine-free paper pulp in the manufacture of disposable nappies.

Mr. Forth: The brand leaders have gone over to unbleached disposable nappies and the remainder of the industry is likely to follow. It is a good example of the market responding to consumer preferences.

Paper Industry (Bleaches)

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if he will consult the paper industry on ways to encourage the use of different methods of bleaching.

Mr. Forth: I understand that no pulp mills in the United Kingdom bleach with chlorine. However I have asked the paper industry to provide unbleached alternatives to bleached paper products so that the consumer can have a choice.

Wood Pulp

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster what is the annual United Kingdom requirement for wood pulp.

Mr. Forth: Precise figures are not available, but it is estimated that in 1987 the United Kingdom requirements of wood pulp amounted to between 2 and 2½ million tonnes.

Monopolies and Mergers Commission

Mr. Colin Shepherd: To ask the Chancellor of the Duchy of Lancaster when he will make public the Monopolies and Mergers Commission's report on the supply of beer to the United Kingdom; and if it is his intention to make a statement on the report at the same time.

Mr. Maude: The report will be published as soon as possible. It is customary for my right hon. and noble Friend the Secretary of State for Trade and Industry to announce his response to a Monopolies and Mergers Commission report at the time of its publication.

Consumer Credit

Mrs. Margaret Ewing: To ask the Chancellor of the Duchy of Lancaster if, having regard to the proposals published in December 1988 for review of the consumer credit licensing system, he will consider extending the proposed powers to require information not only to those holding or seeking licences but also to anyone suspected on reasonable grounds of carrying out unlicensed consumer credit; and if he will make a statement.

Mr. Maude: The Department's proposals for the consumer credit licensing system were contained in a consultation letter dated 26 October 1988. The proposed power for the Director General of Fair Trading to seek information would not be confined only to those seeking or holding licences, but would also extend to those suspected on reasonable grounds of carrying on any form of consumer credit business.

Broadcasting

Mr. David Porter: To ask the Chancellor of the Duchy of Lancaster if, in the light of his proposals outlined in the White Paper on "Broadcasting in the 90s", he has plans to seek to amend or repeal the Marine Offences (Broadcasting) Act 1967.

Mr. Atkins: Yes, we are considering strengthening the enforcement powers in the Act. The exciting proposals outlined in the White Paper reinforce the need for vigorous action against all unlicensed broadcasting.

Sanitary Towels

Ms. Ruddock: To ask the Chancellor of the Duchy of Lancaster if he will take steps to encourage sanitary towel manufacturers to substitute biodegradeable plastics for non-biodegradeable plastics in their products.

Mr. Forth: I have no plans to do so, but I understand that the industry has approached higher educational establishments with a view to their carrying out relevant investigations.

Paper Mills (Pollution)

Ms. Ruddock: To ask the Chancellor of the Duchy of Lancaster when he last met representatives of the Paper Industries Research Association to discuss question of organochlorine pollution from pulp and paper mills; and if he will make a statement.

Mr. Forth: I have not held any meeting with the Paper Industries Research Association but my Department is in touch with the association about its studies in this field.

Newspapers (Takeovers)

Mr. John D. Taylor: To ask the Chancellor of the Duchy of Lancaster in how many of the 15 daily newspapers circulating in Northern Ireland the Monopolies and Mergers Commission inserted a notice inviting representations in connection with the proposed takeover of Belfast *Newsletter* and *Sunday News* by Thomson Regional Newspapers; what was the size of the notice in the press; and what is the normal size for similar notices published by the commission.

Mr. Maude: This is a matter for the Monopolies and Mergers Commission, which will be writing to the right hon. Member.

Unigate (Dairy Crest Purchase)

Dr. David Clark: To ask the Chancellor of the Duchy of Lancaster whether he will refer the purchase of part of Unigate's liquid milk business by Dairy Crest to the Monopolies and Mergers Commission.

Mr. Maude *[holding answer 17 February 1989]:* The proposed acquisition is currently being considered by the Director General of Fair Trading who has a duty to advise the Secretary of State for Trade and Industry on whether the proposed acquisition should be referred to the Monopolies and Mergers Commission. It would not be appropriate for me to comment on the proposed merger in anticipation of the director general's advice.

Textiles and Clothing (Silberston Report)

Mr. Madden: To ask the Chancellor of the Duchy of Lancaster if he will extend the time for receiving the report from Professor Aubrey Silberston into the effects on the United Kingdom economy of international trading policies on textiles and clothing, to allow Professor Silberston more time to consult widely and to ensure any

recommendations he makes are widely supported by United Kingdom textile and clothing interests; if he will consider inviting Professor Silberston to circulate his main conclusions before his study is finalised and presented to Ministers; and if he will arrange for Professor Silberston's report to be published when available.

Mr. Alan Clark *[holding answer 17 February 1989]:* The commissioning of the study was announced last September and the textile and clothing, and other interests have been given ample opportunity to let Professor Silberston know their views before the report is completed. Professor Silberston expects the report to be published in the summer.

Takeover Bids

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster how many deputations of hon. Members he saw on takeover bids in 1988.

Mr. Maude *[holding answer 15 February 1989]:* Department of Trade and Industry Ministers saw approximately 10 such deputations in 1988.

ENERGY

Market Research

Mr. David Evans: To ask the Secretary of State for Energy what market research he proposes to undertake in 1989 as part of his Department's programme to promote awareness of, and research in, technology transfer and renewable energy sources.

Mr. Michael Spicer: Market research is an esential part of our renewable energy research and development programme, both in determining the most appropriate methods of informing and influencing the future market for renewable sources of energy, and in gauging the success or otherwise of publications that flow from the programme.

Technology transfer plans are being developed for each technology classed as economically attractive. During 1989 a number of market research studies are planned in order to obtain a better understanding of technical transfer processes and the characteristics of those market sectors relevant to the renewable technologies.

Over the next weeks the first of these studies will be undertaken to provide detailed information on the size and scope of the market that needs to be addressed. The results will be used to develop and target the most appropriate promotion material in support of our technology transfer activities. Recently completed market research has shown that our publications have been well received by the general public, industry and professionals.

Electricity Supply Industry

Mr. Moss: To ask the Secretary of State for Energy what was the rate of return achieved by the electricity supply industry for the last year for which figures are available; and what were the figures in 1979-80.

Mr. Michael Spicer: In 1987-88, the last year for which figures are available, the industry's current cost rate of return on average net assets was 2·42 per cent. In 1979-80 the figure was 0·5 per cent.

Electricity Distribution Boards (Chairmen)

Mr. Thurnham: To ask the Secretary of State for Energy when he will next be meeting the chairmen of distribution boards; and what subjects he expects to discuss.

Mr. Michael Spicer: My right hon. Friend and I meet the area board chairmen regularly to discuss various matters of mutual interest.

British Coal (Engineering Workshops)

Mr. Jack Thompson: To ask the Secretary of State for Energy if he will list the British Coal national engineering workshops closed since July 1985; together with the number of redundancies declared with each workshop closure; and the number of redundancies declared in other British Coal national engineering workshops since July 1985.

Mr. Michael Spicer: This is a matter for the management of the British Coal Corporation and I have asked the chairman to write to the hon. Member.

BNFL

Mr. Flynn: To ask the Secretary of State for Energy what progress has been made with the implementation of the integrated dry route kiln (IDR) process to convert uranium hexafluoride into ceramic uranium dioxide at British Nuclear Fuels plc, Springfields.

Mr. Michael Spicer: This is a matter for British Nuclear Fuel plc and I have asked the chairman to write to the hon. Member.

BNFL (Uranium Imports)

Mr. Flynn: To ask the Secretary of State for Energy if he will make it his policy to refuse permission for British Nuclear Fuels plc to import natural uranium from South Africa for processing and re-export.

Mr. Michael Spicer: I have nothing to add to the reply that I gave to the hon. Member for Merionnydd Nant Conwy (Dr. Thomas) on 23 May 1988 at column *8*.

Pressurised Water Reactor (Construction)

Mr. Flynn: To ask the Secretary of State for Energy if he will initiate a study of the net energy consumed and resultant carbon dioxide gas release from fossil fuels used in the manufacturing and construction of a 1300 Mw pressurised water reactor and in the manufacture, storage and processing of its fuel and resultant radioactive wastes; and if he will publish a table giving comparable information for a coal-fired station of the same net output and fitted with flue gas desulphurisation technology.

Mr. Michael Spicer: I do not consider that such a study would be worthwhile.

Efficiency (Appliances)

Mr. Flynn: To ask the Secretary of State for Energy if he will initiate a departmental study to compare the volume decrease in carbon dioxide emissions that could be achieved by introducing a policy of energy efficient light

bulbs and energy efficient labelling on refrigerators, water heaters and stoves, instead of building the equivalent number of power plant to provide the electricity saved.

Mr. Peter Morrison: No. It has always been the policy of the energy efficiency office that energy-efficient lamps should be used wherever they are cost effective and appropriate.

Under a recently concluded agreement by the European Committee of Manufacturers of Electrical Domestic Equipment, appliance manufacturers present the energy consumption data of major energy using domestic appliances in the same form. This allows comparisons by consumers no matter where in western Europe the appliances come from or are sold.

FOREIGN AND COMMONWEALTH AFFAIRS

Diplomatic Properties (Rate Arrears)

Mr. Ron Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, pursuant to his answer of 7 February, *Official Report*, column *585*, he will list the rate arrears for individual diplomatic properties; and if he will make a statement.

Mr. Eggar: Rates owed by missions on properties accepted by Her Majesty's Government as being in diplomatic use, and on which the Foreign and Commonwealth Office are taking action with the missions concerned are:

	£
Burkina	6,456·00
France	107,479·02
Costa Rica	758·37
Iran	12,123·47
Iraq	134,504·91
Laos	2,215·91
Libya	24,486·95
Morocco	15,100·40
Nigeria	9,242·97
Paraguay	2,680·11
Somalia	10,677·84
Sudan	113,800·00
Uganda	33,051·17

In certain cases the arrears are in dispute and under discussion between the mission and rating of Government property department.

The following amounts are owed by diplomatic missions on properties which are not accepted as being in diplomatic use on which the Foreign and Commonwealth Office is similarly taking action:

	£
Grenada	2,452·83
Iran	32,595·52
Libya	371,026·32
Nigeria	33,942·01

Rail Ozhegov

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russians about the fate of Rail Ozhegov.

Mr. Waldegrave: Rail Ozhegov has only very recently come to our attention. We shall underline our concern about this case to the Soviet authorities at the next suitable opportunity, and shall continue to press the Russians until there is a satisfactory outcome.

Kampuchea

Ms. Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to seek to produce an international peace settlement on Kampuchea.

Mr. Eggar: I have nothing to add to the reply I gave to my hon. Friend the Member for Stockport (Mr. Favell) on 8 February at columns *739-40*.

South Africa (Hunger Strikes)

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has made known to the South African Government the concern felt by British people for the hunger strikers in Johannesburg and Port Elizabeth.

Mrs. Chalker: We have repeatedly urged the South African authorities to release all those detained without trial, and have done so again recently. We welcome the reported commitment by the South African Minister for Law and Order to give urgent personal consideration to the case of each detainee.

Non-proliferation Treaty

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has made any specific representations to his counterparts in France and the People's Republic of China in regard to their respective joining the nuclear non-proliferation treaty before the 1990 NPT review conference.

Mr. Waldegrave: British Ministers and officials take advantage of every appropriate opportunity to urge all non-members (including France and China) of the non-proliferation treaty to accede, and will continue to do so. We attach great importance to securing the widest possible adherence to this treaty.

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if the date and venue for the fourth review conference of the nuclear non-proliferation treaty, scheduled for 1990, have yet been set.

Mr. Waldegrave: The 1990 non-proliferation treaty review conference will probably take place in Geneva during August/September 1990. The precise dates and venue will be discussed and confirmed with other state parties at the first preparatory committee in New York on 1-5 May.

Chemical Weapons

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations on Iraqi use of chemical weapons the Minister of State, Foreign and Commonwealth Office, the hon. Member for Bristol, West (Mr. Waldegrave) made to the Government of Iraq on his recent visit to that country; and what was the response.

Mr. Waldegrave: I repeated to the Iraqi Foreign Minister the serious view we take of use of chemical

weapons and the great importance we continue to attach to repeated Iraqi undertakings not to make further use of these weapons.

Brussels Treaty

Sir Geoffrey Finsberg: To ask the Secretary of State for Foreign and Commonwealth Affairs when he now expects Her Majesty's Government to ratify the protocol dated 14 November in respect of the accession of Portugal and Spain to the modified Brussels treaty of 23 October 1954.

Mr. Waldegrave: The protocol of accession of Portugal and Spain to the modified Brussels treaty was laid before the House on 2 February. It should therefore be possible to ratify the protocol early in March.

Mr. Moshe Arens

Mr. Latham: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on his meeting on 15 February with Mr. Moshe Arens, Foreign Minister of Israel.

Mr. Waldegrave: My right hon. and learned Friend had an important and constructive first exchange of views on Arab/Israel and other international issues. He looks forward to continuing the dialogue.

SOCIAL SECURITY

Community Care

Mr. Allen: To ask the Secretary of State for Social Security, what evidence he has of any increased take-up in community care grants as against loans within the social fund budget.

Mr. Peter Lloyd: Take up of community care grants has increased steadily over recent months. Expenditure in December 1988 was £3·9 million representing 79 per cent. of monthly profiled expenditure. Provisional figures for January 1989 show that expenditure increased to £5·1 million, representing 109 per cent. of monthly profiled expenditure. Expenditure on loans was £12·1 million in December 1988, representing 103 per cent. of monthly profiled expenditure and was provisionally £10·6 million in January 1989 representing 96 per cent. of monthly profiled expenditure.

Social Fund

Mr. Allen: To ask the Secretary of State for Social Security what guidance he proposes to give to local offices about exceeding nominal monthly social fund allocations in the light of the shortfall in spending evident in the early months of the financial year.

Mr. Peter Lloyd: Guidance relating to the management of social fund budgets is contained in paragraphs 2000-2056 of the social fund manual. The Department has recently written to local office managers drawing attention to this guidance and reminding them that the objective is for payments to approach the year's budget as closely as possible while maintaining so far as possible consistency of priority-setting and decision-making throughout the year.

Mr. Allen: To ask the Secretary of State for Social Security when he will revise the guidance contained in the social fund manual in order to ensure that the full budget is spent.

Mr. Peter Lloyd: We have no plans to amend the existing guidance in the social fund manual regarding management of the social fund budget. The guidance relating to community care grants is currently being revised.

Cold Weather Payments

Mr. Redmond: To ask the Secretary of State for Social Security how many claimants in the Doncaster and Mexborough areas of South Yorkshire were paid under the cold weather payments scheme for the last five years; how much benefit has been paid in each of the last five years; and how many claims were refused.

Mr. Peter Lloyd: The table shows the information requested for the Department's local offices covering the Doncaster and Mexborough areas of South Yorkshire. These offices made no cold weather payments in the winter of 1987-88.

	1984-85[1]		*1985-86*			*1986-87*[2]		*1988-89*
	Number of claimants paid	*Amount paid £*	*Number of claimants paid*	*Amount paid £*	*Number of £5 payments made*	*Amount paid £*	*Number of claims refused*	*Number of claims refused*
Doncaster East	218	2,034·53	477	11,783·44	4,286	21,430	1,075	6
Doncaster West	509	5,776·11	764	28,808·23	4,321	21,605	2,068	—
Wath-on-Dearne	180	1,890·61	567	14,368·33	3,207	16,035	868	—
Total	907	9,701·25	1,808	54,960·00	11,814	59,070	4,011	6

[1] Details of the number of claims refused in 1984-85, 1985-86 and 1987-88 are not available.
[2] It is estimated that 6,000 claimants received payments.

Medical Boards

Mr. Frank Field: To ask the Secretary of State for Social Security what guidance is available to members of medical boards concerning cases involving their own patients or former patients.

Mr. Scott: Guidance on the subject is contained in handbooks which are issued to all adjudicating medical practitioners (medical boarding doctors). These are, "The Handbook for Industrial Injuries Medical Boards" and "The Severe Disablement Allowance Handbook for Adjudicating Medical Authorities."

Supported Lodgings

Mr. Atkinson: To ask the Secretary of State for Social Security if he will make a statement on entitlement to *(a)* income support and *(b)* housing benefit for those in supported lodgings from April 1989.

Mr. Peter Lloyd: From April 1989, those people in supported lodgings who are entitled to income support will receive housing benefit to help with their accommodation costs and normal income support (including any appropriate premiums) for other expenses. This change will mean that many supported lodgers will be better off, after meeting charges for accommodation and the provision of care, than under existing benefit arrangements. As at present, those in supported lodgings who are not eligible for income support, but who have low incomes, will be able to claim housing benefit to help with their accommodation costs.

Mr. N. Scott

Mr. Kaufman: To ask the Secretary of State for Social Security what was the reason for the delay in the case of the appeal to the social security appeal tribunal of Mr. N. Scott of 17 Elysdon drive, Gorton, Manchester, between the receipt of the adjudication officer's submission from his Department on 3 November 1988 and the receipt of Mr. Scott's letter of appeal by the tribunal on June 1988; and if he will take steps to ensure that no such delays occur in the future.

Mr. Peter Lloyd *[holding answer 30 January 1989]:* Mr. Scott's appeal was one of a considerable number of similar appeals prompted by a welfare rights take-up campaign. There was a delay in submitting the appeal to the social security appeal tribunal whilst the adjudication officer sought advice from the regional adjudication officer on how to prepare the appeal submission.

The flow of appeal submissions from the Department to the social security appeal tribunal will be affected when numbers dramatically rise as in the case of take-up campaigns. There has, however, been an improvement nationally in the time taken to process appeals. Latest statistics show that the national average time taken from the date of lodgment to the date of submission to the social security appeal tribunal is 18 days.

NATIONAL FINANCE

Inflation

Mr. Ron Brown: To ask the Chancellor of the Exchequer if he has received recent representations from the Confederation of British Industry about inflation; and if he will make a statement.

Mr. Lilley: My right hon. Friend has received representations from the CBI on economic priorities for 1989. His priority remains to bring inflation down, and the Government's policies will achieve this.

Tax Concessions

Mr. Hardy: To ask the Chancellor of the Exchequer if he will estimate the value of tax concessions from his last Budget that have gone to each region.

Mr. Norman Lamont: I regret that regional estimates of the effect of the changes in taxation announced in the 1988 Budget are not available.

Share Ownership

Mr. Butler: To ask the Chancellor of the Exchequer, if he has any plans to promote wider share ownership.

Mr. Norman Lamont: My right hon. Friend is always looking for ways in which further to promote wider share ownership.

Capital Account

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer which of the statistics produced by his Department give an indication of the current state, and changes in the state, of the capital account of the economy.

Mr. Simon Hughes: To ask the Chancellor of the Exchequer if he will make a statement regarding his Department's policy on the collection and publication of statistics showing the state of the capital account of the economy.

Mr. Major: The only statistics relevant to the capital account for which the Treasury is directly responsible are the official reserves. Other data on the capital account of the balance of payments are collected by the CSO and published regularly in "Economic Trends."

Tax Avoidance

Mr. Allen: To ask the Chancellor of the Exchequer what steps he is taking to increase the rate of detection and prosecution of tax avoiders.

Mr. Norman Lamont: The Inland Revenue will continue its efforts to improve its effectiveness in counter-avoidance work, but tax avoidance itself is not a criminal offence.

Relocation

Mr. Allen: To ask the Chancellor of the Exchequer how many Civil Service jobs will be transferred to *(a)* Nottingham and *(b)* the Chalfont drive site, Aspley, Nottingham as a result of the Government's recent announcement.

Mr. Brooke: As indicated in my answer on 9 February 1989, at columns *751-2,* to my hon. Friend, the Member for Beverley (Mr. Cran), the policy is for Departments themselves to review the location of their work. They are well aware of the benefits for regional and urban policy of transferring work to such areas, and will take this into account where appropriate.

Mr. Holt: To ask the Chancellor of the Exchequer what proposals he has to relocate staff for which he is responsible to the north-east of England, particularly Teesside.

Mr. Brooke: Departments for which my right hon. Friend the Chancellor of the Exchequer is responsible have in hand the serious and substantial reviews of relocation opportunities referred to in the answer I gave on 9 February 1989, at columns *751-2,* to my hon. Friend the Member for Beverley (Mr. Cran). Areas which are the focus of the Government's regional and urban policies, such as the north-east of England, will be considered where appropriate. Decisions will be announced once the essential processes of assessment, consultation and decision for each review have been completed.

Budget Statement

Mr. Canavan: To ask the Chancellor of the Exchequer what recent representations he has received about his forthcoming Budget Statement.

Mr. Norman Lamont: We have received numerous representations from a variety of individuals and organisations.

Privatisation

Mr. Bowis: To ask the Chancellor of the Exchequer what proportion of the state-owned commercial sector in 1979 has now been transferred to the private sector.

Mr. Norman Lamont: Since 1979, around 45 per cent. of the state-owned sector of industry has been transferred to the private sector.

Manufacturing Productivity

Mr. Meacher: To ask the Chancellor of the Exchequer if he will state the annual percentage increase in productivity in *(a)* the whole economy, and *(b)* the manufacturing sector in the United Kingdom, France, Germany, Italy, the United States of America, Japan and Sweden, in each year since 1980.

Mr. Major: The information requested is set out:

Output per head (percentage change on year earlier)

	United Kingdom	*France*	*Germany*	*Italy*	*USA*	*Japan*	*Sweden*
(a) Whole economy							
1981	2·2	1·8	0·9	0·9	1·2	3·0	−0·1
1982	4·3	2·4	1·1	0·6	−1·7	1·8	1·0
1983	4·2	1·0	3·1	0·8	2·6	1·4	2·3
1984	1·0	2·2	2·6	2·8	2·9	4·4	4·6
1985	2·0	2·0	1·3	2·4	1·7	4·0	1·5
1986	2·4	1·9	1·3	2·4	0·7	1·6	0·0
1987	2·9	2·0	1·2	3·3	0·9	3·3	0·8
1988[1]	2·6	3·0	2·9	2·4	1·7	4·2	0·0
Period average	2·7	2·0	1·8	2·0	2·2	3·0	1·3
(b) Manufacturing							
1981	3·5	1·3	0·3	2·7	2·7	−0·1	1·9
1982	6·5	1·5	0·4	−0·2	−0·6	−0·3	2·5
1983	8·5	1·1	5·0	1·3	9·9	3·6	5·7
1984	5·8	3·2	4·2	8·3	6·8	8·0	4·3
1985	2·9	3·3	3·1	2·3	2·7	1·8	0·1
1986	3·0	2·5	0·5	4·3	3·8	−0·9	−0·2
1987	7·1	4·8	0·3	4·7	3·8	5·2	7·3
1988[2]	7·5	5·6	6·3	4·7	2·9	7·2	2·0
Period average	5·6	3·0	2·5	3·5	4·0	3·1	3·0

[1] The figures for 1988 are based on the quarterly averages of OECD estimates of total output for the whole year and actual employment for the first three quarters (except for the United Kingdom, for which actual average productivity for the first three quarters is used). These figures for 1988 are compared with the average level of productivity in 1987.

[2] The estimates for 1988 compare the average level of manufacturing productivity in the first three quarters (except for France and the United Kingdom, for which data are available for the first half and the whole year respectively) with the average level in 1987 as a whole.

Trade Exhibitions

Mr. Devlin: To ask the Chancellor of the Exchequer why the Central Computer and Telecommunications Agency and Her Majesty's Stationery Office will not be attending the "Great North Meets the Buyer" exhibition on 4 and 5 April.

Mr. Lilley: CCTA and HMSO both decided not to participate in the "Great North Meets the Buyer" exhibition because experience of taking stands at such events has been disappointing, with a very low level of interest from potential suppliers.

Amazonia

Mr. Dalyell: To ask the Chancellor of the Exchequer how often he and other Ministers in the Treasury have met the executive director of the World Bank appointed by the United Kingdom to discuss the policies or reports of the World Bank in relation to Amazonia; and if he will make a statement.

Mr. Lilley: My right hon. Friend the Chancellor of the Exchequer meets our executive director at the World Bank from time to time, usually at the spring and annual meetings of the bank and the IMF; a wide range of issues are discussed.

Pension Funds

Mr. Jack: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* details of tax reliefs which apply to the incomes and capital gains accruing to private occupational pension funds.

Mr. Norman Lamont: If a pension scheme meets the conditions laid down for tax approval its investment income and gains are exempt from tax, but any trading profits or other forms of income are taxable.

Hospital Radio Stations

Mr. Greg Knight: To ask the Chancellor of the Exchequer if he will estimate the cost per annum to the Treasury of exempting from the scope of value-added tax broadcasting and recording equipment used by hospital radio stations.

Mr. Lilley: I regret this information is not available.

VAT

Rev. Martin Smyth: To ask the Chancellor of the Exchequer what representations he has had about the effect of the imposition of value added tax on hospital radio equipment; and if he will make a statement.

Mr. Lilley *[holding answer 17 February 1989]:* My right hon. Friend the Chancellor of the Exchequer has received a number of representations since the reply I gave to my hon. Friend the Member for Basildon (Mr. Amess) on 27 October at column *447*.

Dr. Marek: To ask the Chancellor of the Exchequer if, pursuant to his answer of 6 February, *Official Report*, column *548*, on value added tax zero rates, if he will list those matters still under discussion.

Mr. Lilley *[holding answer 16 February 1989]:* The principal matter still under discussion with trade representatives is the question whether gas and electricity bills below a certain level should be eligible automatically for zero-rating, in the same way as is proposed for certain small scale deliveries of coal, oil and liquified petroleum gas. Interested trade and professional bodies have also been asked for technical comments on the draft legislation.

Private Medical Insurance

Mr. Gordon Brown: To ask the Chancellor of the Exchequer if he will list all the organisations with which he is discussing his proposals for private medical insurance tax relief.

Mr. Norman Lamont *[holding answer 17 February 1989]:* Inland Revenue officials are holding detailed discussions on the relief with the Association of British Insurers, the British United Provident Association, Private Patients Plan, the Western Provident Association, the Bristol Contributory Welfare Association, the Exeter Hospital Aid Society and the Civil Service Medical Aid Association.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer if he will list the dates on which his Department is meeting the private medical insurance industry to discuss tax reliefs for private medical insurance.

Mr. Norman Lamont *[holding answer 17 February 1989]:* A meeting took place on 9 February, and there will be further meetings as and when needed.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer (1) if he is considering making it possible to gain tax relief for private medical insurance by extending family medical insurance policies to cover elderly patients;

(2) if tax reliefs for nursing home care are to be included under pensioners' medical insurance tax relief proposals in his discussions with the private medical insurance industry;

(3) when he will publish the results of his discussions with the private medical insurance industry on tax reliefs for medical insurance for pensioners.

Mr. Norman Lamont *[holding answer 17 February 1989]:* The details will be published in the Finance Bill.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer if he will publish the papers on which he is basing his discussions with private medical insurance companies on tax reliefs.

Mr. Norman Lamont *[holding answer 17 February 1989]:* No.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer if he will invite representations from health councils, health boards and health authorities to join his discussions on private medical insurance tax reliefs.

Mr. Norman Lamont *[holding answer 17 February 1989]:* If authorities wish to make representations to the Government on this subject I have no doubt that they will do so in the usual way.

Mr. Gordon Brown: To ask the Chancellor of the Exchequer what research has taken place into cost of private medical insurance tax reliefs.

Mr. Norman Lamont *[holding answer 17 February 1989]:* Estimates of the cost of tax relief for private medical insurance for the elderly are being derived using information from various sources, including providers of private medical insurance.

Lloyd's

Mr. Adley: To ask the Chancellor of the Exchequer what representations he has received from Lloyd's in connection with the effect of recent financial legislation on the conduct of business in the London insurance market; and if he will make a statement.

Mr. Norman Lamont *[holding answer 16 February 1989]:* These matters have been raised at various meetings with Lloyd's. I have corresponded with my hon. Friend recently about the effects of legislation on Lloyd's business. I am placing a copy of my letter to my hon. Friend of 15 February 1989 in the House of Commons Library.

Visible Trade Deficit

Mr. Meacher: To ask the Chancellor of the Exchequer what was the non-oil visible trade deficit with *(a)* the EEC and *(b)* the rest of the world each year since 1970; and what percentage these represent of total non-oil visible trade in each year.

Mr. Alan Clark: I have been asked to reply.

The information is in the table:

United Kingdom non-oil trade[1]

OTS basis

Year	*Crude balance with*		*As percentage of exports and imports with*	
	European Community	*Rest of the world*	*European Community*	*Rest of the world*
	£ billion		*Per cent.*	
1970	+0·1	−0·3	+1·4	−3·0
1971	−0·1	+0·4	−2·7	+3·5
1972	−0·5	−0·0	−7·2	−0·3
1973	−1·3	−1·0	−13·3	−6·3
1974	−2·1	−0·9	−15·9	−4·1
1975	−2·1	+1·2	−14·3	+5·0
1976	−2·1	+0·7	−10·6	+2·3
1977	−2·3	+1·2	−9·3	+3·4
1978	−3·3	+1·4	−11·1	+3·5
1979	−4·6	−0·7	−12·7	−1·5
1980	−2·7	+0·2	−7·2	+0·5
1981	−4·3	+1·3	−11·4	+2·7
1982	−6·7	+0·9	−15·4	+1·7
1983	−10·0	−2·1	−20·0	−3·6
1984	−11·7	−3·4	−20·0	−1·6
1985	−12·2	−2·2	−18·5	−3·0
1986	−13·8	−3·2	−18·9	−4·3
1987	−14·6	−3·5	−17·7	−4·5
1988	−17·6	−9·4	−19·0	−10·9

[1] Oil taken as Standard International Trade Classification Division 33.

Note: Figures may not add due to rounding.

Source: Overseas Trade Statistics of the United Kingdom.

Family Incomes

Mr. Ralph Howell: To ask the Chancellor of the Exchequer (1) what is the net income after housing costs of a married man with children aged 13 and 16 years earning *(a)* £104 and *(b)* £105 per week;

(2) what is the net income of a married man with children aged three, eight and 11 years paying average rent and rates as used in the tax/benefit model tables earning *(a)* £65 per week and *(b)* £80 per week;

(3) what is the net income after benefits of a married man with children aged four and six years earning *(a)* £60 per week gross and *(b)* £140 per week gross;

(4) what is the net income under current tax and benefit structure of a married man with children aged three, eight and 11 years with gross earnings of (i) £65 per week and (ii) £105 per week;

(5) what is the net income under the current tax and benefit structure of a married man with children aged four and six years earning *(a)* £80 per week and *(b)* £90 per week.

Mr. Peter Lloyd: I have been asked to reply.

I refer my hon. Friend to table 1 of the tax/benefit model tables for April 1988, copies of which are in the Library.

PRIME MINISTER

National Savings Bank

Mr. Alton: To ask the Prime Minister what representations she has recived about the increase in the minimum deposit made by the National Savings Bank; and if she will make a statement.

The Prime Minister: My right hon. Friend the Chancellor of the Exchequer and I have received a number of representations. The average cost of each transaction is well over £1 in Post Office agency fees and National Savings bank running costs. It is not sensible to seek deposits so small that they are wholly or largely absorbed by the cost of processing. Deposits under £5 represent only 1 per cent. by value of all ordinary account deposits made in a year.

Earnings

Mr. Dewar: To ask the Prime Minister what are the latest figures available for gross average earnings in *(a)* Scotland, *(b)* rural Scotland and *(c)* Great Britain.

The Prime Minister The information available from the Department of Employment's new earnings survey is given below. As the survey does not provide results for areas within the regions of Scotland, it is not possible to provide estimates for rural Scotland. The regions given below are mainly rural; other Scottish regions have rural areas but also include large urban areas.

Average Gross Weekly Earnings of Full-Time Employees on Adult Rates Whose Pay for the Survey Pay-period Was Not Affected by Absence

April 1988	*£ per week*	
	men	*women*
Scotland	233·3	152·2
Borders Region	n/a	n/a
Dumfries and Galloway Region	205·3	n/a
Highland Region	224·2	137·3
Island Authorities	n/a	n/a
Great Britain	245·8	164·2

As the survey covers a sample of about 1 per cent. of employees who are members of PAYE schemes for tax purposes, it does not cover, for example, the self-employed or those earning less than the PAYE limit, and cannot provide reliable estimates for every region of Scotland.

Parliamentary Under-Secretary of State for the Home Department

Mr. Sedgemore: To ask the Prime Minister if she will dismiss from the Government the hon. Member for Grantham (Mr. Hogg), the Parliamentary Under-Secretary of State for the Home Department, for his statements relating to the alleged sympathy shown by certain solicitors in Northern Ireland for terrorist organisations.

The Prime Minister No.

Ministerial Responsibilities

Mr. Alan Williams: To ask the Prime Minister if there have been any changes in the responsibilities of the Secretary of State for Health and of the Minister of Agriculture, Fisheries and Food as a result of the establishment of the committee which she will chair, as announced by the Chief Medical Officer, Sir Donald Acheson, on Friday 10 February.

The Prime Minister There has been no change in the respective responsibilities of the Secretary of State for Health and the Minister of Agriculture, Fisheries and Food. The plans to which the Chief Medical Officer referred on 10 February, and on which the Secretary of State for Health announced further details on 14 February at column *180*, concern the establishment of an expert committee on the microbiological safety of food, under an independent chairman.

Food Safety Group

Mr. Hinchliffe: To ask the Prime Minister if she will take steps to ensure that all those who are invited to join the expert group set up to examine food-related issues have no commercial interests in the food industry.

The Prime Minister: On 14 February at column *180* my right hon. and learned Friend the Secretary of State for Health announced the setting-up of an expert committee on the microbiological safety of food. The committee's membership and terms of reference and method of working are under consideration and will be announced shortly.

Mr. Hinchliffe: To ask the Prime Minister (1) if she will require the expert group, set up to examine food-related issues, to make recommendations on the suitability of cook-chill catering within hospitals;

(2) if she will take steps to suspend the further introduction of cook-chill catering in hospitals until the expert group, set up to examine food-related issues, have had the opportunity to examine the incidence of listeria in pre-cooked, refrigerated foods.

The Prime Minister: In 1980 the Department of Health issued guidelines on cook-chill catering in the National

Health Service and elsewhere. We remain satisfied that provided these guidelines are followed food produced by this system is safe. The expert committee on microbiological safety of food will, of course, be free to examine any aspect of microbiological food safety.

President Ershad

Mr. Soley: To ask the Prime Minister if she discussed human rights and democracy with President Ershad of Bangladesh; and if she will make a statement.

The Prime Minister: I had a wide-ranging discussion with President Ershad, covering both bilateral and regional issues.

Israeli Foreign Minister

Mr. Latham: To ask the Prime Minister whether she will make a statement on her meeting on 15 February with Mr. Moshe Arens, Foreign Minister of Israel.

The Prime Minister: I had a very good discussion of Arab/Israel issues with Professor Arens. We agreed that negotiations should start as soon as possible, but will need careful preparation. We also discussed the position of Jews in the Soviet Union.

TRANSPORT

Tyres

Mr. Gregory: To ask the Secretary of State for Transport how many motor vehicles in each of the last three years failed the MOT test because of inadequate tyre tread; and if he will make a statement.

Mr. Peter Bottomley: Inadequate tread is one of the tyre defects that can lead to a test failure and is not separately recorded. Tyre failure figures during annual tests for the last three years, based on a 2 per cent. sample return from testing stations are:

	Number
1985	1,249,822
1986	1,525,449
1987	1,862,980

In addition to inadequate tread, the tyre failure statistics include several other reasons for failure. These include lumps, bulges or tears caused by structural deterioration, a tyre with a cut which reaches the ply or cord, a tyre which is fouling on any part of the vehicle and a tyre which is of a different nominal size or structure type from the other which is on the same axle.

British Rail and London Underground (Women Workers)

Mr. Fishburn: To ask the Secretary of State for Transport how many women in total and in proportion to the total work force are currently employed by (i) British Rail and (ii) London Underground.

Mr. Portillo: The Department does not have this information. As it relates to a matter within the management responsibility of the operators may I suggest that the question be addressed to them.

Motorway Safety

Mr. Hunter: To ask the Secretary of State for Transport if he will take measures to encourage greater lane discipline in motorway driving.

Mr. Peter Bottomley: My right hon. Friend the Secretary of State last year announced a package of measures to improve motorway safety with particular emphasis on improving driving standards. Since then, we have distributed over 2 million copies of the motorway leaflet containing advice on the correct use of lanes. The Department gave its full support and co-operation to the Association of British Insurers, which recently produced a video "Happens All The Time" aimed at 17 to 24-year-olds and concentrating on motorway driving skills.

We are aware of the frustration and danger associated with poor lane discipline. We work hard to encourage safe and considerate use of motorways through the highway code, the manual "Driving", stuffer leaflets, posters and television filler films. We shall not relax our efforts.

We would welcome national and regional television coverage of motorway driving which could raise awareness of good and bad or dangerous habits.

BR and London Underground (Passenger Numbers)

Mr. David Marshall: To ask the Secretary of State for Transport if he will introduce restrictions on the number of passengers permitted on board carriages on British Rail and London Underground trains; and if he will make a statement.

Mr. Portillo: No. I am not aware of any evidence that such measures are necessary.

Vehicle Excise Duty

Mr. David Marshall: To ask the Secretary of State for Transport if he will list in the *Official Report* the current rates of vehicle excise duty applicable to each category of vehicle in the United Kingdom.

Mr. Peter Bottomley: There is a large number of rates. Full information is contained in leaflet V149, "Rates of Vehicle Excise Duty" available from the House of Commons Library.

Bicester Perimeter Road

Mr. Baldry: To ask the Secretary of State for Transport when he expects work to be completed on the Bicester western and eastern perimeter road.

Mr. Peter Bottomley: This is the responsibility of the Oxfordshire county council.

Banbury Ring Road

Mr. Baldry: To ask the Secretary of State for Transport when he expects work to begin on stages II and III of the Banbury inner ring road.

Mr. Peter Bottomley: This is the responsibility of the Oxfordshire county council.

Disabled People (Transport)

Mr. Harry Barnes: To ask the Secretary of State for Transport if he will give details of the composition of the Disabled Persons Transport Committee and list the names and disablement links of its membership.

Mr. Peter Bottomley: The Disabled Persons Transport Committee was set up under the Transport Act 1985 to advise the Sectary of State on matters relating to the needs of disabled people in connection with public passenger transport.

The chairman and members are appointed by the Secretary of State after consultation with relevant bodies. The Act specifies that, so far as is reasonably practicable, at least half of the membership of the committee should consist of people who are disabled.

Current membership is as follows:

Chairman: Sir Peter Baldwin KCB (Chairman, South East Thames Regional Health Authority)
Mrs. Jill Allen-King MBE (Joint Committee on Mobility of Blind and Partially Sighted People)
Keith Brown (Board member, London Regional Transport
W. Buchanan (Adviser on Disability, British Railways Board)
Lewis Carter-Jones (Vice Chairman, Access to the Skies Committee)
Clive Davis (Royal National Institute for the Deaf)
John Dobinson (Transport and Disability Consultant)
James Elder-Woodward (Strathclyde Regional Council)
Mrs. Claudia Flanders (OBE) (Transport and Disability Consultant)
Lady Greengross (Age Concern)
Graham Stevenson (Transport and General Workers Union)
John Hannan MP (All Party Disablement Group)
Joe Hennessy (OBE) (Disabled Drivers Association)
Peter Large (CBE (Joint Committee on Mobility for the Disabled)
Bob Ley (South Wales Transport, retired)
Bert Massie OBE (Royal Association for Disability and Rehabilitation)
Brian McGinnis (MENCAP)
Trevor Meadows (National Advisory Unit for Community Transport)
Leslie Stephenson (P & O European Ferries)
Dr. Adrian Stokes OBE (Royal Association for Disability and Rehabilitation)
Robert Taylor MBE (Birmingham International Airport)

Bottesford Bypass

Mr. Latham: To ask the Secretary of State for Transport what traffic accidents have taken place on the A52 bypass around Bottesford, Leicestershire, since it opened recently; whether he will now reconsider his rejection of the traffic management proposals previously made to him by the hon. Member for Rutland and Melton and borough and parish councillors; and whether he will make a statement.

Mr. Peter Bottomley: There has been only one reported accident on the A52 Bottesford bypass since it opened on 6 February. The police do not consider that it was caused by the junction layout. We have no proposals to alter the junctions. They are appropriate for the conditions and the volumes of traffic. We shall continue to monitor the situation. Motorists are asked to treat a new road with particular respect.

Heavy Lorries

Mr. Matthew Taylor: To ask the Secretary of State for Transport how many *(a)* fatal and *(b)* serious accidents in 1987 involved heavy goods vehicles.

Mr. Peter Bottomley: In 1987 there were 776 fatal accidents and 3,509 serious accidents which involved heavy goods vehicles.

Roads (Maintenance)

Mr. Matthew Taylor: To ask the Secretary of State for Transport what are the totals for maintenance from 1976 to 1987 on *(a)* motorways, *(b)* trunk roads, *(c)* local authority maintained A roads and *(d)* other roads used as lorry routes.

Mr. Peter Bottomley: The information is not available for all these categories. Capital expenditure on renewal of motorways and all-purpose trunk roads in England over the period was as follows:

	£ million
1976-77	29
1977-78	33
1978-79	45
1979-80	60
1980-81	64
1981-82	108
1982-83	144
1983-84	123
1984-85	147
1985-86	157
1986-87	181
1987-88	213

Lorries (Noise Limits)

Mr. Matthew Taylor: To ask the Secretary of State for Transport what is the current maximum permitted noise limit for new lorries.

Mr. Peter Bottomley: The current limit for the heaviest lorries is 88 dB(A). From 1 October 1989 these vehicles will have to meet a limit of 84 dB(A). Britain took a lead in securing the limits set by European Community Directive 84/424/EEC, which we are implementing from the earliest dates permitted. This will mean that during the 1980s the noise from the heaviest lorries will almost have been halved.

Lorry Action Areas

Mr. Matthew Taylor: To ask the Secretary of State for Transport how many lorry action areas have been designated; and what effect they have had on local situations.

Mr. Peter Bottomley: None. The Department is taking steps to ameliorate lorry nuisance in other ways including building bypasses, research aimed at helping manufacturers build quieter heavy vehicles and the lorry management study.

Lorry Operating Centres

Mr. Matthew Taylor: To ask the Secretary of State for Transport what information he has on the effect of the Transport Act 1982 in siting of lorry operating centres.

Mr. Peter Bottomley: A review of the effects of the environmental provisions in the Transport Act 1982 concluded that they struck a fair balance between the interests of people affected by operating centres in their neighbourhood and those of the road haulage industry. A copy of the review was deposited in the Library in December 1986.

Weighbridges

Mr. Matthew Taylor: To ask the Secretary of State for Transport how many weighbridges have been set up in the United Kingdom; how many lorries were checked in 1987; how many were overweight; how many of these lorries were over 38 tonnes; and what was the average fine.

Mr. Peter Bottomley: The Department of Transport has so far a network of 63 weighbridges. A total of 126,000 lorries were weighed in 1987-88, by the Department's traffic examiners and local authority trading standards Departments. Of these 28,500 were found to be overloaded, 5,700 of them over 38 tonnes. The average fine imposed by the courts for overloading found by the Department's traffic examiners was £156.

Heavy Lorries (Pollutants)

Mr. Matthew Taylor: To ask the Secretary of State for Transport what were the figures for poilutants from heavy goods vehicles in 1987; and what steps are being taken to reduce such emissions.

Mr. Peter Bottomley: The estimates, in thousands of tonnes, are as follows:

	Thousand/tonnes
Carbon monoxide	46
Hydrocarbons	95
Oxides of nitrogen	399

We shall be implementing the new limits on these pollutants contained in European Community Directive 88/77/EEC at the earliest possible date permitted, which is 1 October 1990.

Heavy Lorries (Licence Fees)

Mr. Matthew Taylor: To ask the Secretary of State for Transport what are the current licence fees for heavy goods vehicles in each weight category; and what are their allocated road track costs.

Mr. Peter Bottomley: There is a large number of rates of vehicle excise duty. Full information is contained in leaflet V149 "Rates of Vehicle Excise Duty". Information on the road track costs of vehicles is published annually in the "Allocation of Road Track Costs Bulletin". Both are available from the House of Commons Library.

ENVIRONMENT

Housing Management

Mr. Conway: To ask the Secretary of State for the Environment when he will publish the report on effectiveness of housing management, which his Department commissioned from the centre for housing research, Glasgow university; and if he will make a statement.

Mr. Trippier: Copies of the report have been placed in the Library today. It shows that authorities and associations housed the same kinds of people and provided similar kinds of services, although their scale of operation was different.

While the report concludes that there is no general crisis in the management of social rented housing, there were considerable variations between the best and the worst performers amongst both local authorities and associations. In both cases quality of management was the key to their performance as a landlord. Housing associations were found to have more satisfied tenants in better maintained homes but they spent more to achieve this. Some of the best of both types of landlord operated very economically in the most difficult circumstances.

However, tenants of authorities and associations saw scope for improved services. They wanted more local offices, better repairs services and more genuine consultation by their landlords. A substantial minority were willing to pay more for better services.

This report has important messages for all committee members and housing staff in authorities and associations. Although it is reassuring to know that a majority of tenants were satisfied with the services provided by their landlords, many tenants were not, and they found it difficult to influence their landlords: quite simply landlords do not listen enough. Moreover, many authorities and associations fail to keep in mind the need to be effective, efficient and economical. The measures in the recent Housing Act and current Bill are designed to address these problems directly.

It emerged clearly that tenants wanted better contacts and services and that local managers were more effective but no more expensive than those working from the town hall. This is a message which the Department has been promoting for a decade, through the priority estates project and Estate Action.

I shall be exploring with the Housing Corporation how associations' management efficiency can best be monitored and improved, and also how the widespread public ignorance of housing associations revealed by the report can be overcome.

I congratulate Professor Maclennan and his team on producing a report which sheds much light on the future of social rented housing and will help all those concerned to move forward on a better informed basis.

Tenants

Mr. Allan Roberts: To ask the Secretary of State for the Environment (1) what are his Department's plans to monitor and to publish information on a regular basis concerning *(a)* the level of private sector capital investment: (i) through commercial landlords; and (ii) through social landlords *(x)* in building new dwellings for letting and *(y)* in rehabilitating or converting existing property for letting under the assured tenancy or assured shorthold tenancy provisions of the Housing Act 1988, part I and *(b)* the rate of return on capital provided by such investment;

(2) what are his Department's plans to monitor and to publish information on a regular basis concerning the number of empty dwellings brought into letting *(a)* under the assured tenancy provisions and *(b)* under the assured shorthold tenancy provisions of the Housing Act 1988, part I, on a commercial basis (i) by non-resident landlords and (ii) by resident landlords;

(3) what are his Department's plans to monitor and to publish regular information concerning the number of properties let *(a)* under the assured tenancy provisions and *(b)* under the assured shorthold tenancy provisions of the Housing Act 1988, part I (i) by commercial landlords and (ii) by social landlords (1) through new buildings, (2)

through rehabilitation or conversion of existing property, (3) through re-letting of existing property and (4) through transfers of property from the public sector;

(4) what are his Department's plans to monitor and to publish regular information concerning *(a)* the number of complaints (i) of harassment and (ii) of illegal eviction reported to local authorities each month (1) by private tenants whose agreement commenced before 15 January and (2) by private tenants whose agreement commenced after 15 January, *(b)* the number of staff employed by local authorities whose job it is to respond to such complaints: (i) as tenancy relations officers and (ii) as other officers within the council and *(c)* the number of actions commenced by local authorities in response to such complaints against private landlords or their agents: (i) for harassment and (ii) for illegal eviction, under the provisions of the Protection from Eviction Act, as amended by the Housing Act 1988, part I;

(5) what are his Department's plans to monitor and to publish information regularly concerning the level of rents charged *(a)* by commercial landlords and *(b)* by social landlords (i) for property newly built for letting, (ii) for property newly rehabilitated or converted for letting, (iii) for property relet and (iv) for property transferred from the public sector for letting (1) under the assured tenancy provisions and (2) under the assured shorthold tenancy provisions of the Housing Act 1988, part I.

Mr. Trippier: The need for statistics data collection and research will continue to be kept under review by our Department and results will continue to be published as they become available.

Mr. Allan Roberts: To ask the Secretary of State for the Environment what plans his Department has to monitor and to evaluate the impact on the Government's policy of promoting care in the community of the changes in succession rights introduced by the Housing Act 1988, part I, for tenants of private landlords.

Mr. Trippier: The need for research into the effects of part I of the Housing Act 1988 will be considered in the usual way as part of the Department's research programme.

Land (Iver)

Mr. Tim Smith: To ask the Secretary of State for the Environment when he expects to determine the appeals against enforcement notices and a compulsory purchase order issued by the South Buckinghamshire district council in relation to land at Swallow street, Iver.

Mr. Chope: My right hon. Friend expects to issue these decisions shortly.

Bathing Water (North-West England)

Mr. Allan Roberts: To ask the Secretary of State for the Environment what assessment he has made of whether all identified bathing waters around the Fylde coast will meet the enterovirus standard of EC directive 76/160/EEC after construction of the proposed long sea outfall for the Fylde coast.

Mr. Howard: It is for Her Majesty's inspectorate of pollution to consider all relevant aspects of the proposals from North West water authority in determining its applications for discharge consents.

Mr. Allan Roberts: To ask the Secretary of State for the Environment if he will list North West Water's environmental quality objectives for all identified bathing waters on the Fylde coast, Morecambe bay and the North Cumbrian coast.

Mr. Howard: The quality standards in directive 76/160/EEC.

Mr. Allan Roberts: To ask the Secretary of State for the Environment what was the process whereby bathing waters in the North West region were identified for compliance with EC directive 76/160/EEC.

Mr. Howard: The waters were identified in consultation with the North West water authority on the basis of the criteria set out in the Government's response to the tenth report of the Royal Commission on environmental pollution. These, in turn, are consistent with criteria set out by the European Commission.

Mr. Allan Roberts: To ask the Secretary of State for the Environment if he will make it his policy to ensure that all identified bathing waters in the North West region will meet the provisions of EC directive 76/160/EEC by 1995.

Mr. Howard: My officials are discussing with North West water authority, the implications—both financial and engineering—of bringing all their identified bathing waters us to EC standards by 1995.

Sewage Discharge (Fylde)

Mr. Allan Roberts: To ask the Secretary of State for the Environment what has been the cost of North West Water's advertising campaign in support of applications for consent to discharge raw sewage from a long sea outfall and three short outfalls on the Fylde coast.

Mr. Howard: This is a matter for the North West water authority, which is required to advertise all applications for discharge consent.

Mr. Allan Roberts: To ask the Secretary of State for the Environment (1) if he will make a statement on the differences between top and bottom currents at and around the likely areas of impact of the proposed long sea outfall discharge off the Fylde coast;

(2) if the intended frequency of routine stormwater discharges from three short sea outfalls along the Fylde coast satisfies guidelines for disposal of sewage to the sea agreed in 1988 between Her Majesty's inspectorate of pollution and the water industry.

Mr. Howard: These are matters to be considered in determining the applications from North West water authority for the Fylde coast scheme.

Mr. Allan Roberts: To ask the Secretary of State for the Environment what information is available to Her Majesty's inspectorate of pollution on black, grey, or red list substances present in existing discharges to enable them to form a view on appropriate consent conditions for the proposed long sea outfall for the Fylde coast.

Mr. Howard: The North West water authority has provided information on the likely presence of various substances—including those in the black, grey and proposed red lists—as part of the applications for the

discharges making up the Fylde coast improvement scheme. This information will be considered by Her Majesty's inspectorate of pollution and if the scheme is found to be acceptable, appropriate conditions will be included in any discharge consents granted.

Sewage Pollution (Lytham St. Annes)

Mr. Allan Roberts: To ask the Secretary of State for the Environment if he will provide estimates of what proportion of sewage pollution experienced by Lytham St. Annes is due to bacterial levels in the river Ribble; and what proportion is due to existing local discharges of sewage.

Mr. Howard: The relative proportions vary, but I understand that the Ribble is usually the larger contributor.

Sewage Treatment Works

Mr. Allan Roberts: To ask the Secretary of State for the Environment whether he will revise his Department's estimate of the potential efficiency of conventional inland sewage treatment works in eliminating faecal bacteria from the aqueous phase of sewage.

Mr. Howard: Conventional inland sewage treatment works are designed primarily to reduce the biochemical oxygen demand and the suspended solids content of sewage. At the same time, treatment also substantially reduces the faecal bacteria count in the sewage effluent which is discharged. The efficiency with which bacteria are removed varies from works to works and, for this reason, the Department has made no overall estimate.

Mr. Allan Roberts: To ask the Secretary of State for the Environment what would be the effect on bacterial levels in the river Ribble of uprating the Clifton Marsh sewage treatment works to include full conventional treatment and disinfection using environmentally benign methods.

Mr. Howard: The North West water authority is currently evaluating the effects of uprating Clifton marsh sewage treatment works, including the effects on bacterial levels in the river Ribble.

Sewage Disposal (Guidelines)

Mr. Allan Roberts: To ask the Secretary of State for the Environment if he will publish the guidelines for disposal of sewage to the sea agreed in 1988 between Her Majesty's inspectorate of pollution and the water industry.

Mr. Howard: I have placed copies in the Library of the House today.

Biodegradeable Plastic

Ms. Ruddock: To ask the Secretary of State for the Environment what action he has taken to encourage the use of biodegradeable plastic.

Mrs. Virginia Bottomley: I refer the hon. Member to my answer to the hon. Member for Gordon (Mr. Bruce) on 7 February at columns *518-19*.

Dioxins

Ms. Ruddock: To ask the Secretary of State for the Environment (1) whether he has any knowledge of evidence that dioxins have been found in paper products made from chlorine-bleached wood pulp;

(2) if his Department has any information on how dioxins find their way into human tissue;

(3) what information he has on level of dioxin pollution present in air in the United Kingdom;

(4) what information he has on the major source of dioxins resulting from industrial processes.

Mrs. Virginia Bottomley: I refer the hon. Member to my answer of 14 February at columns *189-90* which made reference to the statement currently being prepared on the known source of dioxins, their possible health effects and the expected exposure of the public to them.

Information is available in the scientific literature and from measurements in the United Kingdom that dioxins may in some circumstances be formed during the manufacture of certain chemicals and pesticides and during the combustion of organic materials.

As far as is known no measurements have been made in the United Kingdom on the levels of dioxins in ambient air.

Dioxins, if present in food, air or other products, may be absorbed into the body via the digestive system, via the respiratory system or by contact with the skin, respectively.

Information has been published in the scientific literature on the levels of dioxins found in certain paper products made from chlorine bleached wood pulp.

All these issues will be addressed in the forthcoming statement.

Sanitary Towels

Ms. Ruddock: To ask the Secretary of State for the Environment if he will make a statement about the level of inshore sea and beach pollution caused by used sanitary tampons and the plastic liners from sanitary towels.

Mr. Moynihan: Where there is visible evidence of sanitary towels and tampons it is usually attributable to discharges from short outfalls. These are being replaced as part of our programme to bring bathing waters up to EC standards. Many existing outfalls have screening and maceration facilities to break down such material into unrecognisable form. Design criteria for all new long sea outfalls provide for the removal of all solids retained by fine screening and their disposal by incineration or to landfill, and consequently, the effective disposal of sanitary towels and tampons. For these reasons, we believe pollution of inshore sea and beach areas from this source is a declining one.

Football League

Mr. Wareing: To ask the Secretary of State for the Environment what recent discussions he has had with the Football League.

Mr. Moynihan: I met representatives of the Football League and the Football Association on 10 February to discuss aspects of the Football Spectators Bill.

Ozone Layer (International Conference)

Mr. Flynn: To ask the Secretary of State for the Environment if he will make it his policy to issue an invitation to the energy and environment research unit at the Open University to send observer delegates to the

forthcoming international conference on the ozone layer and environmental protection sponsored by Her Majesty's Government in London in March.

Mrs. Virginia Bottomley: Participation in the "Saving the Ozone Layer" London conference on 5 to 7 March is for Governments only. Already over 90 countries have accepted our invitation, and we expect at least 75 delegations to be led at ministerial or equivalent level. A small number of scientists and industrialists will take part in specialist discussions. Relevant United Nations agencies have been invited to send observers, but, because of restrictions of space, it will not be possible to extend invitations to any other observers.

BNFL

Mr. Flynn: To ask the Secretary of State for the Environment if he will make it his policy to conduct an environmental audit of the nuclear fuel cycle production and management process carried out by British Nuclear Fuels plc at its Springfields, Capenhurst, Calder and Windscale works at Sellafield and Chapel Cross facilities to ascertain the amounts of carbon dioxide and chlorofluorocarbons gases released in processing and refrigeration.

Mrs. Virginia Bottomley: No.

Preservation Orders

Mr. Lord: To ask the Secretary of State for the Environment if he will list those interested and professional bodies he has consulted or plans to consult during the current review of the procedures covering preservation orders.

Mrs. Virginia Bottomley: Informal discussions are being arranged with various bodies, which so far include the following:

Arboricultural Association
Association of District Councils
Association of County Councils
Association of Metropolitan Authorities
Civic Trust
Coed Cymru
Convention of Scottish Local Authorities
Countryside Commission
Countryside Commission for Scotland
Country Landowners Association
Council for the Protection of Rural England
Department of the Environment, South-East Regional Office
Farmers Union of Wales
Forestry Commission
London Tree Officers
Ministry of Agriculture, Fisheries and Food
Nature Conservancy Council
National Farmers Union
National Farmers Union of Scotland
National Trust for Scotland
Planning Aid for London
Royal Scottish Forestry Society
Scottish Wildlife and Countryside Link
Timber Growers UK
Tree Council

Some other bodies may be submitting written comments.

Mr. Lord: To ask the Secretary of State for the Environment what time has been allowed for consultation with interested parties during the current review of the procedures covering tree preservation orders; and what representations he has received asking him to extend it.

Mrs. Virginia Bottomley: It will be appropriate to carry out formal consultations if and when the Government put forward proposals for changes in the present legislation and procedures, and an adequate period of time would be allowed for that purpose. No representations have been received about the conduct of consultations.

Water (Expenditure)

Mr. Salmond: To ask the Secretary of State for the Environment if he will express at current prices total capital expenditure on water in England and Wales for each year since 1984-85; and if he will estimate planned capital expenditure on water in England and Wales for each year until 1990-91.

Mr. Moynihan: The capital expenditure for the English water authorities is set out in the table. Figures for the Welsh water authority are a matter for my right hon. Friend the Secretary of State for Wales. The remaining information requested by the hon. Member is not available.

Capital expenditure England only

Year	*Number*
1984-85	799
1985-86	848
1986-87	957
1987-88	1,049
1988-89	1,303

1. 1987-88 prices (£ million) deflated using the 'public works non-roads' (PWNR) index.
2. 1988-89 figure provisional.

Croxteth Country Park

Mr. Wareing: To ask the Secretary of State for the Environment if he will discuss the future of the Croxteth country park with district councils on Merseyside in order to encourage support for its continued existence; and if he will make a statement.

Mrs. Virginia Bottomley: Consultations with the Merseyside district councils on the proposals by the Merseyside residuary body to transfer Croxteth hall and country park to Liverpool city council with an endowment of £3 million have already taken place. We hope to make an announcement shortly.

Waste Disposal

Mr. Wareing: To ask the Secretary of State for the Environment if he will extend the period of consultation for his consultation paper, "The Role and Functions of Waste Disposal Authorities"; and if he will make a statement.

Mrs. Virginia Bottomley: The Government share the strong concern expressed by local authorities and others about the need to improve legislation on waste disposal at the earliest opportunity. Examining the role and functions of waste disposal authorities is a central element of the review that has been undertaken, and it is important to proceed as quickly as possible should an early opportunity for legislation arise. We hope authorities will be able to provide their views on the proposals within the consultation period of two months.

Mr. Wareing: To ask the Secretary of State for the Environment if he has yet received the report of Her

Majesty's inspector of pollution following his inspection of the Merseyside waste disposal authority; and if he will take its evidence into account before proceeding with his proposals contained in the consultation paper, "The Role and Functions of Waste Disposal Authorities".

Mrs. Virginia Bottomley: We have yet to receive the report of Her Majesty's inspectorate of pollution on the performance of waste disposal authorities. The Secretary of State will take account of all relevant information and views in finalising his proposals to improve the law governing waste manangement.

Water Metering

Mr. Greg Knight: To ask the Secretary of State for the Environment what provision will be made for water metering in the limit on charges to apply to water undertakings under the model instrument of appointment.

Mr. Ridley: The abolition of the domestic rating system means that water undertakers will have to introduce alternative means of charging. This is quite independent of the privatisation of the industry. Although the Government regard metering as potentially the fairest method of charging, it will be up to each undertaker to decide how it wishes to charge.

Each undertaker will want to take into account its own local circumstances and information on practicality, costs and effects of alternatives, before deciding whether to introduce widespread metering. Those decisions will be crucially important to customers and should be made on the best available information, over the next three years as a result of the metering trials which the industry is carrying out with Government financial assistance.

The trials are making good progress. Some preliminary findings are set out in the first interim report, which I am today placing in the House of Commons Library. However, neither these findings nor other data that may become available over the next few months will provide sufficient information to allow for the cost of introducing widespread water metering in the initial charges limit to be assigned to each water undertaker on their appointment later this year. Therefore, I propose to amend the model instrument of appointments to provide for these initial charges limits to be adjusted subsequently by the Director General of Water Services in order to cover the reasonable cost of introducing widespread metering.

I propose that each adjustment should be subject to an average cash ceiling per installation, to promote economy in the development of metering solutions. In setting this ceiling the director general would be able to take into account information on the cost of installing meters in the trial area, and later from each undertaker's metering programme. There would also be provisions to ensure that the additional revenue raised would be put towards metering and no other purpose.

The detailed licence provisions will be discussed with the water industry.

Shellfish Waters

Mr. Allan Roberts: To ask the Secretary of State for the Environment why there are no designated shellfish waters in the Morecambe bay area under the provisions of EC directive 79/923/EEC.

Mr. Howard: We do not consider it appropriate to include Morecambe bay within the scope of the directive. Discharges to the Morecambe bay area are controlled under the Control of Pollution Act 1974, and the Public Health (Shellfish) Regulations 1934 provide adequate protection to the health of the public with regard to the consumption of shellfish.

Mr. Allan Roberts: To ask the Secretary of State for the Environment how his Department has responded to the advice of the Royal Commission on environmental pollution, 10th report, 1984, that competent authorities should use the provisions of part II of the Control of Pollution Act to designate more shellfish waters in the interests of public health and the protection of commercial shellfisheries.

Mr. Howard: The provisions of the Control of Pollution Act 1974 have been used to extend control of all discharges to coastal waters. We have not considered it appropriate to designate more shellfish waters under the provisions of directive 79/923/EEC as the Public Health (Shellfish) Regulations 1934 provide adequate protection to the health of the public with regard to consumption of shellfish.

English Heritage and Royal Commission on Historical Monuments

Mr. Andrew MacKay: To ask the Secretary of State for the Environment whether he will make a statement on the future relationship between English Heritage and the Royal Commission on Historical Monuments in England.

Mrs. Virginia Bottomley: The relationship between the royal commission (RCHME) and English Heritage has been looked at in the context of a policy review of the activities and functions of the commission and the equivalent bodies for Scotland and Wales. This review is being conducted jointly with my right hon. Friends the Secretaries of State for Scotland and Wales. We shall be announcing conclusions in due course.

Meanwhile my right hon. Friend has decided that certain issues of principle can be settled now, in advance of the completion of the policy review. These are the question whether RCHME should be merged with English Heritage, and the suggestion in a consultancy report by Peat Marwick McLintock that consideration should be given to the transfer of some functions from English Heritage to the RCHME.

Peat's conclusion from their study was that RCHME performed a distinctive role in maintaining the national archive of heritage information. We are persuaded by their analysis, and take the view that RCHME should continue as a separate body.

The arguments for transfer of functions were for the most part finely balanced. We have decided that RCHME should in future be recognised as the lead national body for oversight of the system of local sites and monuments records. In exercising this responsibility we have asked RCHME to ensure proper liaison with English Heritage, and to take into account their interest in SMRs as an input to the monument protection programme, to the decisions of local planning authorities, and to conservation generally.

We have concluded that the existing statutory arrangements under which English Heritage provides advice to the Department on the listing of buildings of special architectural or historic interest and scheduling of

ancient monuments remain appopriate. The main purpose of listing and scheduling is to identify buildings and monuments which should be given special consideration in the planning and development control process. Listing and scheduling are, therefore, linked to considerations of conservation rather than of record, and for that reason we conclude that it is more appropriate for English Heritage to continue to provide advice to us on these issues. But in doing so, we have stressed that it must make effective use of RCHME's expertise in the architectural and historic qualities of buildings and monuments.

Finally on the funding of rescue archaeology, we feel that there are good policy and practical arguments for the same agency handling all aspects of archaeology casework —scheduled monument consent, negotiations with developers, and rescue archaeology if that proves to be necessary. Accordingly we believe that it is best for English Heritage to continue to deal with rescue archaeology. But, again, we have stressed the need for RCHME's expertise to be fed into the running of the rescue archaeology programme. With these issues of principle resolved, we consider that there is now a very satisfactory basis for a supportive and constructive future relationship between the Royal Commission and English Heritage. We have written to their chairmen to inform them of our conclusions.

Pollution

Mr. Michael: To ask the Secretary of State for the Environment whether he has received a report from Government researchers based at Warren Spring on lead in the air in Cardiff; what significance he places on the latest available figures for Cardiff; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 16 February 1989]:* I refer the hon. Member to the answer given by the Parliamentary Under-Secretary of State for Wales, my hon. Friend the Member for Cardiff, Central (Mr. Grist) on Friday 17 February 1989.

Resources Allocation

Mr. Ken Hargreaves: To ask the Secretary of State for the Environment which Government Departments use his Department's list of programme and partnership authorities for the allocation of resources and in what ways; and if he will list in the *Official Report* the allocations made to such authorities in 1985-86, 1986-87 and 1987-88.

Mr. Newton: I have been asked to reply.

The list of 57 urban programme areas is used by the Government in a variety of ways to help target a range of measures which come within their Action for Cities initiative. In many cases this does not involve allocation of resources to local authorities; more often it is used to inform the selection of locations for new initiatives or as a guide to assessing eligibility for certain grant schemes.

HOME DEPARTMENT

Police Numbers

Mr. Butler: To ask the Secretary of State for the Home Department if he will construct a table showing for each police authority what the bid was for increases in establishment in the latest allocation; when each bid was received in writing by the Department; what award he made in the case of each bid; and what percentage that award represents of the bid.

Mr. Douglas Hogg: The information requested is as follows:

Police authority	*Number of posts requested 1989-90*	[1] *Date of application*	[2] *Posts approved*	*Percentage posts approved from application*
Avon and Somerset	35	8 November 1988	20	57
Bedfordshire	24	18 January 1989	16	67
Cambridgeshire	40	18 September 1987	18	45
Cheshire	10	2 June 1987	8	80
Cleveland	20	12 July 1988	15	75
Cumbria	62	4 October 1988	12	19
Devon and Cornwall	32	15 September 1986	19	59
Dorset	40	18 September 1987	22	55
Durham[3]	16	24 March 1988	18	113
Essex	85	14 December 1988	23	27
Greater Manchester	258	5 November 1987 and 22 November 1988	45	17
Gwent	33	5 February 1987	12	36
Hampshire	47	28 April 1988	20	43
Hertfordshire	70	28 November 1988	20	29
Humberside	83	22 October 1987	20	24
Kent	66	2 October 1987 and 22 June 1988	27	41
Lancashire[4]	96	[4]—	15	16
Leicestershire	89	8 September 1988	27	30
Merseyside	35	30 November 1987	22	63
Norfolk	50	17 November 1988	24	48
Northamptonshire	26	6 October 1988	15	58
Northumbria	84	15 October 1987 and 14 November 1988	30	36
North Wales	31	5 November 1987	4	13
North Yorkshire	50	12 October 1987	15	30
Nottinghamshire	88	27 June 1988	24	27
South Wales	77	5 October 1987 and 26 October 1988	28	36
South Yorkshire	50	14 October 1987	27	54

Police authority	Number of posts requested 1989-90	[1]Date of application	[2]Posts approved	Percentage posts approved from application
Staffordshire	90	9 December 1987 and 9 December 1988	22	24
Surrey[5]	64	24 August 1988	10	16
Sussex	122	27 October 1988	17	14
Thames Valley	209	7 January 1987 and 22 September 1988	44	21
Warwickshire	14	12 April 1988	11	79
West Mercia	40	25 October 1988	28	70
West Midlands	350	24 November 1988	62	18
West Yorkshire	237	27 November 1987	32	14
Wiltshire	36	20 September 1988	11	31
TOTALS	2,759		783	28

[1] In some cases increases for police forces were considered on the basis of posts unmet from previous applications, always subject to the authority's confirmation that funding was available.
[2] Includes posts for which Home Secretary indicated approval in principle if application was made.
[3] 14 out of 16 posts applied for were approved plus indication of agreement in principle for four training posts if authority made application.
[4] No written application received. Increases considered on basis of information obtained from the authority about a provisional application.
[5] Application for 127 posts over 1989-90 and 1990-91. Assumption that 64 intended for 1989-90.

Strip Searches

Ms. Richardson: To ask the Secretary of State for the Home Department (1) how many strip searches were made of female prisoners on remand in Her Majesty's remand centres at *(a)* Pucklechurch, *(b)* Low Newton, *(c)* Risley, and *(d)* Her Majesty's prison Holloway in each month of 1988, giving the number of prisoners involved and the number of times each was searched; what items the possession of which was a breach of any rule of the establishment or of any law were discovered in any such search indicating how many in each category; in how many cases remand prisoners refused to be searched and were restrained while the search was being conducted; and what were the reasons for the search under the following headings: *(a)* making a remand appearance at court, *(b)* attending trial, *(c)* cell change, *(d)* inter-prison visit, and *(e)* other reasons;

(2) how many strip searches were made of convicted female prisoners in Her Majesty's prisons *(a)* Holloway, *(b)* Cookham Wood, *(c)* Styal and *(d)* Durham in each month of 1988, giving the number of prisoners involved and the number of times each person was searched; what items the possession of which was a breach of any prison rule or of any law were discovered in any such search indicating how many in each category; in how many cases prisoners refused to be searched and were restrained while the search was conducted; and what were the reasons for the search under the following headings: *(a)* cell change, *(b)* attendance at court, *(c)* before/after receiving a visit, and *(d)* other reasons.

Mr. Douglas Hogg: Comprehensive records of strip searches are available only in respect of category A women prisoners. Between 1 January and 27 September 1988, one such prisoner was held on remand in Risley remand centre. During this period, she was strip searched on the following numbers of occasions:

	In connection with remand hearings	Trial	Cell change	Inter-prison visit	Other reasons
January	6	—	—	—	—
February	14	—	—	—	5
March	4	—	—	—	3
April	—	—	—	—	—
May	—	—	1	—	2
June	—	—	1	—	2
July	—	—	1	—	—
August	—	—	—	—	—
September	—	—	1	—	1

Between 1 January and 30 October 1988, there were three, and between 31 October and 31 December 1988, there were four convicted category A women prisoners in Durham. These prisoners were strip searched on the following occasions:

	Inmate	Cell changes and cell searches	Court appearances	Before or after visits	Other reasons
January	A	1	—	2	—
	B	1	—	—	2
	C	1	—	1	1
February	A	1	—	—	—
	B	1	—	—	—
	C	1	—	1	—

	Inmate	Cell changes and cell searches	Court appearances	Before or after visits	Other reasons
March	A	1	—	2	—
	B	1	—	3	—
	C	1	—	—	2
April	A	2	—	3	—
	B	2	—	3	—
	C	1	—	1	—
May	A	1	—	2	—
	B	1	—	—	—
	C	3	—	—	—
June	A	2	—	2	—
	B	1	—	1	—
	C	1	—	1	2
July	A	—	—	—	—
	B	1	—	—	—
	C	—	—	—	—
August	A	2	—	3	—
	B	2	—	—	—
	C	2	—	1	2
September	A	—	—	2	—
	B	1	—	4	—
	C	1	—	1	2
October	A	1	—	2	—
	B	2	—	4	—
	C	1	—	1	—
	D	—	—	—	—
November	A	1	—	2	1
	B	1	—	3	1
	C	2	—	1	1
	D	2	—	1	1
December	A	1	—	3	—
	B	1	—	5	—
	C	2	—	1	—
	D	2	—	2	—

No unauthorised article was discovered on any of these occasions. On no occasion did any of these prisoners refuse to be strip searched.

Robert Weekes

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department what progress has been made by his Department in considering any necessary amendments to law and practice following from the decision of the European Court of Human Rights in the case of Robert Weekes, 2 March 1987, and if he will make a statement.

Mr. Douglas Hogg: The implications of the judgment are still under consideration. Further applications by life sentence prisoners have been heard by the European Commission of Human Rights and we shall take account of the progress of those applications in considering whether any amendments may be necessary to our law and practice.

Broadcasting

Mr. David Porter: To ask the Secretary of State for the Home Department whether, following his White paper on broadcasting in the 1990's, he has plans to enable a series of national independent radio stations to operate in addition to local radio stations.

Mr. Renton: Yes. Paragraph 8.4 of the broadcasting White Paper (November Cm. 517) sets out our proposals for three national commercial radio stations.

Vehicles (Removal)

Mr. Allen: To ask the Secretary of State for the Home Department, pursuant to his written answer to the hon. Member for Nottingham, North of 10 February, if he will call for a report from the Commissioner of Police of the Metropolis as to the number of occasions on which he upheld a complaint by a vehicle owner against the towing-away of a vehicle on the ground that it was an unreasonable exercise of this power and as to the recompense made in each case, for the latest 12 month period for which figures are available.

Mr. Douglas Hogg: I understand from the Commissioner that between 1 October 1987 and 30 September 1988, the most recent 12-month period for which complete statistics are available, the charge payable following vehicle removal was waived or refunded in 2,292 cases. Information about the reasons for the waiving or

refunding of the charge or about cases where any compensation was paid could be obtained only at disproportionate cost.

Eviction

Mr. Allan Roberts: To ask the Secretary of State for the Home Department what are his Department's plans to collect and to publish information on *(a)* the number of criminal proceedings (i) for harassment and (ii) for illegal eviction commenced by (1) local authorities, (2) private individuals and (3) the police under the provisions of the Protection from Eviction Act 1977 as amended by the provisions of the Housing Act 1988 part I, *(b)* the number of such proceedings in which (i) the defendant was convicted and (ii) the plaintiff was awarded compensation and *(c)* the level of (i) fines and (ii) damages awarded in such proceedings.

Mr. John Patten: Information is collected and published annually for prosecutions under the Protection from Eviction Act 1977 in "Criminal Statistics, England and Wales, Supplementary Volume 1, 1987" under offence class 87. A copy is in the Library of the House.

It is possible from the information collected centrally to identify separately the number of prosecutions for (i) harassment and (ii) illegal eviction, including the number of convictions, compensation awarded and the level of fines imposed. However, information is not collected centrally on the number of prosecutions commenced by (1) local authorities, (2) private individuals and (3) the police or on damages awarded.

Figures for prosecution following the Housing Act 1988 part I will not be available until the autumn of 1989.

Tagging

Mr. Sheerman: To ask the Secretary of State for the Home Department where he will be introducing tagging as a condition of bail; and what criteria he will use in choosing these areas.

Mr. John Patten: We hope to conduct trials of electronic monitoring, with the co-operation of the courts and others concerned, in Nottingham, north Tyneside and in a third area still to be decided. In identifying possible areas for the trials to take place, we have had in mind primarily the numbers of defendants now remanded in custody by the courts concerned.

Absconders

Mr. Sheerman: To ask the Secretary of State for the Home Department if the police national computer holds details of *(a)* the names or *(b)* the crimes committed by persons serving in Her Majesty's prisons who have absconded.

Mr. Douglas Hogg: Information on the names of absconders may be held on the wanted missing persons file of the police national computer where, in the police's view, this information would be operationally useful.

In addition, an individual's record on the index of criminal names held on the PNC may be amended to indicate that he or she is an absconder, where the police consider that this would be operationally useful.

Details of an absconder's criminal convictions will be available on the convictions record of the PNC, if he or she were first convicted of a recordable offence in 1981 or later. Broadly speaking, recordable offences are offences for which a term of imprisonment may be given.

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will supply a list of offences for which prisoners who have currently absconded from Her Majesty's prisons were convicted.

Mr. Douglas Hogg: Information is not available in the form requested, and reliable information is not available for the period before 1981. Records of prisoners unlawfully at large on 31 December 1988 having, between 1 January 1981 and 31 December 1988, escaped or absconded from a prison in England or Wales (including prisoners who escaped from escort or failed to return from home leave or temporary release) embrace charges or convictions for all offences under the offence classification headings used in published prison statistics (eg, in table 1.7 of the 1987 volume, Cm. 547) except cruelty to children, gross indecency with children, theft of motor vehicle, in charge or driving under the influence of drink or drugs, drunkenness, vagrancy and courts martial prisoners. The records show the principal offence where the prisoners were charged with, or convicted of, more than one type of offence. In some cases, the offence is not recorded.

Prisoners (Suicides)

Mr. Sheerman: To ask the Secretary of State for the Home Department how many *(a)* suicides and *(b)* attempted suicides there were in prisons in England and Wales in 1988.

Mr. Douglas Hogg: Verdicts of suicide have been returned on 26 inmates who died in prison department establishments in England and Wales during 1988. Inquests have yet be be held on five other inmates who died in prison department custody during this period and whose deaths are thought to have been suicide.

Figures are not available for reported apparent suicide attempts for the calendar year 1988, but there were 343 reported instances in the period 1 April 1987 to 31 March 1988.

Mr. Sheerman: To ask the Secretary of State for the Home Department how many *(a)* suicides and *(b)* attempted suicides occurred in (i) Holloway, (ii) Brixton, (iii) Wormwood scrubs, (iv) Leeds, (v) Manchester, (vi) Birmingham, (vii) Liverpool and (viii) Wandsworth during 1988.

Mr. Douglas Hogg: The information requested is given in the following table:

	Suicides	*Attempted suicides*[1]
Holloway	0	19
Brixton	1	16
Wormwood Scrubs	2	9
Leeds	4	12
Manchester	2	8
Birmingham	2	11
Liverpool	0	27
Wandsworth	1	8

[1] The number of incidents reported to the prison department as specific suicide attempts.

Female Prisoners

Mr. Sheerman: To ask the Secretary of State for the Home Department how many female prisoners served sentences separated from their children, aged 18 months or under, in 1988.

Mr. Douglas Hogg: The information requested could be obtained only at disproportionate cost. A census on 11 August 1986 showed that 340 females in custody were known to be mothers of 455 children aged five years or under. Of those 455, 93 aged 18 months or under were not with their mothers in prison.

Prison Discipline

Mr. Sheerman: To ask the Secretary of State for the Home Department what steps he proposes to take to deal with increasing prison indiscipline; and what assessment he has made of the reasons for this trend.

Mr. Douglas Hogg: There are provisions in the prison rules which enable suitable charges to be brought against prisoners alleged to have committed disciplinary offences. The statistics relating to offences punished do not suggest that there has been an overall increase in indiscipline in recent years.

Prison Building Programme

Mr. Sheerman: To ask the Secretary of State for the Home Department what is the estimated cost of each of the prisons under construction or planned within the prison building programme.

Mr. Douglas Hogg: I refer the hon. Member to the reply given to a question from the hon. Member for Cheltenham (Mr. Irving) on 20 January 1989 at column *349*. This provides the requested information in relation to all the new prisons in the current building programme on which sufficient progress has been made for preliminary estimates to be produced.

Mr. Sheerman: To ask the Secretary of State for the Home Department what was the original estimated cost and the actual cost of building each of the completed prisons within the Government's prison building programme since 1979.

Mr. Douglas Hogg: I refer the hon. Member to the reply given to a question from the hon. Member for Cheltenham (Mr. Irving) on 20 January 1989 at column *348*.

Prison Statistics

Mr. Sheerman: To ask the Secretary of State for the Home Department how many prisoners were being held in police cells in England and Wales on 10 February.

Mr. Douglas Hogg: A total of 245.

Refugees

Mr. Alton: To ask the Secretary of State for the Home Department what criteria he employs in deciding how to use his powers under section 11 of the Local Government Act 1966 in respect of special provision for refugees resettled in the United Kingdom via British colonies or Commonwealth countries.

Mr. John Patten: Under the terms of section 11 of the Local Government Act 1966, grant may be paid to local authorities only to assist with special provision required because of the presence of substantial numbers of immigrants from the Commonwealth. Refugees of non-Commonwealth origin who have arrived in the United Kingdom via a Commonwealth country are not considered to be within the scope of the legislation.

Police (Foreign Hospitality)

Mr. Watts: To ask the Secretary of State for the Home Department what guidance his Department gives to senior police officers about accepting hospitality from foreign Governments.

Mr. Douglas Hogg: We have not issued particular guidance on this matter.

Prison Sanitation

Mr. David Davies: To ask the Secretary of State for the Home Department when the report of Her Majesty's chief inspector of prisons on prison sanitation will be published; and if he will make a statement.

Mr. Hurd: The report of a review of prison sanitation, conducted by Judge Stephen Tumim and his staff, is published today. I am grateful to Her Majesty's chief inspector of prisons for this valuable contribution to our work on improving conditions for prisoners and welcome the detailed research which has gone into his recommendations. I am placing copies of the report in the Library and making further copies available for the Vote Office.

Judge Tumim's principal recommendation is that access to sanitation should be provided at all times for all inmates in prisons in England and Wales within a period of seven years. This should be done either by providing in-cell sanitation, or by using electronic means to allow individual prisoners to leave their cells, or by providing additional staff to allow for manual unlocking at the request of the prisoner. Her Majesty's chief inspector of prisons stresses that, apart from improving hygiene and increasing self-respect, the abolition of slopping out would help both inmates and staff by allowing a better use of time.

I entirely share Her Majesty's chief inspector's view that the ending of slopping out would make a substantial difference to the lives of prisoners and of staff. It should be a high priority. All prisons built or designed since this Government came to office in 1979 have either integral sanitation within the living accommodation or free access to sanitation. About half of the existing accommodation now has access to night sanitation. There is, therefore, already considerable experience of the regimes which can be provided where slopping out can be avoided. Prison service management is well aware of the advantages to be gained. They are committed to ensuring that better regimes are achieved as the programme for improving facilities progresses.

At the beginning of this decade, it was thought that the most effective way of providing integral sanitation in existing establishments was to convert one cell in three to provide separate sanitary annexes with toilets and hand-basins for each of the other two. This system involves major structural alterations and requires whole wings to be vacated simultaneously. It thus reduces the

number of prison places and can be undertaken only in conjunction with major refurbishment. This inevitably makes progress slow.

Recognising that the best may be the enemy of the good, prison service staff during the past few years have looked for alternative methods of achieving the same ends more quickly and at less cost. Among these alternative methods were electronic unlocking and the installation of toilets and wash-basins in existing cells without major building works or net loss of places. Tests carried out by the prison service directorate of works of these new methods have proved successful. As Her Majesty's chief inspector acknowledges, this work has provided the cornerstone for the recommendations in his report.

I am accordingly glad to be able to accept without reservation Her Majesty's chief inspector's recommendation that integral sanitation should be installed in many existing cells during the next seven years. A provisional programme for adding more than 6,500 cells to those already scheduled for conversion has been identified as practicable in the light of the tests already mentioned. Work has already begun or will be beginning in each of the 27 establishments listed as soon as the necessary arrangements can be made. In addition electronic unlocking is to be installed at Bullwood hall and New hall. This new programme will reduce the current 50 per cent. of places without access to sanitation to about 13 per cent. by the end of the century, that is about 8,000 places. This is a considerable improvement on the figures of 25 per cent. or 14,500 places which had been anticipated.

Each establishment not listed, and in which there is not already access to night sanitation, will be examined during the next year to determine the best way of providing such access, taking account of its individual circumstances, including the present state of its fabric and future plans for its use. In some instances it may not be practicable either to install integral sanitation or to introduce electronic unlocking. A decision whether to provide the high level of staffing required to allow for manual unlocking will have to depend on other staffing priorities. I cannot, therefore, give an absolute undertaking as to when slopping out will end totally. But the number of places without access to night sanitation will be very substantially reduced within seven years.

The other main recommendation in the report relates to the position of works staff and the need to enable them to fulfil their role effectively within establishments. The prisons board, as one of its key priorities for 1989-90, has required governors to produce and achieve a planned works maintenance programme making maximum use of the professional skills of works officers and of inmate labour. The conclusions of the review of the regional and headquarters organisation of the prison service which was announced recently on 3 February 1989 at column *420*, will also be relevant to this recommendation, which will be implemented in the light of these two associated initiatives.

I endorse what is said in the report about the importance and useful part played by works staff in maintaining our establishments. Their commitment and expertise will be a significant factor in our ability to put Her Majesty's chief inspector's proposals into effect.

Establishments where integral sanitation is being or will be installed

Bedford
Birmingham
Bristol
Brixton
Camp Hill
Canterbury
Cardiff
Durham (H wing only)
Everthorpe
Leicester
Lincoln
Low Newton
Maidstone
Northallerton
Norwich
Nottingham
Onley
Oxford
Pentonville
Portland
Pucklechurch
Reading
Shepton Mallet
Shrewsbury
Swansea
Usk
Wandsworth

Mrs. Limbada (Karachi)

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department when the British authorities in Karachi first contacted his Department about Mrs. AL, wife of MY, reference IMP Y53167/3(5); when she was interviewed; what other steps were taken by his Department in processing this case; and when the case was finally referred to the Foreign and Commonwealth Office.

Mr. Renton *[holding answer 17 February 1989]:* The entry clearance officer in Karachi referred Mr. Mohammed Yousuf's application to the immigration department on 20 January 1987. The Department wrote to Mrs. Limbada on 19 February 1987 and in the light of her response concluded that an interview was necessary. Owing to a combination of pressure of work and Mrs. Limbada's absence from the United Kingdom it did not prove possible to arrange an interview until 10 August 1988. The interview report was sent to the entry clearance officer shortly afterwards. Due to an oversight, however, the entry clearance officer was not asked to reach a decision on the application until 25 February 1989. Following a re-interview of Mr. Yousuf on 12 February, the entry clearance officer decided to refuse the application.

Justices' Clerks

Mr. Gerald Bermingham: To ask the Secretary of State for the Home Department how many justices' clerks are paid in excess of the JNC for justices' clerks national salary arrangements in *(a)* London and *(b)* the rest of England and Wales; and if he will make a statement.

Mr. John Patten *[holding answer 17 February 1989]:* The salary scales approved within the JNC for justices' clerks do not directly apply to inner London. In the rest of England and Wales magistrates' courts committees are expected to pay justices' clerks in accordance with agreements reached in the JNC and approved by the Secretary of State for grant purposes.

No instance of payment in excess of JNC agreed salary scales has been drawn to my attention.

Extradition

Mr. Win Griffiths: To ask the Secretary of State for the Home Department on how many occasions since 1979 his

Department has made extradition applications for terrorist or other offences; and how often, by whom and for what reasons such requests have been rejected.

Mr. John Patten *[holding answer 16 February 1989]:* The readily available information for extradition requests from England and Wales to foreign states, Commonwealth countries and (by police forces) to the Republic of Ireland is given in the following tables. Requests involving terrorist offences are specified where known. The Irish statistics are based mainly on information provided by police forces. Full details of reasons for refusals of requests in individual cases are not readily available; but the reasons include insufficient evidence, that the fugitive was a national of the requested state, and that the alleged offences were time-barred under the law of the requested state.

Extradition requests to foreign states

Year	Number of requests	Number refused	Country of refusal
1979	4		
1980	[1]12	[1]2	Netherlands Germany
1981	[1]13		
1982	11	1	France
1983	13		
1984	21	1	Netherlands
1985	16	2	Netherlands
1986	15	1	France
1987	27	2	France Austria
1988	[1]20	[1]1	Belgium

[1] Includes one case involving terrorist offences.

Extradition requests to Commonwealth countries

	Country of refusal	Number of requests	Number refused
1979	New Zealand	3	1
1980		2	—
1981	Barbados	3	1
1982	Sri Lanka	5	1
1983		3	—
1984		5	—
1985	Zimbabwe	6	1
1986	New Zealand	6	2
1987		7	—
1988		3	—

Extradition requests to the Republic of Ireland

	Number of requests	Number refused
1979	53	1
1980	54	1
1981	43	2
1982	41	1
1983	31	—
1984	29	—
1985	23	—
1986	[1]12	[1]1
1987	5	2
1988	[2]8	[1]1

[1] Includes one case involving terrorist offences.
[2] Includes two cases involving terrorist offences.

Missing Persons

Mr. Janner: To ask the Secretary of State for the Home Department how many adults and how many children, respectively, are known to have gone missing in the Metropolitan police district during each of the last three Christmas periods.

Mr. Douglas Hogg *[holding answer 19 December 1988]:* The available information is given in the following table:

Adults and children reported missing in the Metropolitan Police District in December and still missing on 16 December 1988

Month reported missing	Adults aged 18 or over	Children aged under 18
December 1985	10	2
December 1986	24	5
December 1987[1]	20	5

[1] New counting procedures were introduced from the beginning of 1987, hence the figures for previous years are not comparable.

SCOTLAND

Woodland Grants

Mr. Maclennan: To ask the Secretary of State for Scotland what is the current average consultation period required for consideration of schemes submitted under the woodland grant scheme.

Lord James Douglas-Hamilton: Up to the end of January, the average time that elapsed between woodland grant scheme applications being sent out by the Forestry Commission for consultation and applicants being notified of the outcome was between 45 and 50 days.

Rating Reform

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will introduce regulations to exempt all craft workshops from the standard community charge provisions of the Abolition of Domestic Rates etc. (Scotland) Act 1987; and if he will make a statement.

Mr. Lang: Under section 10 of the Abolition of Domestic Rates etc. (Scotland) At 1987, as amended, the standard community charge will be payable in respect of dwellinghouses which are not subject to non-domestic rates and which are not the sole or main residence of any person. Premises which are used exclusively as craft workshops will remain subject to non-domestic rates after 1 April 1989 and will not, therefore, attract liability for the standard community charge.

Taxi Licensing

Mr. David Marshall: to ask the Secretary of State for Scotland if he will seek to introduce legislation to permit a local authority to allow the transfer of taxi operators' licences.

Lord James Douglas-Hamilton: No.

"Working for Patients" (Video)

Mr. Dewar: To ask the Secretary of State for Scotland if he will place in the Library the video prepared for his Department explaining the proposals in the White Paper, "Working for Patients".

Mr. Rifkind: Yes.

Pupils

Mr. Dewar: To ask the Secretary of State for Scotland how many pupils in Scottish schools stay at hostels away from home; and how many of these go home each weekend.

Mr. Rifkind: This information is not held centrally.

"Scottish Education in the Nineties"

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list in the *Official Report* the total number of requests received for copies of the video, "Scottish Education in the Nineties" giving a breakdown per *(a)* school, *(b)* parent-teacher associations, *(c)* school councils, *(d)* education authorities and *(e)* other.

Mr. Michael Forsyth: To date requests have been made for 216 copies in addition to a wide initial distribution which included all schools. These requests break down as follows:

	Number
Schools	2
Parent Teacher Associations	2
School Councils	0
Education Authorities	164
Others	48
	216

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what was the total cost in producing the video, "Scottish Education in the Nineties", and what was the total number of cassettes produced.

Mr. Michael Forsyth: For the cost of production I refer the hon. Member to the reply which I gave to the hon. Member for Fife, Central (Mr. McLeish) on 17 January at column *162*. A total of 5,000 copies of the video were made.

Cheese

Mr. Salmond: To ask the Secretary of State for Scotland what consultations have taken place between Ministers from his Department and the Association of Scottish Hard-Cheese Makers about the Government's attitude to unpasteurised milk cheese production.

Mr. Michael Forsyth: There have been no consultations with the Scottish Company of Cheese-Makers Ltd. which represents the major hard-cheese makers in Scotland. The manufacturers represented by the company do not use unpasteurised milk in making there cheeses.

Mr. Salmond: To ask the Secretary of State for Scotland if he will estimate the annual number of cases of listeria in Scotland involving *(a)* unpasteurised milk cheese production and *(b)* pasteurised milk cheese production, in each of the last five years; and if he will make a statement.

Mr. Michael Forsyth: Over the past five years there have been 112 cases of human listeriosis but in none of these has there been a positive association with cheese.

Mr. Salmond: To ask the Secretary of State for Scotland if he intends to make an assessment of the effect of recent Government statements on the market prospects of Scottish-produced unpasteurised milk cheese; and if he will make a statement.

Mr. Michael Forsyth: Informal soundings indicate that sales of cheese made in Scotland from unpasteurised milk remain steady.

Mr. Salmond: To ask the Secretary of State for Scotland how many workers are diréctly employed in Scottish farm cheese production made from unpasteurised milk.

Mr. Michael Forsyth: At the end of 1988 there were 12 Scottish farm cheese production units using unpasteurised milk, employing some 30 people.

Potato Policy

Mrs. Ray Michie: To ask the Secretary of State for Scotland what further representations he has received about the Government's consultation paper on potato policy in Scotland; and if he will make a statement about plans to withdraw financial support from the potato sector in Scotland.

Mr. Michael Forsyth: Representations on the proposals set out in the consultation paper have been received from interested organisations and individual potato producers. These are now under consideration; decisions have yet to be taken about future arrangements for potato marketing in Scotland.

Waste Disposal

Mrs. Ray Michie: To ask the Secretary of State for Scotland what regulations have been established for the transportation of domestic and commercial waste in Scotland from other areas of the country.

Lord James Douglas Hamilton: Controlled waste arising within the United Kingdom for disposal in Scotland is governed by the Control of Pollution (Licensing of Waste Disposal) (Scotland) Regulations 1977 and the Control of Pollution (Special Waste) Regulations 1980. The licence conditions determine, among other things, the nature of wastes which may be disposed of at a site. The Special Waste Regulations make provision for a system of consignment notes to be used by those who produce, transfer for disposal or dispose of special waste in order to notify the waste disposal authorities concerned.

Mrs. Ray Michie: To ask the Secretary of State for Scotland what action he takes to prevent clinical waste beting transported for disposal in Scotland without public knowledge; and if he will make a statement.

Lord James Douglas Hamilton: Under the Control of Pollution Act 1974, all waste must be disposed of at a site which is being used in accordance with a licence issued by the waste disposal authority for the area (the district or islands council). Conditions prescribing the working practices are invariably attached to such licences; these may include requirements relating to the type and quantities of waste which may be accepted. The waste disposal authority must keep a register of licences available for public inspection at its principal office, and every authority does so.

The Special Waste Regulations 1980 control the movement of dangerous wastes, but clinical wastes are rarely considered to be so dangerous as to fall under the regulations.

Mrs. Ray Michie: To ask the Secretary of State for Scotland how much and what type of clinical waste was transported from London to Scotland for disposal in Glasgow, as revealed by the London waste regulatory authority.

Lord James Douglas-Hamilton: Information of this kind is not held centrally. Responsibility for monitoring the safe disposal of waste is a matter for the local waste disposal authority concerned.

Electronics

Mr. Jack: To ask the Secretary of State for Scotland what is the current level of output in the electronics industry in Scotland; and what was the level in 1979.

Mr. Lang: The latest figures show electronics output in Scotland in the second quarter of 1988 to have been 134, based on 1985 equal to 100. This compares with an average annual figure for 1979 of 37. Since 1979 electronics output in Scotland has increased more than three-and-a-half fold.

Productivity

Mr. Wray: To ask the Secretary of State for Scotland what has been the growth in productivity in the Scottish *(a)* manufacturing, *(b)* agricultural and *(c)* mining industries for each year since 1979.

Mr. Lang: The average annual increase in productivity in these industries in Scotland since 1979 is set out in the table.

Output per head: Percentage change on previous year

	Manufacturing[1] *Divisions 2–4*	*Agriculture*[2] *Class 01*	*Coal extraction*[1 3] *Class 11*
1980	+1·0	+14·5	+3·5
1981	+6·6	+5·1	+1·9
1982	+8·0	+13·3	+0·8
1983	+5·8	−7·4	+1·0
1984	+6·5	+20·7	−41·6
1985	+3·7	−5·0	+98·8
1986	+2·7	+13·0	+35·1
1987	+7·3	+3·5	+26·1
1988	n/a	[4] −6·8	n/a

[1] Output per employee in employment.
[2] In agriculture, output per full-time person employed, including the self-employed with part-time and casual employees being converted to full-time equivalents.
[3] Coal extraction includes the manufacture of solid fuels as well as deep-mined and open-cast coal production.
[4] Provisional.

Research Projects

Mr. Wray: To ask the Secretary of State for Scotland if he will list all the research projects carried out with public funds, directly or indirectly, on the Scottish historical *(a)* cultural, *(b)* political, *(c)* economic and *(d)* social, institutions.

Lord James Douglas-Hamilton: The Scottish Office has not supported, directly or indirectly, any research projects on Scottish historical institutions.

Manufacturing

Mr. Wray: To ask the Secretary of State for Scotland how many *(a)* full-time and *(b)* part-time jobs were created in the manufacturing industry for each year since 1975.

Mr. Lang: Figures are available only for full-time jobs from the regional data system which contains employment data for manufacturing units employing 10 or more people. The figures are the annual increases in number of jobs for the units which had increases. The figures after 1984 are likely to be under-estimates pending an up-date of the system using census of employment data for 1987.

Year	*New Jobs (000's)*
1975	47·7
1976	40·8
1977	41·5
1978	37·3
1979	27·7
1980	18·4
1981	27·2
1982	20·8
1983	22·9
1984	25·8
1985	26·1
1986	23·4
1987	17·0

Source: Regional Data System.

Departmental Expenses

Mr. Wray: To ask the Secretary of State for Scotland what were, for each year since 1978, the total expenses of the Scottish Office.

Mr. Rifkind: The table shows the departmental running costs of the Scottish Office, excluding the Scottish prison service, which are borne on class XVI vote 21 in 1988-89 and comparative outturn since 1983-84.

	£ million
1983-84 outturn	93·0
1984-85 outturn	97·2
1985-86 outturn	100·7
1986-87 outturn	105·1
1987-88 outturn	108·2
1988-89 Provision	117·3

Comparable information for the years prior to 1983-84 could not be provided without incurring disproportionate cost.

EDUCATION AND SCIENCE

Doncaster (Books Expenditure)

Mr. Redmond: To ask the Secretary of State for Education and Science if he will give the total expenditure on text and library books in the Doncaster local education authority for *(a)* primary schools and *(b)* secondary schools at the end of each year since 1978-79 in cash terms and in real terms, using 1987-88 prices; and what were those figures as a percentage of the national average.

Mr. Butcher: The available information is given in the table:

Expenditure on text and library books[1]—Doncaster

	Primary schools			Secondary schools		
	Cash terms	*1987-88 real terms[2]*	*Proportion of England total*	*Cash terms*	*1987-88 real terms[2]*	*Proportion of England total*
	£000s	*£000s*	*Percentage*	*£000s*	*£000s*	*Percentage*
1979-80	132·5	232·7	0·7	198·2	348·0	0·7
1980-81	135·1	200·3	0·6	173·7	257·5	0·6
1981-82	144·8	195·4	0·6	215·7	291·1	0·7
1982-83	158·4	199·5	0·6	253·9	319·8	0·7
1983-84	144·1	173·5	0·5	243·9	293·9	0·7
1984-85	128·3	147·1	0·5	235·5	270·0	0·7
1985-86	168·0	182·7	0·6	240·5	261·7	0·7
1986-87	178·3	187·8	0·6	306·7	322·9	0·7

[1] The figures are based on LEA expenditure returns to DOE.
[2] The cash figures for the earlier years have been repriced using the Gross Domestic Product (Market Prices) Deflator.

School Leavers (Doncaster)

Mr. Redmond: To ask the Secretary of State for Education and Science if he will publish a table in the *Official Report*, showing the proportion of school leavers in Doncaster who continued into *(a)* university education and *(b)* other higher education for each year since 1979; and what was the national average in each year.

Mr. Jackson: The information is not readily available in the form requested. The table gives for the Doncaster local education authority and for England, the proportion of school leavers from maintained schools who intended to proceed to a course of further or higher education. The figures are drawn from a 10 per cent. sample of pupils at each school. Sampling error is a major consideration where a local education authority, such as Doncaster, has a relatively small cohort of school leavers. Such error alone could be the cause of fluctuations in the figures from year to year.

Proportion of school leavers intending to proceed to a course of further or higher education

Maintained schools *Percentages*

Academic years	*Doncaster local education authority*	*England*
1978-79	11·2	18·9
1979-80	10·5	20·0
1980-81	14·1	24·5
1981-82	14·1	25·7
1982-83	14·1	25·0
1983-84	16·1	25·9
1984-85	16·1	25·9
1985-86	15·4	26·5
1986-87	15·9	26·4

Pupil Expenditure

Mr. Butler: To ask the Secretary of State for Education and Science if he will provide a table showing for *(a)* England and *(b)* Cheshire the level of expenditure in constant terms per child in (i) primary education and (ii) secondary education for each year from 1978 to the latest available year.

Mr. Butcher: The available information is given in the table:

Net institutional expenditure[1] per pupil 1986-87 real terms[2]

Year	*Primary schools*		*Secondary schools*	
	Cheshire	*England*	*Cheshire*	*England*
	£	*£*	*£*	*£*
1978-79	685	710	1,015	1,035
1979-80	680	710	1,000	1,010
1980-81	725	765	1,065	1,075
1981-82	740	790	1,050	1,110
1982-83	760	810	1,065	1,125
1983-84	775	830	1,080	1,160
1984-85	775	830	1,100	1,185
1985-86	785	840	1,135	1,215
1986-87	810	900	1,235	1,340

[1] The figures are based on LEA expenditure returns to DOE and pupil number returns to DES.
[2] The cash figures for the earlier years have been repriced to 1986-87 real terms using the Gross Domestic Product (Market Prices) Deflator.

Schools (Opting-out)

Mr. McLoughlin: To ask the Secretary of State for Education and Science if any schools in Derbyshire have had ballots in schools to opt out of local education authority control.

Mrs. Rumbold: To date two schools in Derbyshire have held ballots on grant-maintained status. The parents at Netherthorpe school voted in favour of an application to seek grant-maintained status; the parents at Chesterfield school voted against.

Secondary Schools (Home Economics)

Mr. Cartwright: To ask the Secretary of State for Education and Science (1) what advice he is giving to local education authorities about the teaching of home economics in secondary schools;

(2) what representations he has received about the absence of home economics from the national curriculum foundation subjects in secondary schools.

Mrs. Rumbold: My right hon. Friend has received a large number of representations from organisations, parents and teachers about the place of home economics in the school curriculum. Home economics is a valuable subject and is expected to remain a popular choice, outside the national curriculum, for many pupils. Within the national curriculum, home economics can contribute to teaching the attainment targets and programmes of study for science, to be finalised next month. Home economics can also contribute to design and technology (D & T). The

D & T working group has been asked to take this into account in advising on attainment targets and programmes of study for D & T.

Secondary Schools (Classics)

Mr. Cartwright: To ask the Secretary of State for Education and Science (1) what advice he is giving to local education authorities about the teaching of classics in secondary schools;

(2) what representations he has received about the absence of classics from the national curriculum foundation subjects in secondary schools.

Mrs. Rumbold: I refer the hon. Member to the reply that I gave to my hon. Friend, the Member for Basingstoke (Mr. Hunter) on 31 January at columns *171-72*. My right hon. Friend has received a large number of representations from organisations, parents and teachers about the place of classics in the school curriculum.

Nursery Schools

Mr. Straw: To ask the Secretary of State for Education and Science what regulations or guidance concerning school premises and pupil-teacher ratios have been issued in respect of nursery schools and classes.

Mr. Kenneth Baker: Premises for maintained nursery schools and classes are subject to the Education (School Premises) Regulations, 1981. The last central guidance on the staffing of this provision was issued 16 years ago, by way of circular 2/73 and administrative memorandum 21/73. The Government have no plans to update this. They look to authorities to determine the appropriate levels of staffing for this provision in the knowledge that the prevailing ratios—a pupil:teacher ratio of 22·9:1 within an overall pupil:adult ratio of 10·2:1—are better than those envisaged in 1973.

Audenshaw High School, Tameside

Mr. Andrew F. Bennett: To ask the Secretary of State for Education and Science how many representations he has received *(a)* in favour and *(b)* against Audenshaw high school, Tameside, opting out of the local education system.

Mrs. Rumbold: My right hon. Friend has received 21 statutory and two non-statutory objections to Audenshaw high school's application for grant-maintained status. No letters of support have been received. There is no formal provision for such representations.

Institut Laue Lange, Grenoble

Mr. Dalyell: To ask the Secretary of State for Education and Science if he will make a statement on British participation in the research of the Institut Laue Lange at Grenoble.

Mr. Jackson: The level of British participation in the Institut Laue Langevin after 1992 will be considered in the light of advice received in due course from the SERC.

School Trips (Supervision)

Dr. Glyn: To ask the Secretary of State for Education and Science if he has any plans to improve the existing machinery for the control of supervision by teachers on school trips and the enquiries which are made in the case of fatal accidents on these trips; and if he will make a statement.

Mr. Butcher: Detailed arrangements for these matters are the responsibility of the local education authorities. My Department has provided guidance for them in the booklet "Safety in Outdoor Pursuits" (HMSO). A new and fuller document will be available shortly, incorporating new material prepared in the light of recent accidents. It will be sent free to all schools, colleges and local education authorities.

Church-aided Schools, Lancashire

Mr. Jack: To ask the Secretary of State for Education and Science what studies his Department has undertaken of capital spending on church-aided schools in Lancashire.

Mr. Butcher: Each year my right hon. Friend invites governors of aided schools in Lancashire and other LEAs to assess the need for new school building projects, and to formulate and submit appropriate plans through the LEA. Five new major building projects at aided schools in Lancashire were recently approved for a start in 1989-90; this was the largest number of new starts approved for any LEA.

Assessment of Performance Unit

Mr. Franks: To ask the Secretary of State for Education and Science if he will make a statement about the future of the assessment of performance unit.

Mr. Kenneth Baker: Responsibility for the assessment of performance unit (APU) will be transferred from my Department to the School Examinations and Assessment Council (SEAC) with effect from 1 April 1989. This will allow the APU's programme of work to be closely integrated with SEAC's wider programme of monitoring and evaluation, on which I have invited the council's advice by the end of July.

Human Genetics

Mr. Bermingham: To ask the Secretary of State for Education and Science if he will outline any proposals to attract funding from agencies or other sources towards international co-ordination within the community to organise research into the mapping of the human genome, and in particular the application of work resulting from a human genetics programme; and if he will make a statement.

Mr. Jackson *[holding answer 15 February 1989]:* As part of the allocation of science budget funds announced on 7 February 1989, the MRC was allocated £11 million over three years for the United Kingdom human genome mapping project. This project will serve as a national focus for activities in this field, and will link with related international research. In additon to the newly allocated funds, the MRC already spends £9 million annually on genetics research of relevance to the project, and it is estimated that the United Kingdom medical research charities spend a similar sum.

The European Commission has prepared a formal proposal for a programme entitled "Predictive Medicine: Human Genome Analysis" and this will be considered by the Council later this year.

CIVIL SERVICE

Creche Facilities

Mr. Bowis: To ask the Minister for the Civil Service what steps he is taking to encourage more creche facilities in the Civil Service.

Mr. Luce: I outlined new arrangements for financing Civil Service child care schemes in my reply to my hon. Friend the Member for Batley and Spen (Mrs. Peacock) on 16 February at column *311*. Departments now have the freedom, within overall running cost provisions, to support child care schemes which can be justified in value for money terms. A part-time child care development officer has been appointed to the Cabinet Office, equal opportunities division to offer advice and practical help to Departments as required. A number of Departments are already developing plans for childcare provision for the under-fives. These include my own Department, the Ministry of Defence and the Home Office. The Civil Service college at Sunningdale is planning a creche which will be available to both staff and students.

Retail Prices Index (Error)

Mr. Redmond: To ask the Minister for the Civil Service pursuant to his answer of 13 January, *Official Report*, columns *773-74*, if he will list the number of organisations entitled to receive funds in respect of the RPI error; what are the individual amounts involved; which of these organisations received a payable warrant and on what date; which of these organisations were asked to repay the warrant pending parliamentary approval; whether a motion has yet been tabled for parliamentary approval for authorisation of payment; and if he will make a statement.

Mr. Luce: The organisations benefiting funds from the error in calculation of the RPI and the amounts awarded to them on 1 August 1988 are:

	£
Civil Service Benevolent Fund	1,229,000
Civil Service Retirement Fellowship	330,000
Civil Service Club	150,000
Civil Service Sports Council	44,000
Post Office and CS Sanatorium Society	150,000
Civil Service Pensioners' Alliance	35,000
Occupational Pensions Advisory Service	20,000

Payable warrants were sent to each of the organisations on 3 August 1988. The Civil Service pensioners alliance, occupational pensions advisory service and the Post Office and Civil Service Sanatorium Society were asked to repay the awards pending authorisation of a supplementary estimate for funds which has been submitted for parliamentary approval.

THE ARTS

Sir Douglas Bader (Memorabilia)

Mr. Redmond: To ask the Minister for the Arts what action is being taken to preserve for the nation wartime memorabilia that belonged to Sir Douglas Bader; and if he will make a statement.

Mr. Luce: Owners are free to dispose of their property as they wish. In the event that an owner wishes to enjoy the property abroad, items over 50 years of age and worth certain monetary values would require an export licence in the normal way.

Scientific Periodicals

Mr. Dalyell: To ask the Minister for the Arts, pursuant to his answer of 8 February, *Official Report*, column *994*, what discussions he has had with the British Library about the pricing of scientific periodicals.

Mr. Luce: The British Library draws my attention to the cost of scientific periodicals and other materials when it presents its financial forecasts, and I take these into account when making my arts budget allocation.

Disabled People

Mr. Fisher: To ask the Minister for the Arts (1) what advice the Arts Council gives to its clients on fulfilling their statutory obligations to employ people with disabilities;

(2) what information he has on the expenditure of the Arts Council on developing policy on disability and the arts;

(3) how many people who are registered disabled have been employed by the Arts Council in each of the last five years;

(4) what information he has on the percentage of the Arts Council's training budget spent on arts and disability;

(5) what information he has on the provision of access for the disabled at the Arts Council's offices with regard to *(a)* ramps, *(b)* induction loops, *(c)* signers and *(d)* Braille signs;

(6) what information he has on the expenditure of the Arts Council on facilities for people with disabilities at its offices at 105 Piccadilly;

(2) what information he has on the number of job applications received by the Arts Council from people with disabilities in each of the past five years.

Mr. Luce: As I explained to the hon. Member in my reply earlier today, the Arts Council is committed to equal opportunities for disabled people both in its own employment and throughout the arts world. The council actively seeks to recruit staff with disabilities and currently employs six people who consider themselves to be disabled. This represents over 3 per cent. of its total staff. The council has also actively endorsed the same positive approach in its clients, as set out in the council's code of practice on the arts and disability. The council monitors the implementation of the code through its regular evaluation of client organisations. For more detailed information about the implementation of the council's policy at its headquarters and in the field, the hon. Member may wish to write to the chairman of the Arts Council.

Mr. Fisher: To ask the Minister for the Arts *(a)* how many employees and *(b)* what percentage of employees of the Arts Council were registered disabled, in each of the last five years.

Mr. Luce *[holding answer 14 February 1989]:* The Arts Council is committed to equal opportunities for disabled people and actively seeks to recruit staff with disabilities. As part of this policy, it has conducted a number of surveys amongst its staff. Since these began in December 1986, only one employee has been found to be formally

registered as disabled. However, six existing employees consider themselves to be disabled although they have chosen not to register. This represents over 3 per cent. of the Arts Council's total staff.

Northern Ballet

Mr. Jack: To ask the Minister for the Arts what representations he has received about the Arts Council's proposed funding arrangements for Northern Ballet; and if he will make a statement.

Mr. John Evans: To ask the Minister for the Arts what representations he has had about the future of Northern Ballet theatre.

Mr. Luce *[holding answer 16 February 1989]:* I have received a number of representations from interested parties. The funding of northern ballet is, however, entirely a matter for the Arts Council.

NORTHERN IRELAND

Labour Statistics

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is his estimate of how many firms, businesses and employers in the East Londonderry constituency employ more than 25 persons.

Mr. Viggers: The information is not available in the form requested.

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is his estimate as to how many firms, businesses and employers there are in the areas covered by the Department of Social Security offices at *(a)* Strabane, *(b)* Londonderry, *(c)* Limavady, *(d)* Magherafelt, and *(e)* Coleraine which employ more than 25 persons; what is his estimate of the total number of persons employed by all those firms in those areas; and what is the total number of employees in those areas.

Mr. Viggers: Information on the number of enterprises with more than 25 employees is not available in the form requested. Statistics on the number of employees relate to district council, rather than social security office areas. Latest available figures, based on the September 1984 census of employment records, are as follows:

	Number
Strabane	7,480
Londonderry	27,930
Limavady	5,920
Magherafelt	7,640
Coleraine	15,810

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) if he will publish in the *Official Report* his estimate as to how many firms and businesses in the East Londonderry constitituency employ more than 25 persons;

(2) if he will publish in the *Official Report* his estimate as to how many firms and businesses in the Foyle constituency employ more than 25 persons.

Mr. Viggers: The information is not available in the form requested.

Supplementary Benefit

Mr. Hume: To ask the Secretary of State for Northern Ireland what information is available on the numbers of claims for additional requirements, including backdated claims under supplementary benefit, which were granted from 1 January to 10 April 1988 and those granted from April 1988.

Mr. Needham: Under the supplementary benefit scheme additional requirements were an integral part of benefit entitlement and claims for them were not made or recorded separately. Accordingly the information is not readily available and could be obtained only at disproportionate cost.

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make a statement indicating the total amounts of money paid under all supplementary benefit regulations in each social security office from 11 April 1988.

Mr. Needham: The information requested is not available.

HOUSE OF COMMONS

European Legislation

Mr. Mates: To ask the Lord President of the Council how many recommendations for debate were made by the Select Committee on European Legislation in the last session.

Mr. Wakeham: In 1987-88 there were 117 such recommendations.

Mr. Mates: To ask the Lord President of the Council how many hon. and right hon. Members took part in the deliberations of Standing Committees on European Documents who were not members of the Standing Committee, in the last Session.

Mr. Wakeham: In 1987-88, six hon. Members took part in deliberations of Standing Committees on European Documents, of which they were not a member.

Debates

Mr. Mates: To ask the Lord President of the Council how many debates were held following recommendations of the Select Committee on European Legislation on the Floor of the House in the last Session of Parliament.

Mr. Wakeham: In 1987-88, 29 debates were held on the Floor of the House, covering 84 documents, in addition to 15 debates in Standing Committee, covering 31 documents.

HEALTH

General Practitioners (Rural Area)

Mr. Wallace: To ask the Secretary of State for Health when he expects to meet representatives of the British Medical Association to discuss the future of general practitioners in rural areas.

Mr. Kenneth Clarke: Consultations with the general medical services committee of the British Medical

Association have been continuing for about one year on the detail of implementing changes to GPs' terms of service and remuneration system. These consultations will cover changes to the family doctor services throughout Great Britain, as proposed in the White Papers "Promoting Better Health" and "Working for Patients" including matters of special relevance to rural general practice. I last met the representatives of the GMSC for a discussion of progress in these consultations on 9 February 1989. I have no present plans for a further meeting.

"Working for Patients"

Mr. Fearn: To ask the Secretary of State for Health what National Health Service staffing information he collects centrally; and what information relating to the number of vacant posts in all National Health Service staff categories was considered in the National Health Service review which led to the White Paper, "Working for Patients."

Mr. Kenneth Clarke: My Department collects detailed information on staff-in-post as at end of September each year. Less detailed statistics are available for other quarter points in the year

Information on vacant posts is collected annually for consultants and senior registrars (hospital services) and for RMO, DMO, SCM, senior registrars and registrars in the community services.

RAWP System (North Staffs)

Ms. Walley: To ask the Secretary of State for Health how much money will be lost by North Staffordshire district health authority as a result of the Government's proposals to change the basis of allocations on the resource allocation working party system.

Mr. Kenneth Clarke: No money will be lost by the district health authority from its present allocation but in future years, district health authorities, like regional health authorities, will be funded for their own populations weighted to take account of age and propensity to sickness. This will provide a fair basis for the calculation of the district's share of future growth in NHS revenue.

Tampons

Ms. Walley: To ask the Secretary of State for Health what evidence there is that tampons produced from chlorine-bleached fibres can provide a means whereby dioxins enter the human body.

Mr. Freeman: I refer the hon. Member to my reply to her on 14 February at column *179*.

Ms. Walley: To ask the Secretary of State for Health if he will take steps to require sanitary tampon manufacturers to print warnings regarding toxic shock syndrome on the packets.

Ms. Ruddock: To ask the Secretary of State for Health (1) if he will issue safety guidelines for sanitary tampon manufacturers;

(2) if he will take steps to alert consumers of sanitary tampons to medical research which has suggested that there are health problems related to them.

Mr. Freeman *[holding answer 14 February 1989]:* Four years ago the Government set up a voluntary prior approval scheme with the sanitary protection industry, under which manufacturers submit to Government any new tampon or tampons to which there have been significant changes in design or materials, and toxicologists from the Department of Health scrutinise them to decide whether they pose a health hazard. I am satisfied that this scheme is adequate to safeguard the public and I commend it as a good example of a responsible industry voluntarily looking after the interests of its customers. Sanitary tampon manufacturers already include with their products leaflets giving consumers information on toxic shock syndrome and personal hygiene.

Ms. Ruddock: To ask the Secretary of State for Health if he will now include sanitary towels and tampons among the articles covered by the good manufacturing practice specified by the Department of Health.

Mr. Freeman: No. The voluntary prior approval scheme set up four years ago by the Government and the sanitary protection industry already ensures that any new tampon or major change in tampon design or materials can be properly checked to decide whether or not they pose a health hazard.

Ms. Ruddock: To ask the Secretary of State for Health if he will fund research on the health effects of using sanitary tampons.

Mr. Freeman: We look to the Medical Research Council, which receives its grant-in-aid from the Department of Education and Science, for the support of biomedical research.

Cigarettes

Mr. Gale: To ask the Secretary of State for Health if, when negotiating the renewal of voluntary agreements with the tobacco industry, he will make it his policy to seek a ban on the sale of single cigarettes on the grounds that they cannot carry a Government health warning; and if he will make a statement.

Mr. Freeman: The sale of single cigarettes is one aspect of the larger problem of tobacco sales to children. This area is already covered by the Protection of Children (Tobacco) Act 1986 and the Government are looking into ways of improving the enforcement of this legislation.

Cot Deaths

Mr. Latham: To ask the Secretary of State for Health whether his Department's scientific and medical advisers have investigated the studies into electromagnetic wave theory and possible relationships with cot death syndrome; and whether he will make a statement.

Mr. Freeman: Neither this Department nor the National Radiological Protection Board, which has a responsibility to advise on hazards from electromagnetic fields, are aware of any authoritative, peer-reviewed studies that have demonstrated an association between sudden infant death syndrome and exposure to these fields at any frequency.

Mr. Latham: To ask the Secretary of State for Health (1) whether he will list those research projects which are currently receiving Government funding and which examine the possible causes of cot death syndrome; and whether he will list the academic or medical institutions at which such research is taking place;

(2) what is the total sum of grant made available by his Department for research into the causes of cot death syndrome in the current financial year; and what is the projected sum for the financial year 1989-90.

Mr. Freeman: The Medical Research Council is the main agency through which the Government support biomedical and clinical research in the United Kingdom. The MRC receives its grant-in-aid from the Department of Education and Science. I understand that in 1987-88, the latest financial year for which figures are available, the MRC spent approximately £83,000 on research into sudden infant death syndrome. The following list shows the current research supported by this money.

a. Clinical Research Centre—Division of Clinical Sciences, Harrow, Middlesex.
Project Title: Arterial oxygen saturation monitoring for respiratory disease, heart failure, cot death, anaesthesia.
(ii) *Grant Holders in University Departments*
a. Professor V. Dubowntz, Department of Paediatric and Neonatal Medicine, Royal Postgraduate Medical School, London.
Project Title: Continuous 4 channel EEg monitoring in the high risk neonate.
b. Professor J. K. Stothers, Department of Paediatrics, London Hospital Medical College, London.
Project Title: An investigation into the incidence and clinical significance of obstructive apnoea in children.
c. Professor A. D. Milner, Department of Child Health, University of Nottingham, Nottingham.
Project Title: Apnoea bardycardia and high frequency oscillation in the neonatal period.
d. Professor P. J. Watt, Department of Microbiology, University of Southampton.
Project Title: Respiratory Syncytial Virus Polypeptides: age-related antibody responses and the significance of material IGC.

In the same year, the council made available a further £322,000 for other research which may contribute to the understanding of the sudden infant death syndrome.

Former Ministers (Facilities)

Mr. Hoyle: To ask the Secretary of State for Health, further to his answer of 13 February, *Official Report*, col. *79* what is the cost of granting the former Parliamentary Under-Secretary of State for Health the temporary use of a room at the Department plus the part-time assistance of an administrative officer to manage and safeguard the papers.

Mr. Kenneth Clarke: There is no additional cost as the former Parliamentary Under-Secretary of State for Health is using a room that was vacant pending the refurbishment of the building. The administrative officer spends up to a maximum of three hours a week managing and safeguarding the papers at an approximate cost of £170 for the nine weeks of research.

Sea Bathing

Ms. Ruddock: To ask the Secretary of State for Health if he will consider Government funding for urgent research into the extent of infection from viruses associated with sea bathing.

Mr. Freeman: I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Under-Secretary of State for the Environment on 31 October 1988 at column *546*.

Babies (PCDFs)

Ms. Ruddock: To ask the Secretary of State for Health what response his Department has made to reports about the effects on babies of high levels of PCDFs.

Mr. Freeman: The Department is aware of studies in Japan and Taiwan which tentatively suggested health effects in babies whose mothers were exposed to cooking oil containing polychlorinated biphenyls contaminated with PCDFs. The Department's advisory committee on the toxicity of chemicals in food, consumer products and the environment is currently reviewing the toxicity data on PCDDs and PCDFs, including these studies, and the committee's advice is expected shortly.

Cancer (Paper Products)

Ms. Ruddock: To ask the Secretary of State for Health if his Department has any statistics regarding increased lifetime cancer risk resulting from dioxin exposure via paper products.

Mr. Freeman: Research indicates that levels present in such products are very low and they would be expected to present a negligible risk. However, we have asked the relevant trade associations to provide information on levels found in products on sale in the United Kingdom. A further assessment of risks to health will then be made.

Ms. Ruddock: To ask the Secretary of State for Health what information he has on research conducted by the United States Environment Protection Agency into the risks of cancer from paper products.

Mr. Freeman: I understand that the Environment Protection Agency is preparing a report with the American paper industry which is expected to be ready by April 1989.

Birth Deformities

Ms. Ruddock: To ask the Secretary of State for Health if his Department is aware of any research indicating links between dioxins and birth deformities.

Mr. Freeman: The Department is aware of toxicological studies indicating that some dioxins can cause deformities in certain species of laboratory animals. The significance of these findings for humans is currently being assessed by the Department's advisory committee on the toxicity of chemicals in food, consumer products and the environment as part of a review of all the toxicity data on PCDDs and PCDFs. The committee's advice is expected shortly.

Aluminium (Home Cooking)

Mr. Eastham: To ask the Secretary of State for Health if, in view of the scientific evidence linking aluminium with Alzheimer's disease, he has considered the control on the use of aluminium in food processing, including cooking utensils and aluminium foil; and what advice he has for home cooks.

Mr. Freeman: No controls on the use of aluminium in food processing are warranted. My replies to the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) on 27 January at columns *797-799* explain the known medical effects of aluminium from all sources.

Dioxins

Mr. Wray: To ask the Secretary of State for Health what research his Department is carrying out or funding about the effects of paper and similar products containing dioxins on the health of people.

Mr. Freeman: None. Research in Sweden has shown that levels present in those products are extremely low and are likely to present a negligible risk to health. However, the Department's committee on toxicity of chemicals in food, consumer products and the environment has been asked to advise on the possible health effects from dioxins.

Cook-chill Food

Mr. Hinchliffe: To ask the Secretary of State for Health (1) on what date the Yorkshire regional health authority determined to introduce cook-chill catering in hospitals throughout the region;

(2) on what date members of staff of the Yorkshire regional health authority were informed that a policy decision had been made to introduce cook-chill catering in hospitals throughout the region.

Mr. Kenneth Clarke: The decision to introduce cook-chill catering into hospitals within Yorkshire region was taken at the regional health authority meeting on 24 March 1988. Information about the decision and its implementation was formally communicated to Yorkshire district health authorities and the media the same day. Similar information was conveyed to staff in the region in the RHA's newspaper "Health View", April 1988 edition.

Mr. Hinchliffe: To ask the Secretary of State for Health which hospitals in the Yorkshire region currently operational, or in the process of construction, have facilities to receive and distribute cook-chill food.

Mr. Kenneth Clarke: The proposed new Halifax district general hospital, all hospitals within the Wakefield and Dewsbury boundaries, all hospitals administrated by Bradford health authority with the exception of the Bradford royal infirmary, St. Luke's hospital and Linfield mount hospital, the Alfred Bean hospital, Driffield and the Brumby hospital, Scunthorpe.

Mr. Hinchliffe: To ask the Secretary of State for Health which cook-chill installations currently in operation within the National Health Service contravene his Department's 1980 guidelines.

Mr. Kenneth Clarke: I expect health authorities to satisfy themselves that cook-chill installations all conform to my Department's cook-chill guidelines.

Mr. Hinchliffe: To ask the Secretary of State for Health if facilities exist to ensure it is possible for the requirement of the Yorkshire health authority's expert group that all cook-chill food must be served within 15 minutes of reheating to be met following the proposed introduction of cook-chill catering in Wakefield's hospitals.

Mr. Kenneth Clarke: I understand that the DHA's arrangements, using heated trolleys, would meet this requirement and I expect the DHA to ensure that performance is monitored.

Mr. Hinchliffe: To ask the Secretary of State for Health, pursuant to his answer of 30 January to the hon. Member for Wakefield if, in the light of scientific and medical evidence of the potential importance of listeria monocytogenes in cook-chill catering, he will now withdraw the 1980 guidelines prepared by the expert group.

Mr. Kenneth Clarke *[holding answer 7 February 1989]:* We remain quite satisfied that, provided the 1980 guidelines on cook-chill catering are followed, the food produced by this system will be safe.

Mr. Hinchliffe: To ask the Secretary of State for Health if, pursuant to his answer of 2 February to the hon. Member for Wakefield, he will list the published and unpublished papers on the safety of cook-chill and low temperature pathogens considered by his Department's expert group.

Mr. Kenneth Clarke *[holding answer 7 February 1989]:* The purpose of convening an expert group is to ensure a broad information base for decisions on the preparation of guidance. The group considered a wide range of information on the scientific basis of the cook-chill system from a variety of sources. It is not possible to compile a complete list of all material which members of the group will have taken into account when formulating the guidelines.

Mr. Hinchliffe: To ask the Secretary of State for Health what information he has on the evidence presented at a symposium on cook-chill catering at Danbury technical college held on 9 July 1988, by a consultant microbiologist at Plymouth health authority on the incidence of patients with listeriosis treated in Plymouth hospitals during 1987 and 1988.

Mr. Kenneth Clarke *[holding answer 7 February 1989]:* The evidence presented by a consultant microbiologist from Plymouth health authority at this symposium showed that all patients found to have listeriosis in Plymouth hospitals during 1987 and 1988 acquired this infection before their admission.

Mr. Hinchliffe: To ask the Secretary of State for Health when he expects to give his replies to the questions tabled for priority written answer on 7 February and to which a holding reply was given relating to cook-chill catering and his Department's expert group, and to Plymouth.

Mr. Kenneth Clarke: I replied to the hon. Member today.

Hospice Nurses (Pay)

Mr. Frank Field: To ask the Secretary of State for Health if he will make a statement on the funding of the pay award to nurses working in the hospice movement.

Mr. Kenneth Clarke: In 1988-89 the Government made available to health authorities an additional £5·5 million to meet the costs of the nurses' clinical regrading exercise incurred by hospices and mainly charitable hospitals with which they had contractual commitment or to which they regularly gave financial support. This allocation was made because of the exceptional nature of the increase in pay costs and about one quarter of it was expected to go to hospices.

That sum is being carried forward to 1989-90, and increased by 5 per cent. The Government have not

included any further provision in the additional funds being made available in respect of the 1989 nurses' pay award, but health authorities may wish to provide extra financial support from the very significant overall increase in financial resources at their disposal in 1989-90.

My Department has asked for more information to be collected on the general pattern of financial support of hospices by health authorities and will consider the need for any further action in the light of this.

Chief Nursing Officer (Letter)

Mr. Kirkwood: To ask the Secretary of State for Health if he will place in the Library a copy of the letter sent by the chief nursing officer to all district and regional nursing offices on 18 January.

Mr. Freeman: I shall be placing copies of the letter and accompanying paper in the Library.

Mr. Kirkwood: To ask the Secretary of State for Health if he will make a statement about the consequences on employment and pay scales for nurses resulting from the guidelines on nursing contained in the letter sent from the chief nursing officer to all district and regional nursing offices on 18 January.

Mr. Freeman: We do not envisage that there would be any consequences on employment and pay scales for nurses arising from this letter.

Mr. Kirkwood: To ask the Secretary of State for Health if he will make a statement about the purpose and status of the letter sent by the chief nursing officer to all regional and district nursing officers on the role of nurses.

Mr. Freeman: The purpose of the letter on nursing routines and improving efficiency, which was sent by the Chief Nursing Officer and chairman of the standing nursing and midwifery advisory committee at the specific request of members to regional and district nursing officers and to the chief nursing officers of special health authorities, was to encourage local nursing and midwifery advisory committees to study the use of some routine nursing practices with a view to considering whether they were still relevant in their local circumstances. They were asked to take whatever action they considered necessary to develop innovative ideas to increase the efficiency of effectiveness of nursing care, so that unnecessary practices can be eliminated, releasing nurses to provide a quality service which not only benefits patients but provides increased job satisfaction for nursing staff.

Mr. Kirkwood: To ask the Secretary of State for Health what response there has been to the letter sent on 18 January to all regional and district nursing officers from the Chief Nursing Officer about the role of nurses.

Mr. Freeman: Some nursing officers have already replied in a positive way indicating the initiatives and developments they are undertaking.

Sickle Cell Anaemia and Thalassaemia

Ms. Walley: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Stoke on Trent, North, *Official Report*, 9 February, column *802*, if he will review his decision not to include a question on local funding arrangements in his Department's questionnaire to all district health authorities on screening and counselling for sickle cell anaemia and thalassaemia.

Mr. Freeman: The questionnaires were issued to district health authorities on 22 June 1988 and the Department is currently analysing their responses. The need to see further information will be considered in the light of this analysis.

Listeria

Mr. Kennedy: To ask the Secretary of State for Health if he will detail the number of cases of United Kingdom produced cheeses in which listeria infection has been identified over the past 12 months; if he will express that number as a proportion of the total United Kingdom cheese production over the same period; and if he will make a statement.

Mr. Kenneth Clarke *[holding answer 16 February 1989]:* One case of listeriosis associated with United Kingdom produced cheese has been reported to the Public Health Laboratory Service in the past 12 months. Cheese production in the United Kingdom in 1987, the last year for which figures are available centrally, totalled 263,900 tonnes.

There has been a variety of published evidence indicating the risk associated with both unpasteurised and pasteurised soft cheeses. In particular, I draw the hon. Member's attention to the "Report of the WHO Informal Working Group on Foodborne Listeriosis", Geneva 15-19 February 1988 and "Occurrence in the UK of Listeria species in Raw Chicken and Soft Cheeses" published in the International Journal of Food Microbiology 1988 vol. 6. However, as indicated in his public statement on 10 February 1989, the Government's Chief Medical Officer has recently been taking further expert advice on the risks.

Mr. Austin Mitchell: To ask the Secretary of State for Health how many cases of listeriosis have been attributed to *(a)* unpasteurised milk, *(b)* unpasteurised milk products, *(c)* pasteurised milk, and *(d)* pasteurised milk products in each of the last five years.

Mr. Kenneth Clarke *[holding answer 16 February 1989]:* Confirmed reports to the Public Health Laboratory Service show that in England and Wales there have been two cases of listeriosis associated with products made with unpasteurised milk, one in 1986 and one in 1988. In both cases, the milk was heated beyond pasteurisation temperatures during the manufacturing process. There have been no reports of listeriosis attributed to either pasteurised or unpasteurised milk, or to products made with pasteurised milk.

Cheese

Mr. Ron Davies: To ask the Secretary of State for Health how many instances have been notified to his Department of poisoning caused through the consumption of contaminated soft cheese or unpasteurised milk during each of the last three years.

Mr. Kenneth Clarke *[holding answer 16 February 1989]:* Confirmed cases of food poisoning associated with the consumption of soft cheese and unpasteurised milk reported to the Public Health Laboratory Service in the years from 1986-88 are as follows:

	Unpasteurised milk	*Soft cheese*
1986	347	1
1987	366	—
1988	[1]22	1

[1] Provisional.

There has been a variety of published evidence indicating the risk associated with both unpasteurised and pasteurised soft cheeses. In particular, I would draw the hon. Member's attention to the "Report of the WHO Informal Working Group on Foodborne Listeriosis", Geneva 15-19 February 1988 and "Occurrence in the United Kingdom of Listeria species in Raw Chicken and Soft Cheeses" published in the International Journal of Food Microbiology 1988 volume 6. However, as he indicated in his public statement on 10 February 1989, the Government's Chief Medical Officer has recently been taking further expert advice on the risks.

Salmonella

Mr. Ron Davies: To ask the Secretary of State for Health if he has any evidence of the incidence of *(a)* salmonella enteritidis, and *(b)* any other strain of salmonella in cooked prawns.

Mr. Kenneth Clarke *[holding answer 23 January 1989]:* Studies on imported cooked prawns by the Public Health Laboratory Service between 1976 and 1986 show that a small number of the samples tested contained isolations of a wide variety of serotypes of salmonella. Any action on such imported produce is a matter for the port health authorities. In 1986 and 1988 there were no reported outbreaks of food poisoning associated with cooked prawns. In 1987 there were two reported outbreaks possibly associated with this food.

Radiated Food

Mr. Fearn: To ask the Secretary of State for Health if he intends to bring in legislation requiring all radiated food to be clearly marked.

Mr. Ryder: I have been asked to reply.

Ministers have agreed for advice from officials on the regulatory framework, including labelling that would be necessary for irradiation of food on general sale to be permitted in this country. This advice is expected shortly.

AGRICULTURE, FISHERIES AND FOOD

Poultry

Mr. William Ross: To ask the Minister of Agriculture, Fisheries and Food whether he now intends to ban the use of animal protein, other than fish meal, for feeding poultry.

Mr. Donald Thompson: As I announced in my reply to my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) on 19 January at column 314-15, I have no plans to do so. My officials have routinely inspected all protein processing plants to monitor their compliance with the Diseases of Animals (Protein Processing) Order 1981 which requires the manufacture of a salmonella-free product. A new statutory provision to stop the supply of salmonella-contaminated animal protein has been introduced recently and further control measures are under consideration.

Research and Medical Staff

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food how many research medical or scientific staff in his Department with expertise in *(a)* egg production, *(b)* milk and cheese production, *(c)* food poisoning and *(d)* consumer demand there were in (i) 1979 and (ii) 1988.

Mr. Donald Thompson *[holding answer 16 February 1989]:* Details are as follows:

	1979	*1988*
(a) Egg production	418	325
(b) Milk and cheese production	473	377

(c) Questions relating to food poisoning are the responsibility of my right hon. Friend the Secretary of State for Health.

(d) Expertise in consumer demand is available widely in the Ministry for different commodities. Total staff numbers could not be ascertained without disproportionate cost.

Suckler Cow Premium

Mr. Amos: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to ensure that British farmers receive the maximum allowable nationally funded element of the suckler cow premium once changes to the beef variable premium scheme have been agreed by the Council of Ministers.

Mr. Donald Thompson: The Government are considering the appropriate rate for the suckler cow subsidy in the light of the changes being made to the beef regime and will announce the rate in good time before the start of the 1989 scheme on 15 June.

Beef (Special Premium)

Mr. Amos: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make a statement on the method of payment of the special premium which is to be introduced to replace the beef variable premium scheme;

(2) what male animals will qualify for the special premium after abolition of the beef variable premium scheme; and how the numbers so entitled will be verified.

Mr. Donald Thompson: As a result of the agreement reached by the EC Council of Agriculture Ministers at its meeting on 23-24 January 1989, the United Kingdom's beef variable premium is to be replaced by a premium on male cattle paid at a rate of £28·42 per head up to a maximum of 90 head per producer.

The premium is payable once only in the lifetime of each animal. We have the option to pay the premium either on animals retained by the producer on his holding, or on animals sold by producers for slaughter whether sold direct to slaughterhouses or through liveweight auction markets. The Government are currently considering which of these two systems should be applied and the appropriate administrative arrangements for ensuring compliance with the 90 head limit. The legal texts implementing the arrangements have yet to be agreed and adopted by the Council. The intention is that the new arrangements should come into effect on 3 April 1989.

Beef (Hormone Implants)

Mr. Amos: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the import from the United States of America of beef from animals where growth was artificially induced by hormone implants.

Mr. Donald Thompson: The import of beef from the United States of America has now been prohibited because the US authorities are not complying with the European Community's requirement that beef imports should be certified as derived from animals not treated with hormone growth promoters. The Government have consistently opposed the ban on hormones because we believe that it has no scientific basis. We are continuing to work for a solution to the trade difficulties with the United States which it has caused.

Universities (Research)

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food whether those working in universities on research commissioned by his Ministry are required to sign a declaration under the Official Secrets Act; and if he will make a statement.

Mr. Donald Thompson: This is not our normal practice, though it may be considered necessary if the work involves access to sensitive or commercial information.

Cheese

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food (1) on what evidence he indicated that he was considering a ban on unpasteurised milk cheese production; and if he will make a statement;

(2) what evidence he has that cheese produced from unpasteurised milk is less safe than that produced from pasteurised milk; and if he will make a statement;

(3) which representatives of the dairy products industry he consulted prior to his statements concerning soft cheese; and if he will indicate the company or organisation with which each is associated.

Mr. Ryder: I refer the hon. Member to the consultation document which I shall shortly place in the Library of the House.

Fylde Coast (Sea Outfall)

Mr. Allan Roberts: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the frequency and nature of contacts between his Ministry and North West Water in connection with the proposed construction of a long sea outfall from the Fylde coast.

Mr. Donald Thompson: Officials were informed of North West Water's work at an early stage. Before plans were drawn up MAFF was asked to provide information about fisheries in the Fylde coast area. After consultation with local fisheries organisations this information was provided with a view to seeking to ensure that interference with fisheries was avoided. MAFF has since sought from North West Water information about the possible locations of the discharge and the nature and likely effect of the effluent. The Ministry has now been formally consulted under the Control of Pollution Act 1974 on the proposed outfall.

Mr. Allan Roberts: To ask the Minister of Agriculture, Fisheries and Food how his Ministry intends to obtain sufficient baseline ecological data to enable it to form a view as to the necessity for consent limits for the proposed long sea outfall for the Fylde coast.

Mr. Donald Thompson: My Department undertakes a continuing programme of routine monitoring of contaminant levels in fish and shellfish. In addition, information would be obtained, as appropriate, from work undertaken by other relevant organisations.

Shellfish

Mr. Allan Roberts: To ask the Minister of Agriculture, Fisheries and Food (1) what information is held by his Ministry on the virological quality of shellfish harvested in Morecambe bay and adjoining coastlines;

(2) what information is held by his Ministry on the bacteriological quality of shellfish harvested in Morecambe bay and adjoining coastlines.

Mr. Donald Thompson: The Ministry is aware of the status of the shellfisheries as determined by the environmental health departments of the local authorities concerned.

Mr. Allan Roberts: To ask the Minister of Agriculture, Fisheries and Food what information is held by his Ministry on the chemical quality of shellfish harvested in Morecambe bay and adjoining coastlines, with particular reference to compounds identified as black, grey or red list.

Mr. Donald Thompson: Both shellfish and finfish from the Morecambe bay area are sampled as part of the Ministry's national monitoring programme. Samples of the edible mussel Mytilus edulis were collected in 1985 from Morecambe and Barrow-in-Furness and analysed for the metals mercury, cadmium, lead, copper and zinc, the pesticides HCH, HCB, dieldrin and DDT and PCBs. In addition a sample of brown shrimp (crangon crangon) was obtained from the Lune Deeps area in 1982 and analysed for metals.

Using the guidelines listed in appendix 3 of the MAFF aquatic environment monitoring report No. 16, a copy of which is in the Library of the House, contaminant levels found would not be considered to be elevated in any of these samples.

Mr. Allan Roberts: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the potential for hydro-transportation of sediment-associated viruses from the proposed long sea outfall for the Fylde coast to shellfisheries in Morecambe bay and the adjoining coastlines.

Mr. Donald Thompson: This is one of the factors that the Ministry will take into account in providing comments on the proposal under the terms of the Control of Pollution Act 1974. Relevant to the Ministry's consideration will be the design characteristics of the proposed outfall and the location of the shellfisheries concerned.

Meat (Transhipment)

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food what measures are taken by his Ministry, and port or local council officials to ensure that meat landed in Great Britain for onward transhipment to a third country is not sold for use in Great Britain.

Mr. Donald Thompson: All meat entering Great Britain, whether intended for consumption here or for transhipment to a third country, must comply with our animal and

public health requirements. There are no health reasons, therefore, to require that meat in transit is not diverted for sale in Great Britain.

Feedstuffs

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he intends to introduce statutory measures for the monitoring of feedstuffs which contain non-animal products.

Mr. Donald Thompson: As part of the further measures to combat the salmonella contamination of animal feed I intend to introduce statutory monitoring requirements for complete animal feedingstuffs.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will ban the importation of salmonella-contaminated feedstuffs.

Mr. Donald Thompson: A very small proportion of compound animal feedingstuffs is imported. The majority of imports are of the raw materials including animal protein for incorporation into feedingstuffs. The importation of animal protein is already prohibited except under the authority of a licence. These licensing arrangements are being strengthened to further reduce the risk of contaminated products entering the country.

Fisheries (Research)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will place the details of near market research projects in fisheries in the Library.

Mr. Donald Thompson: I will place in the Library the list of projects at Torry research station which we have identified for termination unless industry funding can be arranged. These projects are primarily concerned with the development of new products and processes. We will be continuing to fund work at Torry which is needed in support of Government policies for food safety and quality.

No near market projects are being carried out at my Department's other fisheries laboratories.

Veterinary Officers

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many veterinary officers he has employed in each of the last 10 years.

Mr. Donald Thompson: The number of veterinary officers permanently employed in all grades of the Ministry's state veterinary service throughout England, Scotland and Wales for each of the last 10 years is:

	Number
1979	580·5
1980	578·5
1981	563·5
1982	557·0
1983	549·0
1984	539·5
1985	527·5
1986	506·5
1987	464·5
1988	444·5

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the recruiting of staff with veterinary qualifications to his Ministry.

Mr. Donald Thompson: My Ministry regularly recruits, via the Civil Service Commission, staff with veterinary qualifications for posts in England, Scotland and Wales.

Staff with veterinary qualifications who are recruited into the Ministry must be members of the Royal College of Veterinary Surgeons.

Listeria

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what evidence he has of listeria being passed to poultry via contaminated feedstuffs; and if he will make a statement.

Mr. Donald Thompson: Clinical listeriosis in poultry is extremely rare. I know of no evidence indicating that listeriosis has been passed to poultry from contaminated feedingstuffs.

Salmonella Enteritidis

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many or what proportion of birds are monitored when laying flocks of poultry are investigated for salmonella enteritidis.

Mr. Donald Thompson: At present, a statistical sampling technique is used to detect salmonella enteritidis in poultry which ensures a very high confidence level of detecting the disease. Statutory provisions for the bacteriological monitoring of poultry laying flocks are to be introduced shortly.

Livestock Stress

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what research has been undertaken by his Department into the possible connection between livestock stress and vulnerability to infection.

Mr. Donald Thompson: The Ministry of Agriculture, Fisheries and Food funds research at the Institute of Animal Health on the influence of social and other stress on immunosuppression in poultry vaccinated against Marek's disease virus, and on the effects of stress in early life on the incidence and pathogenesis of infectious stunting syndrome in poultry.

In addition, the Ministry of Agriculture, Fisheries and Food funds programmes of research into the causes and effects of stress in farm animals and its objective assessment, and into the causes/pathogenesis and immune responses to infections. Connections between stress and vulnerability to infections are continually kept in mind and the Ministry of Agriculture, Fisheries and Food will commission further investigations as considered necessary.

Southwold Harbour

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food when he expects his Department to resolve its consideration of the navigation and coast protection interests relating to the repair scheme for Southwold harbour put forward by Waveney district council; and if he will make a statement.

Mr. Ryder: These proposals raise questions of navigational safety which still have to be resolved. I understand that Waveney district council is seeking expert advice, which it is hoped will help to resolve the difficulties.

Slaughterhouses

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to reduce the incidence of cross-infection in slaughterhouses.

Mr. Donald Thompson: Statutory hygiene controls, enforced by local authorities, apply at all stages of meat production to reduce the risk of cross contamination. My Department is continuously seeking ways of further reducing the incidence of cross infection.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what representations have been received from EEC inspectors regarding the conditions in British slaughterhouses over the last two years; and what response has been made to these representations.

Mr. Donald Thompson: The reports made by EC commission inspectors on individual plants are confidential. They are discussed with the inspectors, with the local authority concerned and with the plant management and any corrective action which is necessary is put in hand.

Bovine Somatotropin

Mr. Fearn: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to introduce legislation to require that all milk containing bovine somatotropin is clearly marked.

Mr. Donald Thompson: No. All milk contains traces of bovine somatotropin.

Written Answers to Questions

Tuesday 21 February 1989

FOREIGN AND COMMONWEALTH AFFAIRS

Vietnamese Refugees

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs if, in the light of the agreement by the United States of America, Canada and Australia to admit more Vietnamese refugees, he will now confirm the agreement to increase the United Kingdom quota announced on 22 December 1988; what the arrangements will be for the increased numbers; and if he will make a statement.

Mr. Eggar: We have been encouraged by the responses to our call for a new international effort to take more Vietnamese refugees from Hong Kong. We are now considering whether we can confirm the decision announced on 22 December 1988.

HOME DEPARTMENT

Immigration

Mr. Devlin: To ask the Secretary of State for the Home Department what action is to be taken in respect of Cynthia Wright, a foreign national living in the London borough of Brent, in respect of her visitor's visa which expired 14 years ago.

Mr. Renton: Consideration is being given to whether the original deportation order should now be enforced.

Commonwealth Refugees

Mr. Alton: To ask the Secretary of State for the Home Department how many Commonwealth refugees have been assisted under the terms of section 11 of the Local Government Act 1966 in each of the last 10 years.

Mr. John Patten: Grant under section 11 of the local Government Act 1966 is paid to local authorities only in respect of the employment of staff. No information is available on the numbers or status of persons assisted by such staff, though some will have been refugees.

Police (Assaults)

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department (1) what information he has concerning the total number and category of assaults perpetrated upon serving police officers in each different force and in each of the last 10 years for which figures are available;

(2) what information he has concerning the total number of days lost through absence on sickness leave following assaults upon serving police officers in each different police force in each of the last 10 years for which figures are available;

(3) if he will make a statement summarising his Department's achievements since 1979 in giving protection to serving police officers against assaults.

Mr. Douglas Hogg: There has been no central record of assaults on police officers or of sick leave following assaults. Arrangements have, however, been made for information relating to assaults to be collected in 1989 and subsequent years. This will be published in the annual reports of Her Majesty's chief inspector of constabulary.

Cheshire Constabulary

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department what is the current establishment of the Cheshire constabulary in terms of *(a)* police officers and *(b)* civilian personnel; and what was the establishment in 1979.

Mr. Douglas Hogg: The information requested is as follows:

Establishment (at 31 December)

	Police	*Civilian personnel*	
		full time	*part time*
1979	1,805	378	129
1988	[1]1,860	499	129

[1] Will increase to 1,868 from 1 April 1989.

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department what is the expenditure upon the Cheshire constabulary from *(a)* central Government and *(b)* Cheshire county council; and what were the comparable figures in (i) real terms and (ii) cash terms in 1979.

Mr. Douglas Hogg: The information is as follows:

Cheshire Constabulary—Expenditure 1979-80 and 1987-88

£s

	1979-80 cash	*1979-80 real terms (1987-88 price base)*	*1987-88 (provisional) cash*
Net expenditure (relevant for grant)	20,008,493	35,130,353	47,267,338
Other expenditure	288,843	507,143	674,000
Net revenue expenditure	20,297,336	35,637,496	47,941,338
Expenditure met by police specific grant[1]	10,004,246	17,565,177	24,106,342
Expenditure met by Government block grant and by the rates[2]	10,293,090	18,072,319	23,834,996

[1] Police specific grant paid directly by the Home Office was at 50 per cent. until 31 March 1986 and at 51 per cent. since 1 April 1986.
[2] The expenditure met by Cheshire country council is made up by a contribution through block grant by the Department of the Environment together with the local ratepayers contribution. Through police specific grant and block grant it is estimated that the Government contributed about 62·9 per cent. of total expenditure on the police in Cheshire in 1987-88. Comparable information is not available for 1979-80.

Pensioners

Mr. Roy Hughes: To ask the Secretary of State for the Home Department if he will consider creating a standing committee of representatives of the pensioners' movement together with the Minister and senior civil servants dealing with the areas mainly affecting the retired in matters for which he is responsible.

Mr. John Patten: I refer the hon. Member to the answer given to him by my right hon. Friend the Prime Minister on 17 February 1989 at column *404*.

Drink-driving

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department if he will list in rank order, starting with the police force with the highest number of breath tests, the number of breath tests administered in each police force area, the percentage of positive tests and the number of accidents in each police force area expressed per head of population for the Christmas period 1985, 1986, 1987 and 1988.

Mr. Douglas Hogg: I will write to the hon. Member.

Mr. Thurnham: To ask the Secretary of State for the Home Department how many prosecutions for drink-driving offences were made during the Christmas period in the Bolton area, for each of the last five years; and if he will make a statement.

Mr. John Patten *[holding answer 31 January 1989]:* The information available centrally is given in the table; corresponding figures for earlier years could be provided only at disproportionate cost. Comprehensive information is not collected on the date of offence but sample inquiries indicate that court proceedings for drink-driving offences take on average, throughout England and Wales, about three months from offence to completion.

Proceedings completed at Bolton magistrates' court for offences of driving etc after consuming alcohol or taking drugs by month

Month of completion	*1986*	*1987*
January	38	41
February	43	41
March	44	48
April	48	34
May	39	36
June	36	53
July	34	47
August	32	36
September	33	56
October	33	48
November	31	63
December	39	46
Total	450	549

NATIONAL FINANCE

Self-employment

Mr. Barry Field: To ask the Chancellor of the Exchequer what has been the total growth in self-employment since 1979.

Mr. Major: Between June 1979 and September 1988 the number of self-employed people in Great Britain rose by 60 per cent. to nearly 3 million.

EC Budget

Mr. Marlow: To ask the Chancellor of the Exchequer on how many occasions and how much money cumulatively has been transferred each year from one chapter of European Community budget appropriations to another by decision of the European Parliament against the wishes of the Council.

Mr. Brooke: This information could not be made available without disproportionate cost. However, unsigned explanatory memoranda are provided in respect of all transfer proposals and, following a request last year by the Select Committee on European Legislation, the memoranda indicate the positions taken by the Council and the European Parliament.

Civil Servants (Incentives)

Mr. Thurnham: To ask the Chancellor of the Exchequer if he will make a statement about incentive schemes for civil servants.

Mr. Brooke: We have introduced a number of schemes in the Civil Service for encouraging and rewarding high performance.

At senior levels, additional discretionary awards can be paid to grade 2 and 3 staff for sustained high performance. Below this, new flexible pay arrangements which include provision for performance related pay are in place for grades 5-7, professional and scientific grades and staff in the Inland Revenue.

Performance pay is also a feature of the provisional agreements that the Treasury has recently reached with the National Union of Civil and Public Servants and the Civil and Public Services Association. If those provisional agreements are endorsed, nearly all the non-industrial Civil Service will be covered by new performance-related pay schemes.

Private Medical Insurance

Mr. Gordon Brown: To ask the Chancellor of the Exchequer (1) what is his estimate of the cost of private medical insurance tax relief for each of the five years following its introduction;

(2) how many elderly persons would be eligible for tax relief as private income; what is his estimate of the number who currently hold private medical insurance; and how many more he estimates will take out health insurance under this new scheme;

(3) what proportion of the cost of private medical insurance tax relief he estimates will be paid out to those who already have private medical insurance;

(4) what proportion of the cost of private medical insurance tax relief he estimates will go to taxpayers paying tax at 40 per cent.;

(5) how many persons over 60 years have private medical insurance; and what is his estimate of how many would be entitled to tax reliefs under his proposals;

(6) what is the estimate of the average cost of tax relief at the top rate for the typical private medical insurance policy for a person at the age of *(a)* 60 years, *(b)* 70 years and *(c)* 75 years.

Ms. Harman: To ask the Chancellor of the Exchequer (1) if he will estimate the cost of tax relief on premiums for health insurance for those aged 60 years or over under the National Health Service White Paper;

(2) if he will estimate the average cost per year of tax relief as proposed in the National Health Service White Paper for a person over 60 years who has private health insurance.

Mr. Tim Smith: To ask the Chancellor of the Exchequer what will be the deadweight cost of giving income tax relief from April 1990 on medical insurance premiums for those aged 60 years and over.

85. **Mr. Blunkett:** To ask the Chancellor of the Exchequer what he estimates the cost to be of introducing tax relief on private health insurance for the elderly, as proposed in "Working for Patients," Cm. 555.

Mr. Norman Lamont *[holding answers 6 February 1989, 9 February 1989, 16 February 1989 and 17 February 1989]:* Estimates of the cost of this relief will be announced in the 1989-90 Financial Statement and Budget Report. The number of people affected and the average value of the relief will depend on the precise details of the scheme, which are under consideration.

OVERSEAS DEVELOPMENT

Kampuchea

Mr. Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, further to its recent decision to share in funding projects supported by Christian Aid in Kampuchea, the Government will now consider substantial reconstruction and development aid for Kampuchea.

Mr. Eggar: I refer the right hon. Member for the answer that I gave to the hon. Member for Stoke on Trent, North (Ms. Walley) on 20 February. The decision to support projects in Cambodia proposed by voluntary agencies, including Christian Aid, does not affect our policy of not giving Government-to-Government aid to the regime in Phnom Penh.

Development (Education)

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the amount spent on education about development, including separate figures for internal expenditure and grants to outside bodies, for each year since 1979, in constant 1988 prices, and in current prices.

Mr. Eggar: The Overseas Development Administration has a programme of press, publications and other information activities about Britain's official aid programme. The cost, excluding staff and general administrative costs, for each year since 1979 was:

£ thousand

Financial year	*Current prices*	*Constant 1987 prices*
1979-80	110	193
1980-81	130	193
1981-82	143	193
1982-83	153	193
1983-84	159	192
1984-85	176	202
1985-86	208	226
1986-87	207	218
1987-88	265	265

Expenditure on grants to non-governmental organisations for their development activities was:

£ thousand

Calendar year	*Current prices*	*Constant 1987 prices*
1979	385	698
1980	450	682
1981	331	450
1982	154	195
1983	158	189
1984	104	119
1985	118	128
1986	121	126
1987	141	141

Note: 1988 prices are not yet available.

TRADE AND INDUSTRY

Footwear

Mr. Pike: To ask the Chancellor of the Duchy of Lancaster what has been the EEC market share of footwear imports from Taiwan and South Korea, for each of the last five years; and what have been the corresponding figures for the EEC market share of the United Kingdom.

Mr. Atkins: The EC market share of footwear imports from the United Kingdom was 1 per cent. for each of the years 1983 to 1987.

Figures for the EC market share of footwear imports from Taiwan and South Korea are available for 1986 and 1987 and are given in the table:

	Imports to rest of the EC from the United Kingdom	*Total EC market*[2]	*Imports from the United Kingdom as a proportion of total EC market*	*Imports from South Korea as a proportion of total EC market*	*Imports from Taiwan as a proportion of total EC market*
	Million pairs	*Million pairs*	*Per cent.*	*Per cent.*	*Per cent.*
1983	10·4	1,090·1	1·0	—	—
1984	11·8	1,139·3	1·0	—	—
1985	11·7	1,140·8	1·0	—	—
1986[1]	12·9	1,276·0	1·0	3·8	6·3
1987	14·0	1,374·8	1·0	5·7	7·8

[1]The EC includes Portugal and Spain from 1986.
[2]Defined as apparent consumption viz. production less exports plus imports.
Source: British Footwear Manufacturers Federation annual statistical reviews.

Copyright, Designs and Patents Act 1988

Mr. Beith: To ask the Chancellor of the Duchy of Lancaster (1) what will be the scope of the consultations he will have before further descriptions of institution are specified under section 174 of the Copyright, Designs and Patents Act 1988 as educational establishments for the purposes of parts I and II of that Act; and what educational organisations will be consulted over the substance of the order to be made;

(2) what consultations his Department is having with educational organisations with a view to formulating advice as to what further descriptions of institution it would be appropriate to specify as educational establishments for the purposes of parts I and II of the Copyright, Designs and Patents Act 1988.

Mr. Forth: We are giving careful consideration to the question of which educational establishments should, in addition to schools, benefit from the limited exceptions to copyright to be provided by the Copyright, Designs and Patents Act 1988. It is our intention to consult both copyright interests and educational bodies before finalising the terms of any order under section 174. I hope to be in a position to do this very soon.

Paper Products

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if he will take steps to make statutory the provisions of the good manufacturing practice guide for soft tissue paper products.

Mr. Atkins: I have no plans to do so.

Ms. Walley: To ask the Chancellor of the Duchy of Lancaster if he will consider initiating research into ways of curbing the increased consumption of paper products because of the environmental implications of production and disposal thereof.

Mr. Forth: I see no reason to do so.

Clothing Industry

Mr. Latham: To ask the Chancellor of the Duchy of Lancaster what representations he has received from the knitwear industry about the need to extend the multi-fibre arrangement after it expires; and if he will make a statement.

Mr. Alan Clark: I met representatives of the knitwear industry on 31 October 1988 to discuss the future of the multi-fibre arrangement and other matters of interest to them. Several hon. Members have also drawn to my attention a statement on this subject issued by the Knitting Industries' Federation in co-operation with other textiles associations. I explained to the industry, and to the House during the debate on the MFA on 9 December 1988, *Official Report*, columns *553-618*, that although the United Kingdom, as part of the European Community, is already committed to examining the "modalities" for returning trade in textiles and clothing to GATT rules, the Community has continued to make clear in negotiations that any such return must be accompanied by a strengthening of those rules and include liberalisation of trade by all countries, including the better of developing countries. This remains the United Kingdom's and the Community's objective in negotiations.

Mr. Latham: To ask the Chancellor of the Duchy of Lancaster whether he will raise in the European Council of Ministers the possibility of maintaining some cross-border scrutiny of knitwear moving within the European Community after 1992, so as to maintain statistical information on imports; and if he will make a statement.

Mr. Forth: A proposal for an EC Council regulation, which sets out a revised methodology for the collection of trade statistics between member states of the European Community after 1992 to replace the current procedure based on Customs documentation, has been prepared by the EC Commission and will be considered by EC Ministers over the coming months.

Trade statistics will continue to be collected both for intra-EC trade and for trade with third countries. But the level of detail for commodity classification will be the subject of related legislation and will be discussed by a working party of officials from member states later this year. The Government are seeking to ensure that the collection of these statistics does not impose unnecessary burdens on business involved in trade between member states.

Mr. Latham: To ask the Chancellor of the Duchy of Lancaster whether he will raise in the European Council of Ministers the possibility of permitting the expression "Made in the European Community" to be attached to garments made in the United Kingdom; and if he will make a statement.

Mr. Forth: No. It is already possible to do so.

Mr. Latham: To ask the Chancellor of the Duchy of Lancaster what recent representations he has received from the knitwear industry regarding *(a)* the general state of trade at present and *(b)* the imports of garments from China; and if he will make a statement.

Mr. Forth: My hon. Friend the Minister for Trade and officials have received various representations from the knitwear industry about concerns on the current general state of trade and imports of garments from China.

Negotiations between China and the European Community for a new bilateral textiles and clothing agreement under the multi-fibre arrangement were concluded in December 1988. The text of the agreement reached is set out in the annex to the Council decision 88/656/EEC which is published in the official journal of the European Communities, dated 31 December 1988, reference OJL 318, which is available in the Library of the House.

Full details of the application of the agreement in each member state, in the form of an EEC implementing regulation, are still awaited from the Commission. The agreement has been provisionally applied by the Council of Ministers from 1 January 1989. The agreement will be submitted to the Council for final approval in due course.

Betting

Mr. Austin Mitchell: To ask the Chancellor of the Duchy of Lancaster whether he will initiate an inquiry into the concentration of power in the betting industry.

Mr. Atkins *[holding answer 17 February 1989]:* It falls to the Director General of Fair Trading in the first instance to keep competition in the United Kingdom economy under review. I understand that he is continuing to monitor developments in the betting industry under the competition legislation for which he is responsible.

Remote-sensing Satellite (Purchase)

Mr. Bermingham: To ask the Chancellor of the Duchy of Lancaster when he expects the decision on purchase of a remote-sensing satellite, the polar platform to be taken by the European Space Agency; and if he will make a statement.

Mr. Atkins *[holding answer 17 February 1989]:* The European Space Agency and its member states are currently examining which configuration the polar platform (an important element in the Columbus programme) should have. Studies have been conducted by British Aerospace and Matra on the basis of two alternative concepts. The merits, and costs, of each are now being reviewed. The ESA hopes to be able to take a decision at the meeting of its council on 13 and 14 March.

Earth Observation Data Centre

Mr. Bermingham: To ask the Chancellor of the Duchy of Lancaster what are the implications for the British space industry of the development of the earth observation data centre as a result of the ESA recommendation on the polar platform order; and if he will make a statement.

Mr. Atkins *[holding answer 17 February 1989]:* The Government are supporting the creation of the earth observation data centre at Farnborough because of the key role that it will play in the progressive commercial development of the United Kingdom's capabilities in this field. We expect that the private sector will, in due course, take over the EODC as a wholly commercial facility. The centre will receive data from various satellites, and not merely from the polar platform. But it remains a United Kingdom objective to achieve a polar platform series which will facilitate effective commercialisation.

PRIME MINISTER

Scotland

Q22. **Mr. Ron Brown:** To ask the Prime Minister when she next expects to pay an official visit to Scotland.

Mr. Wakeham: I have been asked to reply. My right hon. Friend has at present no plans to do so.

Whales

Q41. **Dr. Godman:** To ask the Prime Minister if she will raise, when next she meets the Prime Minister of Japan, the issue of Japanese whaling operations in the Antarctic.

Mr. Wakeham: I have been asked to reply.

My right hon. Friend will not be meeting the Japanese Prime Minister immediately, but the Government have expressed their views firmly on the current operations to the Japanese Government both directly and through the International Whaling Commission and have asked that the operations cease.

Hillmorton, Rugby

Q62. **Mr. Pawsey:** To ask the Prime Minister if she has any plans to make an official visit to Hillmorton, Rugby.

Mr. Wakeham: I have been asked to reply.
My right hon. Friend has at present no plans to do so.

Bristol, East

Q143. **Mr. Sayeed:** To ask the Prime Minister when she next expects to pay an official visit to Bristol, East.

Mr. Wakeham: I have been asked to reply.
My right hon. Friend has at present no plans to do so.

Citizens Advice Bureaux

Q149. **Mr. Harry Ewing:** To ask the Prime Minister if she has any plans to meet the National Association of Citizens Advice Bureaux.

Mr. Wakeham: I have been asked to reply.
My right hon. Friend has at present no plans to do so.

Research Bases

Mr. Warren: To ask the Prime Minister if she will review the operation and current value of the Rothschild principle adopted in 1972 establishing the relationship between Government Departments and research bases; and if she will make a statement.

Mr. Wakeham: I have been asked to reply.
The Government reviewed this matter in 1987. I refer my hon. Friend to paragraph 21 of the White Paper on civil research and development (Cm 185) which the Government published in response to the First Report of the House of Lords Select Committee on Science and Technology.

Engagements

Mr. Patnick: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Cran: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. David Evans: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Sumberg: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Nicholas Bennett: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. McLoughlin: To ask the Prime Minister if she will list her official engagements for Tuesday 21 February.

Mr. Wakeham: I have been asked to reply.

This morning my right hon. Friend the Prime Minister was in Germany for an Anglo-German summit. This afternoon she is attending the memorial service in Belfast for those who died in the air crash at Kegworth.

University Teachers (Pay)

Mr. Hannam: To ask the Prime Minister if she will give the figures for university academic pay increases for the years 1986-87, 1987-88 and 1988-89 and the comparative figures for the police, doctors and dentists, local authority clerical staff, National Health Service administrative and clerical, primary and secondary teachers and university clericals.

Mr. Wakeham: I have been asked to reply.

The information is set out in the table below.

Percentage settlements	*Period 1 August to 31 July in*		
	1986-87	*1987-88*	*1988-89*
University non-clinical academics	[1]16·6	7·4	[4]—
University clinical academics	8·25	8·1	[4]—
University clerical staff	5·8	5·1	[4]—
Police	[2]7·5	7·75	8·5
Doctors and Dentists	7·7	7·9	8·2
Local authority clerical staff	[2]6·04	5·4	[4]—
NHS administrative and clerical staff	5·0	5·5	[4]—
School teachers	[3]10·25	4·73	[5]6·3

[1] To cover 1985-86 as well as 1986-87.
[2] Equates to 7·5 per cent. over full year.
[3] Equates to 16·4 per cent. over full year.
[4] Not yet available.
[5] The overall pay bill in the financial year 1989-90 will rise by about 7·5 per cent. as a result of changes made to the structure of teachers' pay in 1987 and 1988.

DEFENCE

Rear-Admiral Sir Anthony Miers

Mr. Cyril D. Townsend: To ask the Secretary of State for Defence whether his Department is going to carry out an internal inquiry into the actions of the late Rear-Admiral Sir Anthony Miers, VC, DSO, when in command of the submarine Torbay in the Mediterranean in 1941.

Mr. Archie Hamilton: No. I am advised that all records relating to this case are already accessible to the public.

Condor Base (Hospital Facilities)

Mr. Andrew Welsh: To ask the Secretary of State for Defence if he will make a statement on proposals to develop hospital facilities at Condor Base, Arbroath.

Mr. Neubert: As stated on 6 May 1986 at column *102* of the *Official Report*, we have made part of the Royal Marine base, Condor at Arbroath available to the United States Navy for development of facilities for storage of medical supplies and equipment in peacetime and to accommodate a hospital unit, which would be activated in the event of war.

Racial Discrimination

Mr. Ashley: To ask the Secretary of State for Defence how many of the complaints submitted to senior officers in the 10 military districts in the United Kingdom involved allegations of racial discrimination or abuse in the last five years.

Mr. Neubert: No complaints under section 181 of the Army Act 1955 involving racial discrimination or abuse are recorded as having been received at district level in the United Kingdom in the last five years.

United States Army (Munitions Store)

Mr. Flynn: To ask the Secretary of State for Defence if he will provide a list of the categories of munitions stored at the United States Army munitions store at Caerwent, Wales.

Mr. Archie Hamilton: I have nothing to add to the answer given to the hon. Member by my hon. Friend the Member for Kettering (Mr. Freeman) on 9 May 1988 at column *1*.

EDUCATION AND SCIENCE

Schools (Opting-out)

Mr. Harry Barnes: To ask the Secretary of State for Education and Science what assessment he makes when deciding whether to allow a school to opt out of local education authority control of the extent to which the school may be seeking to avoid the consequences of local education authority rationalisation programmes.

Mrs. Rumbold: My right hon. Friend judges applications for a school to become grant maintained at the same time as he considers any parallel statutory proposals, for example, to close the school in question. In such circumstances, both proposals or sets of proposals will be considered on their merits and each will be evaluated against the other.

Teachers (Convictions)

Mr. Gareth Wardell: To ask the Secretary of State for Education and Science if he will publish in the *Official Report* for each of the past 10 years and for each local education authority the number of serving teachers convicted of a criminal offence, separately distinguishing the type of offence, including those of a sexual nature.

Mr. Butcher: This information is not available.

Mr. Gareth Wardell: To ask the Secretary of State for Education and Science how his Department conveys information to local education authorities regarding serving teachers convicted of a sexual offence.

Mr. Butcher: When a serving teacher is convicted of a criminal offence it is the responsibility of the chief officer of police for the area in which the offence is committed to report the conviction both to the teacher's employer and to the Department. So it is not primarily a matter for the Department to inform the local education authority.

All cases reported to the Department by the police are, however, considered to determine whether action by the

Secretary of State under the power conferred on him by the Education (Teachers) Regulations 1982 to bar or restrict a person's employment as a teacher is necessary, and in the case of a serving teacher the Department routinely informs his employer of the outcome of that consideration.

Academic Staff

Mr. Pawsey: To ask the Secretary of State for Education and Science and if he will set out in the *Official Report* details of intakes and outflows of full-time wholly university financed academic staff from each year from 1979-80 to 1986-87.

Mr. Jackson: The information is shown in the table.

Intakes and outflows of full-time wholly university financed academic staff

Great Britain

Academic year beginning in	*Total intake*[1]	*Total outflow*[1]
1979	..	..
1980	1,573	1,629
1981	1,182	1,606
1982	816	2,187
1983	1,365	1,969
1984	1,686	1,635
1985	1,595	1,294
1986	1,439	1,435
1987	1,336	1,582

.. not available.

[1] Figures exclude transfers between universities.

"Intake" covers new recruits to university service or staff returning after a period in other employment. "Outflow" covers members of staff leaving university service.

Grant-maintained Schools

Mr. Latham: To ask the Secretary of State for Education and Science whether he will give further details of the criteria which he will adopt in deciding upon an application for grant-maintained status from a school which is full but for which a section 12 closure procedure is proposed as part of a wider secondary review arising from falling rolls and surplus places in other schools; and whether he will make a statement.

Mrs. Rumbold: My right hon. Friend will consider proposals by a local education authority for the closure or reorganisation of a school in accordance with the Education Act 1980 at the same time as he considers any proposals by the governing body of the school to become grant-maintained under the Education Reform Act 1988; but he will determine the latter proposals first. He will consider and decide all such proposals on their merits, taking all relevant factors into account.

Mr. Latham: To ask the Secretary of State for Education and Science whether he will set out in tabular form the progress, since the initial resolution of the governors, of each individual school which has expressed the desire to his Department to transfer to grant-maintained status; and how many firm inquiries have been made to his Department prior to an initial resolution of governors or a signed requisition by parents under the Education Reform Act 1988.

Mrs. Rumbold: The Department continues to receive a large number of inquiries from parents and governors about making an application for grant-maintained status. It receives formal notification of only two stages of such an application:

> the result of a ballot of parents; and
>
> where the parents have voted in favour of proceeding with an application, the subsequent publication of formal proposals by the governing body.

The Education Reform Act 1988 requires the Secretary of State in due course to determine any such proposals. The table shows the stage which individual schools have reached:

School and LEA	*Ballot result "Yes/No"*	*Proposals published*
Skegness Grammar School, Lincs	—	Yes
Audenshaw County High School, Tameside	—	Yes
St. James's CE School, Bolton	—	Yes
Wilson's School, Sutton	—	Yes
Hendon School, Barnet	—	Yes
Queen Elizabeth's Grammar School, Alford, Lincs	—	Yes
Queensbury School, Beds	—	Yes
Wilmington Grammar School for Girls, Kent	—	Yes
Sir James Altham School, Herts	—	Yes
London Oratory School, ILEA	—	Yes
Queen Elizabeth's Boys' School, Barnet	—	Yes
Blessed Hugh More RC School, Lincs	Yes	—
Castlemount School, Kent	Yes	—
Heckmondwike Grammar School, Kirklees	Yes	—
South Park High School, Lincs.	Yes	—
London Nautical School, ILEA	Yes	—
Netherthorpe School, Derbyshire	Yes	—
Ramsden School for Girls, Bromley	Yes	—
Bankfield County High School, Cheshire	Yes	—
The King's School, Grantham, Lincs	Yes	—
Southfield School for Girls, Northants	Yes	—
Baverstock School, Birmingham	Yes	—
Small Heath School, Birmingham	Yes	—
Colyton Grammar School, Devon	Yes	—
Foster's Grammar School For Boys, Dorset	Yes	—
Lord Digby's Grammar School For Girls, Dorset	Yes	—
Castle Hall Middle School, Kirklees	Yes	—

School and LEA	Ballot result "Yes/No"	Proposals published
Ravensbourne School For Girls, Bromley	No	—
Sale Grammar School For Boys, Trafford	No	—
Queen Elizabeth High School, Rochdale	No	—
Chesterfield School, Derbyshire	No	—
Millais School, West Sussex	No	—
Wilmington Grammar School For Boys, Kent	No	—
Chichele School, Northants	No	—
Droylsden County High School, Tameside	No	—
Siddal Moor High School, Rochdale	No	—
Hadham Hall School, Herts	No	—

In addition, I understand that the following schools have received a request from parents or passed governors' resolutions requiring that a ballot be held:

Hindley Park High School, Wigan

Gaynes School, Havering

Bacup and Rawtenstall Grammar School, Lancashire

Weald of Kent Grammar School For Girls, Kent

St. Francis Xavier's School, Liverpool

Beechen Cliff School, Avon

Claremont High School, Brent

St. Helena School, Derbyshire

Ribston Hall High School, Gloucestershire

Marling Grammar School, Gloucestershire

Stroud Girls' High School, Gloucestershire

Cardinal Vaughan Memorial School, ILEA

Knowsley Ruffwood Comprehensive School, Knowsley

Long Field High School, Leicestershire

Kettering Boys' School, Northamptonshire

The Guildford County School, Surrey

Secondary School Teachers

Mr. Evennett: To ask the Secretary of State for Education and Science how many vacancies exist for secondary school teachers in Greater London.

Mr. Butcher: The latest vacancy figures, which are collected annually, relate to January 1988, when the total number of secondary teacher vacancies in Greater London was 660.

Teacher Shortages

Mr. Evennett: To ask the Secretary of State for Education and Science what information he has regarding shortages of science and craft, design and technology teachers in Greater London.

Mr. Butcher: In general, teacher shortages are at a higher level in London and the south-east, partly reflecting the higher costs in housing in these areas. The number of unfilled posts reported by LEAs in maths, physics, chemistry and CDT in Greater London over the past two years was as follows:

	1987	1988
Maths	90	71
Physics	31	21
Chemistry	23	12
CDT	75	48

My Department and the teaching as a career unit are in regular touch with LEAs about measures to increase teacher supply

Further Education

Mr. Ken Hargreaves: To ask the Secretary of State for Education and Science how further education courses provided at institutes within the new polytechnics and colleges funding council sector will be funded for 1989-90; and if he will make a statement.

Mr. Kenneth Baker: The Education Reform Act 1988 places a duty on local education authorities to secure provision for their area of adequate facilities for further education. Consistent with this, the local authority associations have encouraged their member authorities to maintain support for further education courses, including those of national significance, provided now by polytechnics and colleges in the new sector. Practical steps are also being taken by the LEAs collectively to consider the reform of the existing arrangements under which local education authorities can mutually recoup the costs of places on the FE courses they provide which are taken up by students whose homes are in the area of other authorities.

The Government have accordingly decided that the Polytechnics and Colleges Funding Council will not generally be put in funds to support further education provided in the institutions under its control. However, exceptionally for 1989-90 alone, we have put the PCFC in funds to support further education courses running now in the voluntary and other colleges currently grant-aided by the Department of Education and Science. This is in order to allow these institutions time to find local authorities to support the further education courses they provide.

Student Fees

Mr. Ken Hargreaves: To ask the Secretary of State for Education and Science what guidelines have been issued about fees for students on courses of further and higher education in the academic year 1989-90.

Mr. Kenneth Baker: For the academic year 1989-90 I have indicated the following maximum amounts for the reimbursement of fees through the awards system for home students and for students from other European Community countries on full-time courses (fees for 1988-89 are shown in brackets):

	£	£
Postgraduate courses	1,890	(1,800)
First degree and diploma courses	607	(578)

In relation to other courses, I understand that the Council of Local Education Authorities has recommended fees for 1989-90 for home and EC students as follows (fees for 1988-89 are shown in brackets):

	Higher Education		*Further Education*	
Full-time	£609	(£578)	£429	(£390)
Sandwich/block-release (weekly rate)	£16·80	(£16·00)	£12·00	(£11·00)
Part-time per course hour	57p	(54p)	41p	(37p)
Part-time annual fee for one session per week	£60·90	(£57·80)	£43·00	(£39·00)

The Government's policy is that students from outside the European Community should pay fees that reflect the full cost of their education here. It is for the institutions and local authorities to determine the actual fees to be charged to overseas students in the light of this policy and of their own circumstances.

TRANSPORT

Railways (Electrification)

Mr. Heddle: To ask the Secretary of State for Transport whether he has yet received British Rail's submission for the electrification of the cross city line from Lichfield to Redditch via Birmingham New Street.

Mr. Portillo: No I have not.

Pensioners

Mr. Roy Hughes: To ask the Secretary of State for Transport if he will consider creating a standing committee of representatives of the pensioners' movement together with the Minister and senior civil servants dealing with the areas mainly affecting the retired in transport.

Mr. Portillo: I refer the hon. Gentleman to the answer given by my right hon. Friend the Prime Minister on Friday 17 February at column *404*.

Channel Tunnel

Mr. Evennett: To ask the Secretary of State for Transport what representations he has received concerning route one of the proposed Channel tunnel high speed rail link.

Mr. Portillo: We have received a large number of representations about all of BR's route proposals for this link.

Buses (Greater London)

Mr. Evennett: To ask the Secretary of State for Transport if he will make it his policy to establish a licensing and regulatory body for bus services in Greater London which has no direct or indirect commercial interest in the operation of such services.

Mr. Portillo: London Regional Transport has a statutory duty to provide or secure the provision of public transport services for London, and to consult the relevant authorities and persons when it proposes to introduce, vary or withdraw bus services. Operators of bus services other than these under the control of LRT must obtain a licence from the traffic commissioner, which is an independent statutory authority.

Lockerbie Air Disaster

Mr. Wilshire: To ask the Secretary of State for Transport whether he has raised aviation security aspects of the Lockerbie disaster with the International Civil Aviation Organisation; and if he will make a statement.

Mr. Channon: On 15 and 16 February I attended a special ministerial meeting of the council of the International Civil Aviation Organisation in Montreal. The meeting was the result of a joint United Kingdom and United States initiative, to discuss aviation security following the Lockerbie disaster.

The meeting was successful. It was attended by Ministers (in most cases the Transport Minister) from 12 member states of the 33-strong ICAO council, and by senior officials from seven other member states. Our immediate objectives were all achieved; they were:

(i) to register concern at the sabotage of PAN AM 103,
(ii) to call upon states to ensure that existing international security standards were being fully implemented,
(iii) to gain agreement to the strengthening of the ICAO security secretariat, and
(iv) to set in progress work in ICAO under an eight-point plan to establish tighter standards to counter sabotage.

My eight-point plan calls for international action on the following:

(i) New standards for the screening of checked passengers' baggage both at check-in and when transferred between flights;
(ii) A requirement that airline baggage reconciliation procedures should be 100 per cent. reliable;
(iii) New higher standards for screening cargo and mail, including that placed on flights by courier companies;
(iv) New higher standards for controlling access to sensitive areas at airports, including searches of people and vehicles entering these areas and searches of aircraft, particularly for high risk flights;
(v) A new approach to the carriage of items which cannot be searched, such as radios, computers and other electronic and electric equipment that cannot be easily opened;
(vi) A new drive to develop equipment for the reliable detection of explosives and explosive devices; those countries with the scientific and industrial capabilities should now redouble efforts to develop equipment in this field;
(vii) Continuing consideration of proposals for building security into the design of aircraft, such as inexpensive modifications to make it harder to hide a bomb and easier for security staff to search cabins, toilets and galleys;
(viii) The strengthening of the powers and organisation of ICAO to enable it to play a more active part in implementing these new standards; this would include developing the provision of training for administrators and managers; the provision of advice to states on the formulation of aviation security regulations; the setting up of an inspectorate for the systematic checking of standards at airports.

A joint United Kingdom and United States resolution was unanimously agreed at the meeting. The resolution condemned the destruction of Pan American flight 103 on 21 December 1988 called upon states to intensify their efforts for the implementation of existing standards and set out a plan of action for ICAO embracing all the points in my eight-point plan.

Light Dues

Sir David Price: To ask the Secretary of State for Transport what decisions he has taken concerning light dues in 1989-90; and if he will make a statement.

Mr. Channon: I am pleased to report that the general lighthouse authorities continue to make progress in containing and reducing their costs. This will permit a further reduction of just over 10 per cent. in the overall amount of light dues collected in the coming year; this includes the abolition of deck cargo dues. This means that light dues will be 40 per cent. lower in real terms than eight years ago.

I am grateful for the constructive comments received from bodies consulted about the possible reforms of light dues, which I announced on 7 November last. Some of these reforms, including a change from net to gross tonnage for assessment purposes, require further consideration before they are implemented, but I am able to announce the following changes effective from 1 April 1989:

(a) Abolition of deck cargo dues on foreign-going voyages, to bring foreign trade ships into line with those in the home trade. This will be particularly welcome to shipping engaged in container and other part-cargo traffic.

(b) A merging of the tariffs for home trade and foreign going ships based on a standard charge of £3·06 per 10 net registered tons up to a maximum of seven voyages. This represents a 2 per cent. cash reduction in the basic tariff.

(c) A new separate tariff for roll-on/roll-off ferries, which will be charged on the same number of voyages as other ships at the following rates: £3·06 per 10 net registered tons on the first 1,000 NRT and £6·12 per 10 NRT on any excess over 1,000 NRT. The objective here is to secure a modest increase in the very small contribution currently made by such vessels to the general lighthouse fund. The change will less than double the ferries' present contribution of around 1·5 per cent. to light dues.

Other minor changes will be introduced. The payment period for fishing vessel dues will be brought into line with the financial year, and a half-yearly charge will be introduced for this class. The concessionary light dues scale for visiting cruise ships will be terminated. A minimum payment of £25 per voyage will be introduced for vessels paying on a voyage basis. Home trade vessels will be given the option of paying light dues on no more than two voyages a month (currently three voyages). I am minded to extend this facility to foreign-owned ships in 1990 and at the same time to replace the present complex rules defining chargeable voyages in this sector.

These changes represent a continuing reduction of the burden of light dues combined with a first round of constructive reforms to simplify the light dues system. The necessary order will be laid shortly.

I have previously stated that the British Ports Federation is conducting a feasibility study into possible ways in which owners of pleasure crafts might contribute to the cost of lighthouse authorities. But, whatever the outcome of the feasibility study, I would not envisage any changes in 1989-90.

Aircraft Safety

Sir Ian Lloyd: To ask the Secretary of State for Transport (1) how many tests have been conducted since 1986 in aircraft requiring certification in the United Kingdom to demonstrate the current requirement that all passengers and crew should be able to leave the aircraft through 50 per cent. of the exits in 90 seconds;

(2) how frequently examinations are conducted of civil aircraft on the British register to ensure compliance with the provision that a minimum distance of 12 in is observed between seats on either side of safety exits.

Mr. Peter Bottomley: Matters concerning aviation safety are the statutory responsibility of the Civil Aviation Authority. As the questions require detailed technical answers, I suggest that my hon. Friend contacts the chairman of the CAA direct.

Southwold Harbour

Mr. David Porter: To ask the Secretary of State for Transport when he expects his Department to resolve its consideration of the navigation and coast protection interests relating to the repair scheme for Southwold harbour put forward by Waveney district council; and if he will make a statement.

Mr. Portillo *[holding answer 20 February 1989]:* This application gave rise to a number of problems which took time to resolve. Consideration has now been completed and a consent to the repair works, with a modification, will be issued shortly.

Road Haulage

Mr. Matthew Taylor: To ask the Secretary of State for Transport what are the figures from 1976 to 1987 on goods lifted by road.

Mr. Peter Bottomley *[holding answer 20 February 1989]:* Estimates of total goods lifted by road between 1976 and 1987 are shown in the table. The figures include work done by heavy goods vehicles (over 3·5 tonnes gross vehicle weight) and also by small commercial vehicles (less than 3·5 tonnes gross vehicle weight). These figures are also published in "Transport Statistics Great Britain 1977-1987" (tables 1.13 and 7.3).

Tonnes (million) lifted by road: Great Britain: 1976-1987

	million tonnes
1976	1,505
1977	1,419
1978	1,491
1979	1,487
1980	1,383
1981	1,286
1982	1,376
1983	1,349
1984	1,395
1985	1,451
1986	1,476
1987	1,542

Heavy Lorries

Mr. Matthew Taylor: To ask the Secretary of State for Transport what are the total numbers from 1976 to 1987 for lorries over 7·5 tonnes, over 16 tonnes, over 24 tonnes, over 32·5 tonnes and over 38 tonnes.

Mr. Peter Bottomley: The information requested is shown in the table, but with a number of qualifications. No information was collected on goods vehicles over 38 tonnes prior to 1983. Since then only about 50 have been identified each year. Information is available for goods, vehicles over 32 tonnes but not for those over 32·5 tonnes. Before 1982, information was not available for vehicles over 7·5 tonnes, so the number over 8·5 tonnes has been included in the table. There have been a number of changes in tax class definitions and in the vehicle census methodology, which make some of the earlier figures less reliable.

Heavy goods vehicles currently licensed in Great Britain 1976 to 1987

Thousands

	>7·5 tonnes	*>16 tonnes*	*>24 tonnes*	*>32 tonnes*
1987	289	227	138	83
1986	284	218	131	79
1985	285	212	127	76
1984	291	212	127	78
1983	294	208	124	75
1982	299	206	125	76
1981	[1]328	214	128	75
1980	[1]361	236	144	90
1979	[1]369	234	138	88
1978	[1]361	223	128	50
1977	[1]357	215	119	67
1976	[1]374	147	89	[2]—

[1] >8·5 tonnes.
[2] Not available.

Roads (North Devon)

Mr. Speller: To ask the Secretary of State for Transport if he will list the road construction projects which were started and completed since 1959 in north Devon in the areas adjacent to Barnstaple, Ilfracombe and South Molton.

Mr. Peter Bottomley: The following trunk road schemes were started and completed since 1979 in the areas adjacent to Barnstaple and South Molton. There are no trunk roads in the vicinity of Ilfracombe.

A39 Severn Brethren Bank, Barnstaple
A39 Yelland Improvement
A39 Improvement at Higher Road, Fremington
A361 Improvement at East Kerscott, Swimbridge
A361 Stags Head junction improvement, Filleigh
A361 New Moor Cross, Bishops Nympton
A361 Improvement at Aller Cross, South Molton
A361 Improvement at Woodside, Newton
A361 Improvement at Haache Lane, South Molton
A361 Layby at Swimbridge
A361 Mini-roundabout, Victoria Road, Barnstaple
A361 Visibility improvement, Taw Vale, Barnstaple.

Details of trunk road schemes prior to 1979 are not available. Devon county council has details of its own roads.

US Federal Aeronautical Administration

Ms. Gordon: To ask the Secretary of State for Transport how many security bulletins he received from the United States Federal Aeronautical Administration in the last 12 months; and what action was taken in each case.

Mr. Peter Bottomley: The Department received 26 such bulletins during 1988, most of them containing a wide variety of specific and general information. This information was collated with other information received. All identifiable threats emerging from the collated information were subjected to the assessment process my right hon. Friend the Secretary of State described to the House on 10 January; and, when appropriate, the relevant provisions in the aviation security programme were adjusted accordingly.

Rail Freight

Mr. Matthew Taylor: To ask the Secretary of State for Transport what are the average costs per tonne from 1976 to 1987 of *(a)* a tonne of rail freight and *(b)* a tonne of road freight.

Mr. Peter Bottomley: The only available estimates are from total user expenditure on road and rail freight expressed as an average per tonne lifted. The table shows average expenditure per tonne lifted for road and rail freight in current prices (cash) and in 1987 prices. Such simple expenditure comparisons between road and rail give a misleading picture of the comparable costs of the two modes because of the different types of freight carried services provided. Rail freight consists of mainly bulk commodities; full train loads accounting for over 90 per cent. of tonnes lifted. By comparison, road freight is largely concerned with individual loads often of several different commodities for several destinations—bulk loads accounting for about 35 per cent. of tonnes lifted.

Estimates of average expenditure per tonne lifted for road and rail freight—United Kingdom

	Expenditure (£ cash) per tonne lifted		*Expenditure (£, 1987 prices[1]) per tonne lifted*	
	Road	*[2] Rail*	*Road*	*[2] Rail*
1976	6·1	2·3	16·1	6·2
1987	17·2	4·7	17·2	4·7

[1] Adjusted by using implicit GDP estimates of deflation.
[2] Includes parcels traffic.

NORTHERN IRELAND

Mental Handicap Nurses

Mr. Wigley: To ask the Secretary of State for Northern Ireland how many mental handicap nurses from each of the old grades have been assimilated to each of the new grades in Northern Ireland; and whether he will list them by board.

Mr. Needham: The information requested is not held centrally. However all mental handicap nurses in Northern Ireland who were subject to the new clinical grading criteria have been assimilated to the new grades.

Social Security Payments

Mr. Hume: To ask the Secretary of State for Northern Ireland what information he has on the numbers of single parents claiming income support at each social security

office in Northern Ireland in 1988 and the number of single parents who claimed supplementary benefit in each social security office in 1985, 1986 and 1987.

Mr. Needham *[holding answer 13 February 1989]:* Reliable information is not available in the form requested. The available information is as follows:—

Numbers of single parents on—
(i) Supplementary benefit (all SSOs):

Year	*Number*
1986	17,240
1987	19,830

Source: Annual survey—5 per cent. sample.

(ii) Income support[1]

Social Security Office	*1988*[1]
Andersonstown	1,382
Antrim	880
Armagh	306
Ballymena	624
Ballymoney	320
Ballynahinch	125
Banbridge	313
Bangor	527
Carrickfergus	457
Coleraine	742
Cookstown	226
Corporation Street	1,912
Downpatrick	301
Dungannon	398
Enniskillen	413
Falls Road	1,657
Holywood Road	1,143
Kilkeel	104
Knockbreda	637
Larne	341
Limavady	271
Lisburn	765
Londonderry	2,147
Lurgan	636
Magherafelt	358
Newcastle	124
Newry	658
Newtownabbey	751
Newtownards	434
Omagh	485
Portadown	404
Shaftesbury Square	811
Shankill	789
Strabane	569
Total	22,010

[1] Represents the numbers of single parents under pension age excluding those receiving a disability premium.

Supplementary Benefits

Mr. Hume: To ask the Secretary of State for Northern Ireland what information is available on the numbers and total value of supplementary benefit single payments made in each social security office in Northern Ireland from 1 January to 10 April 1988 and from 11 April 1988.

Mr. Needham *[holding answer 20 February 1989]:* The available information is as follows:

Single payments from 11 April 1988 to 31 December 1988

Social security office	*Number*	*Amount £*
Andersonstown	4,018	739,192·15
Antrim	2,831	253,469·08
Armagh	3,607	455,148·99
Ballymena	1,518	157,518·65
Ballymoney	1,115	123,647·61
Ballynahinch	128	15,018·83
Banbridge	1,721	193,304·54
Bangor	332	36,870·38
Carrickfergus	437	40,372·32
Coleraine	2,224	260,900·73
Cookstown	1,891	387,125·35
Corporation St.	6,714	842,364·54
Downpatrick	1,006	109,188·11
Dungannon	3,876	1,152,194·82
Enniskillen	4,750	731,233·13
Falls Road	5,756	658,433·29
Holywood Road	3,231	480,851·84
Kilkeel	553	69,136·21
Knockbreda	1,096	97,950·85
Larne	522	53,626·13
Limavady	1,845	262,925·72
Lisburn	1,918	263,779·80
Londonderry	11,069	2,330,529·55
Lurgan	4,391	744,725·25
Magherafelt	2,915	802,960·59
Newcastle	686	78,371·09
Newry	9,423	1,016,837·59
Newtownabbey	2,244	188,745·75
Newtownards	638	81,780·30
Omagh	3,121	672,624·40
Portadown	2,811	312,845·44
Shaftesbury Square	2,475	253,196·47
Shankill	815	71,894·19
Strabane	3,073	654,481·35
Totals	94,750	14,593,245·04

Note: The figures are incomplete because of industrial action at some Social Security Offices.

Single payments from 13 January 1988 to 8 April 1988

Social security office	*Number*	*Amount £*
Andersonstown	4,483	706,194·39
Antrim	5,447	452,190·87
Armagh	3,922	385,629·44
Ballymena	3,260	284,980·33
Ballymoney	1,590	186,416·38
Ballynahinch	443	43,035·03
Banbridge	2,408	226,343·31
Bangor	1,442	138,717·03
Carrickfergus	1,494	137,838·02
Coleraine	2,736	288,248·64
Cookstown	1,665	314,563·92
Corporation Street	8,050	861,205·41
Downpatrick	1,479	158,985·96
Dungannon	2,049	362,457·16
Enniskillen	1,993	185,052·32
Falls Road	8,232	841,834·82
Holywood Road	4,304	364,150·08
Kilkeel	691	83,290·10
Knockbreda	2,109	173,064·98
Larne	2,279	174,394·66
Limavady	2,856	299,271·32
Lisburn	4,940	609,194·36
Londonderry	4,006	546,109·94
Lurgan	3,714	577,274·86
Magherafelt	2,080	359,551·61
Newcastle	1,285	101,220·30
Newry	7,697	867,909·56
Newtownabbey	1,458	122,407·21
Newtownards	762	80,194·29
Omagh	2,130	293,522·55
Portadown	2,865	291,234·31
Shaftesbury Square	6,695	585,880·59
Shankill	3,605	331,627·87
Strabane	1,948	306,526·26
Totals	106,117	11,740,517·88

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he has had any discussions with the Irish Minister of Agriculture regarding the occurrence of bovine spongiform encephalopathy in the Republic of Ireland, and on the possibility of bovine spongiform encephalopathy infected products being imported into the United Kingdom; and if he will make a statement.

Mr. Donald Thompson: I have not discussed the recent case of BSE in the Republic of Ireland with its Minister of Agriculture. However, there is contact at official level, including between veterinarians, in relation to this issue. The Republic is shortly to introduce legislation which will require the compulsory slaughter and destruction of all animals affected with BSE. This is in line with the precautionary measures adopted here last August.

Listeria

Mr. Kennedy: To ask the Minister of Agriculture, Fisheries and Food if he will specify the number and occurrence of warnings which have been issued to United Kingdom cheese producers over the past 12 months concerning possible incidence of listeria infection; and if he will make a statement.

Mr. Ryder *[holding answer 16 February 1989]:* Where listeria contamination has been found, local staff, working closely with environmental health officers, have taken action directly with the producers concerned to eliminate the problem. Detailed analysis of all such occurrences are not readily available.

EMPLOYMENT

Bonnybridge Employment Office

Mr. Canavan: To ask the Secretary of State for Employment what attempt he has made to assess the opinion of unemployed people before proposing to close the part-time employment office at Bonnybridge.

Mr. Lee: The Secretary of State has not sought to assess the opinion of unemployed people in Bonnybridge because the office that he proposes to close is a small part-time unemployment benefit office outhouse which is open only two hours per week.

Wages Councils

Ms. Short: To ask the Secretary of State for Employment what was the number of responses to the consultation document on wages councils received *(a)* by the closing date and *(b)* after the closing date; and whether those received after 3 February will be considered.

Mr. Nicholls: Three hundred and three responses were received by the closing date and 68 subsequently. Replies received shortly after 3 February are being taken into account.

Employment Training

Mr. Meacher: To ask the Secretary of State for Employment if he will give a breakdown by region and travel-to-work area of the numbers of participants on the old community programme, and indicate how many in each case have transferred to the employment training programme and how many have declined to do so.

Mr. Nicholls: The information is not available in the precise form requested. The following table gives the number of filled places on the community programme (excluding managers and supervisors) nationally and by region on 2 September 1988. At the end of December 1988, the latest date for which information is available, it is estimated that more than 9,000 people had transferred from the community programme to employment training. The number who have declined to do so is not available.

Filled places (excluding managers and supervisors) on the community programme at 2 September 1988

	Numbers
South East	7,100
London	11,100
South West	10,400
West Midlands	20,500
East Midlands and Eastern	13,000
Yorkshire and Humberside	20,600
North West	29,200
Northern	25,100
Wales	16,400
Scotland	25,500
Great Britain	179,000

Labour Force Survey

Mr. Meacher: To ask the Secretary of State for Employment if he will state the figures from the 1988 labour force survey showing, according to the International Labour Organisation/Organisation for Economic Co-operation and Development measures of unemployment, the number of *(a)* men, *(b)* women and *(c)* all unemployed, the number not in the claimant count, and the number of claimants; what are the comparable figures according to the labour force measure of unemployment; in both cases, what are the changes since spring 1987; and what is the claimant count both unadjusted and seasonally adjusted for 1988.

Mr. Lee: Results from the 1988 labour force survey are not yet available.

Health Workers

Ms. Walley: To ask the Secretary of State for Employment if he will make a statement about the health of workers employed in the manufacture of disposable nappies styled superabsorbent.

Mr. Nicholls: I am not aware of any specific health problems among these workers.

Legionnaire's Disease

Mr. Hannam: To ask the Secretary of State for Employment if he will draw up a licensing system for all wet cooling tower air conditioning installations in urban areas to assist the locating of potential sources of legionnaire's disease.

Mr. Nicholls: Such a licensing procedure would be of limited value in locating the source of outbreaks of legionnaire's disease. The existing system of controls based

on general powers under the Health and Safety at Work etc. Act 1974 and guidance material is adequate to deal with the problem of legionnaire's disease. The Health and Safety Commission and Health and Safety Executive will, however, be keeping this matter under review.

Earnings

Mr. Tony Lloyd: To ask the Secretary of State for Employment what information he has about the number of people in full-time work who earn less than two thirds of median male earnings by standard region.

Mr. Nicholls: The information available from the distribution of gross weekly earnings which most closely spans the figure for two-thirds of median full-time adult male earnings in Great Britain is provided in the table:

Proportion with gross weekly earnings less than £140 and £150, by standard regions of Great Britain
Full-time adult employees whose pay was not affected by absence, April 1988

Per cent.

Standard region	*Less than £140 per week*	*Less than £150 per week*
South East	17·7	21·9
East Anglia	27·2	32·7
South West	29·5	35·1
West Midlands	28·6	33·9
East Midlands	29·6	35·5
Yorkshire and Humberside	28·8	34·3
North West	28·4	33·8
North	28·7	34·3
Wales	30·9	36·1
Scotland	30·9	36·9

Source: New Earnings Survey.

Job Clubs

Mr. Meacher: To ask the Secretary of State for Employment what was the average cost per job entry for each unemployed person finding work through *(a)* a jobcentre job club and *(b)* an agency job club for the latest available year.

Mr. Lee: During the period 1 April 1988 to 30 December 1988, the average cost for an unemployed person finding work through a jobcentre job club was £249. In the same period, the average cost per job entry for an agency job club was £396.

Figures on a comparable basis are not available prior to 1 April 1988.

Wages Councils

Mr. Meacher: To ask the Secretary of State for Employment what percentage of workers covered by visits from the wages inspectorate was shown as being paid below the relevant wages council rate for the latest available year.

Mr. Nicholls: In 1988 9·1 per cent. of workers whose pay was checked by visit were found to be underpaid. This cannot be taken as indicating the general level of compliance with wages council orders because the inspectorate concentrates its visits on establishments where underpayment is more likely to be found.

Tourism

Mr. Bermingham: To ask the Secretary of State for Employment when he expects to publish a Green Paper on tourism; and if he will make a statement.

Mr. Lee: The tourism review report is currently under consideration. An announcement will be made in due course.

Training Agency (Research)

Mr. Nicholas Bennett: To ask the Secretary of State for Employment if he will give the reasons why the Training Agency does not undertake specific research into the opinions of employers about courses provided by individual managing agents; and if he will institute such research.

Mr. Nicholls *[holding answer 20 February 1989]:* As part of its evaluation of YTS, the training agency seeks the opinion of employers through a range of surveys and studies, targeted external market research and local monitoring of schemes including work experience placements. In addition, training agency welcomes comments from individual employers about their experience in participating in YTS whether on local or more general aspects.

ENVIRONMENT

Toxic Waste

Mr. Redmond: To ask the Secretary of State for the Environment what is the current level of imported toxic waste that travels through Yorkshire and Humberside; what proportion remains within the three counties of Yorkshire; if he will list in each of the three counties of Yorkshire the number of toxic waste sites that accept imported toxic waste; and if he will make a statement.

Mrs. Virginia Bottomley: Statistics on imported waste are not collected centrally in a manner that allows the question to be answered exactly.

The figures available to Her Majesty's inspectorate of pollution indicate that some 19,273 tonnes of waste were imported into the United Kingdom via ports in Humberside in the calendar year 1987. This waste was destined for disposal in Greater Manchester, west midlands, Essex and Gwent. All this waste was destined for either specialised treatment or incineration. Her Majesty's inspectorate of pollution has no record of any waste disposal site in the three counties of Yorkshire which received imported toxic waste during that period.

Greenhouse Effect

Mr. Flynn: To ask the Secretary of State for the Environment if he will publish a table showing his assessment of the disaggregated contribution made to the increase since 1979 in greenhouse effect cases from *(a)* the electricity generating sector, *(b)* transport, *(c)* agriculture and *(d)* the industrial sector; and if he will make a statement on his Department's policies to reduce the emission of greenhouse gases from United Kingdom sources.

Mrs. Virginia Bottomley: Emissions of carbon dioxide for each year since 1977 for the different sectors will be

given in the Department's "Annual Digest of Environment Protection and Water Statistics", to be published later this month. Copies will be placed in the Library of the House.

The Government are actively supporting the international efforts to tackle the greenhouse effect, which is a global problem. Our policy is to press ahead with improving our scientific understanding of the greenhouse effect and meanwhile to take actions to mitigate it which are justifiable on additional grounds. We have called for a cut of at least 85 per cent. in worldwide emissions of CFCs by the turn of the century. To take this proposal forward my right hon. Friend the Prime Minister will participate in a conference next month which is to be hosted by my right hon. Friend the Secretary of State on "Saving the ozone layer".

Local Government Finance

Mr. Paice: To ask the Secretary of State for the Environment what plans he has to exemplify the figures for a system of local government finance based on capital value rates plus local income tax, in the proportions of 80:20, respectively, as they might apply in Cambridgeshire.

Mr. Gummer: Figures illustrating the impact of a system of capital value rates plus local income tax were placed in the Library on 23 June 1988. My right hon. Friend the Secretary of State has undertaken to illustrate the impact of such a system in any particular case described by an hon. Member.

London Docklands

Ms. Gordon: To ask the Secretary of State for the Environment (1) if he will give a breakdown of the total value of all future public expenditure currently committed for the London docklands urban development area under the following headings (i) expenditure on improvements to the A13, (ii) expenditure on new roads, including the docklands highways, (iii) expenditure on the dockland light railway including planned extensions, (iv) expenditure on other transport infrastructure and (v) other committed expenditure;

(2) if he will give a breakdown of the total value of all public expenditure incurred by Government to date in the London docklands urban development area under the following headings (i) total expenditure by the London Docklands Development Corporation, including grant-in-aid, (ii) other expenditure incurred by his Department, including urban development grant, derelict land grant, city grant and Inner Urban Area Act moneys, (iii) total expenditure by the Department of Transport on new roads, road improvements, the docklands light railway, including the Bank extension and any other transport infrastructure, (iv) total Government expenditure incurred by the Isle of Dogs enterprise zone, including rates foregone and capital allowances claimed and (v) all expenditure incurred by any other Government Departments.

Mr. Trippier: I will write to the hon. Member.

Ms. Gordon: To ask the Secretary of State for the Environment if he will give details of projected grant-in-aid to the London Dockland development corporation for each year for the next five years.

Mr. Trippier: The Government currently plan to make the following grant in aid available to the London Docklands development corporation:

Financial year	*£ million*
1989-90	86
1990-91	104
1991-92	94

No provision has been made for 1992-93 and beyond at present.

Ms. Gordon: To ask the Secretary of State for the Environment if he will make publicly available any research undertaken for or by either the Government or the London Dockland development corporation on changes in land or property values in the London docklands urban development area since 1981.

Mr. Trippier: The Department has not commissioned such research. Relevant information is held by the LDDC, but is commercially confidential.

Mr. Leighton: To ask the Secretary of State for the Environment (1) what arrangement the London Docklands development corporation has with the London borough of Newham to deal with training; how many people are in docklands-related training in Newham, categorised by age, gender and ethnicity; and what are the targets for future years;

(2) how many jobs have been created by the London Docklands development corporation in the London borough of Newham; and how many of them went to Newham residents;

(3) pursuant to his answer to the hon. Member for Newham, North-East of 14 February, what specific steps the London Docklands development corporation has taken to ensure jobs in docklands go to Newham residents.

Mr. Trippier: I will write to the hon. Member.

Mr. Leighton: To ask the Secretary of State for the Environment what is the job description, powers and responsibilities of Ms. Dru Vestey of the London Docklands development corporation.

Mr. Trippier: Director of the corporation's royal docks area team.

Mr. Leighton: To ask the Secretary of State for the Environment what arrangements the London Docklands development corporation has with industrial training boards for training.

Mr. Trippier: The LDDC works closely with the relevant industrial training boards, on industrial training initiatives and projects. A particularly close relationship is enjoyed with the construction industry training board, which is a member of the Tower Hamlets training co-ordination group set up jointly by the LDDC and the borough council.

Mr. Leighton: To ask the Secretary of State for the Environment what arrangements the London Docklands development corporation has with developers for training.

Mr. Trippier: Where appropriate, the LDDC as landowner or local planning authority encourages developers to participate in the improvement of training in docklands, for example by providing direct contributions to or facilities for training initiatives.

Mr. Leighton: To ask the Secretary of State for the Environment if he will take steps to make available minutes of member level meetings between the London borough of Newham and the London Docklands development corporation to hon. Members.

Mr. Trippier: No. The availability of minutes of meetings is a matter for the two bodies concerned.

Ms. Gordon: To ask the Secretary of State for the Environment what is the total amount of land receipts received by the London Docklands development corporation each year since 1981; and to what ends these receipts have been put.

Mr. Trippier: The London Docklands development corporation has reported the following receipts from the sale of land:

Financial year	*£ million*
1982-83	1
1983-84	2
1984-85	5
1985-86	8
1986-87	22
1987-88	41

The receipt for 1982-83 was surrendered to the Exchequer. All subsequent receipts have been deployed by LDDC to regenerate docklands.

Chlorofluorocarbons

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment if he will list the sites in England and Wales where chlorofluorocarbon refrigerants can be either safely disposed of or recycled.

Mrs. Virginia Bottomley: Both United Kingdom manufacturers of chlorofluorocarbons (CFCs) offer a reprocessing service to their customers. ICI has recently announced a major extension to its Europeanwide scheme for recovery and recycling of CFC refrigerants. Once techniques for the safe destruction of CFCs have been identified and approved under the terms of the Montreal protocol, the question of providing disposal facilities can be addressed more fully.

Estate Action

Mr. Heddle: To ask the Secretary of State for the Environment if he has any plans to extend his Department's Estate Action scheme to housing associations and housing societies.

Mr. Trippier: No. Funds for the improvement or repair of registered housing association stock are made available by the Housing Corporation within its annual development programme approved by Ministers. For the future, rent deregulation will progressively enable associations to provide for repair work out of their own income and to raise private finance for other projects.

Football Membership Scheme

Mr. Cohen: To ask the Secretary of State for the Environment whether he has made a study of the implications for the commercial opportunities associated with the football membership scheme of a decision by individuals to opt out of having their names and address on various mailing lists, and of the percentage of opt-in necessary to maintain these opportunities; and if he will make a statement.

Mr. Moynihan: No.

Bats

Mr. Allen: To ask the Secretary of State for the Environment what investigations his Department is undertaking into the use of the chemicals lindane and pentachlorophenol for wood preservative treatment and its effects upon bats; and if he will make a statement.

Mrs. Virginia Bottomley: The Department of the Environment is one of six responsible for approving all pesticides, including wood preservatives, under the Control of Pesticides Regulations. Following the advice of the Advisory Committee on Pesticides, all timber treatment products containing lindane must be labelled as "DANGEROUS TO BATS". Because of concern about the effects of wood preservatives on bats, Departments have asked the advisory committee to consider the issue further and a sub-group has been set out to advise on appropriate action. Its report is awaited.

Boundary Changes

Sir Eldon Griffiths: To ask the Secretary of State for the Environment if cost/benefit considerations are or can be taken into account by the local government boundaries commission before it makes recommendations for county boundary changes; and what steps he is taking to analyse the costs of such changes before reaching his own conclusions.

Mr. Gummer: Neither the Commission nor my right hon. Friend is specifically required to take account of the cost of proposed boundary changes, or to quantify expected benefits. By the Local Government Act 1972, however, the commission's proposals and, thus, my right hon. Friend's decisions, must be

"in the interests of effective and convenient local government".

This criterion must include a very broad range of social and economic factors, and their effects over the longer term as well as the short term. Assessment may be helped if such factors can be quantified. The commission has therefore initiated research to find out how far such analysis is feasible.

Hazardous Waste

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the European Economic Community directives on the disposal of hazardous and toxic wastes that have been implemented by the United Kingdom.

Mrs. Virginia Bottomley: The United Kingdom has implemented the following European Economic Community directives on the disposal of hazardous and toxic wastes:

Directive 75/439/EEC on the disposal of waste oils
Directive 76/403/EEC on the disposal of PCBs and PCTs
Directive 78/319/EEC on toxic and dangerous waste

In addition, directive 84/631/EEC on the supervision and control of transfrontier shipment of hazardous waste has been implemented in respect of Great Britain. It is expected to be implemented in respect of Northern Ireland next month.

Sanitary Towels (Disposal)

Ms. Walley: To ask the Secretary of State for the Environment if he will make it his policy to fund research into the role that incineration can play in the safe disposal of used disposable nappies and sanitary towels and tampons.

Mrs. Virginia Bottomley: The Government already support research into incineration as a safe means of disposal of domestic wastes of which nappies and sanitary products form a very small part.

Home Insulation

Mr. Gordon Brown: To ask the Secretary of State for the Environment what was *(a)* the total number of grants paid and *(b)* the total cost of grants, under the home insulation scheme for each year from the inception of the scheme.

Mr. Trippier: Numbers and amounts of grants paid under the homes insulation scheme for 1978 to 1986 appear in table 7.7 of "Housing and Construction Statistics, 1977-1987"; figures for 1987 and the first three quarters of 1988 are published in table 2.21(a) of "Housing and Construction Statistics", part 2, volume 35. Copies are available in the Library.

Radioactive Waste

Mr. Flynn: To ask the Secretary of State for the Environment what papers and what representation his Department will have at the conference on radioactive waste management at the Gloucester hotel, London on 22 and 23 February.

Mrs. Virginia Bottomley: The Department will not be represented at this conference.

Mr. Flynn: To ask the Secretary of State for the Environment if he will make a statement on progress in the Commission of the European Community's performance assessment of geologic isolation systems project on heat generating high level radioactive waste.

Mrs. Virginia Bottomley *[holding answer 17 February 1989]:* The studies have been completed. Reports are being prepared and will be reviewed at an international symposium in June 1989.

Mr. Flynn: To ask the Secretary of State for the Environment if he will make a statement on progress in the Commission of the European Community's performance assessments of confinement of medium active wastes study.

Mrs. Virginia Bottomley *[holding answer 17 February 1989]:* Satisfactory progress is being made and the study will end in June 1989. I understand the Commission of the European Community intends to publish the results of the study as soon as practicable after this date.

Pollution Control

Ms. Ruddock: To ask the Secretary of State for the Environment how many prosecutions have taken place under section 3 of the Control of Pollution Act 1974; and how many have been successful.

Mrs. Virginia Bottomley: There have been 720 prosecutions between the time section 3 came into effect in 1976 and the end of 1987. A total of 531 have been successful.

Environmental Protection

Dr. Cunningham: To ask the Secretary of State for the Environment when he expects to publish the next annual "Digest of Environmental Protection and Water Statistics"; and if he will make a statement.

Mr. Ridley: Publication of the next annual "Digest of Environmental Protection and Water Statistics" is planned for 24 February. An associated departmental information bulletin will be issued as with previous issues and a copy of the digest will be deposited in the House of Commons Library.

Rose Theatre, Southwark

Mr. Maclennan: To ask the Secretary of State for the Environment what representations he has received from English Heritage concerning the archaeological discovery of the Elizabethan Rose theatre in Southwark; and if he will make a statement.

Mrs. Virginia Bottomley: None so far. Imry Merchant Properties, which has been granted planning permission by the London borough of Southwark for an office development, has allowed the Museum of London time and provided equipment and funds for archaeological evaluation of the site. It was in the course of this evaluation work that the recent finds were made, which English Heritage officials have confirmed are likely to be those of the Elizabethan Rose theatre. Consultation between English Heritage, the Museum of London, and the developers are continuing with a view to allowing further archaeological evaluations. The extent of the finds may however be limited as much of the site is likely to have been affected by earlier development. This is a good example of voluntary co-operation between developers, archaeologists and English Heritage.

Bathing Water

Mr. Greg Knight: To ask the Secretary of State for the Environment if he will announce the results of the survey of bathing water quality made in 1988; and if he will make a statement.

Mr. Howard: The results of the survey carried out during the 1988 bathing season show that 67 per cent. of our bathing waters in England, Wales and Northern Ireland met the mandatory coliform bacteria standards of the EC bathing water directive. This represents a significant improvement over 1987 when, measured on the same basis, only 55 per cent. of our waters met these standards.

Since 1987, we have tightened the way in which we monitor and assess compliance with the directive in order

to put the figures on a consistent basis with those produced by the European Commission for all member states. For this reason, the 1988 results are not directly comparable with those announced last May for 1987, by my hon. Friend the Member for Lewisham, East (Mr. Moynihan).

Measured on the new basis, 254 of the 380 bathing waters in England, Northern Ireland and Wales met the directive's mandatory coliform bacteria standards during the 1988 bathing season. This compares with 206 out of 370 waters (55 per cent.) in 1987, and only 184 out of 358 waters (51 per cent.) in 1986, measured on the same basis.

These figures are encouraging and show that we are continuing to make good progress in cleaning up our bathing waters, mainly as a result of the major programmes of capital expenditure by water authorities in renewing sewers in coastal towns and constructing long sea outfalls. We attach a high priority to bringing all our remaining bathing waters up to EC standards, and are discussing with water authorities how to accelerate these programmes. In 1989-90, water authorities expect to spend about £100 million on schemes to improve bathing waters.

The 1988 results are set out in the tables in summary form. I shall arrange for a more detailed summary of the results to be placed in the Library.

Bathing Waters Survey—1988 Results (England, Wales and Northern Ireland)
Compliance with Bathing Water Directive (76/160/EEC): Coliform standards

	Pass	*Fail*	*Total*
Northumbrian Water Authority	9	10	19
Yorkshire Water Authority	21	1	22
Anglian Water Authority	19	9	28
Thames Water Authority	0	2	2
Southern Water Authority	27	38	65
Wessex Water Authority (South Coast)	26	1	27
South West Water Authority	92	17	109
Wessex Water Authority (Bristol Channel)	4	7	11
Welsh Water Authority	37	11	48
North West Water Authority	6	27	33
Department of the Environment for Northern Ireland	14	2	16
Total	255	125	380

Bathing waters survey—1988 results (England, Wales and Northern Ireland)
Compliance with Bathing Water Directive (76/160/EEC): Coliform standards

	1987		*1988*
	Published result	*Reworked result (95 per cent. rule)*	*Result*
Northumbrian Water Authority			
Spittal	Fail	Fail	Fail
Bamburgh/Seahouses	Pass	Pass	Pass
Beadnell	Pass	Pass	Pass
Low Newton	Pass	Pass	Pass
Alnmouth	Fail	Fail	Pass
Warkworth	Pass	Pass	Pass
Druridge Bay	Pass	Pass	Pass
Newbiggin	Fail	Fail	Fail
South Beach/Seaton Sluice	Pass	Pass	Fail
Whitley Bay	Pass	Pass	Fail
Tynemouth	Pass	Fail	Pass
South Shields	Pass	Fail	Pass
Marsden	Fail	Fail	Fail
Roker/Whitburn	Fail	Fail	Fail
Seaham	Fail	Fail	Fail
Crimdon	Fail	Fail	Fail
Seaton Carew	Fail	Fail	Fail
Redcar	Fail	Fail	Pass
Saltburn	Fail	Fail	Fail
Yorkshire Water Authority			
Staithes	Pass	Pass	Pass
Runswick Bay	Pass	Pass	Pass
Sandsend	Pass	Pass	Pass
Whitby	Pass	Pass	Pass
Robin Hoods Bay	Pass	Pass	Pass
Scarborough North Bay	Pass	Fail	Pass
Scarborough South Bay	Fail	Fail	Pass
Cayton Bay	Pass	Pass	Pass
Filey	Pass	Pass	Pass
Reighton	Pass	Pass	Pass
Flamborough North Landing	Pass	Pass	Pass
Flamborough South Landing	Pass	Pass	Fail
Bridlington North Beach	Pass	Pass	Pass
Bridlington South Beach	Pass	Pass	Pass
Wilsthorpe	Pass	Pass	Pass
Fraisthorpe	Pass	Pass	Pass
Earls Dyke	Pass	Pass	Pass
Barmston	Pass	Pass	Pass
Skipsea	Pass	Pass	Pass
Hornsea	Pass	Pass	Pass
Tunstall	Pass	Pass	Pass
Withernsea	Fail	Fail	Pass
Anglian Water Authority			
Cleethorpes	Fail	Fail	Fail
Mablethorpe Town	Fail	Fail	Pass
Sutton-on-sea	Fail	Fail	Fail
Moggs Eye	Pass	Pass	Pass
Anderby	Pass	Pass	Pass
Chapel St. Leonard	Fail	Fail	Pass
Ingoldmells South	Fail	Fail	Pass
Skegness	Pass	Pass	Pass
Heacham	Pass	Pass	Fail
Hunstanton Beach	Pass	Pass	Fail
Wells	Pass	Fail	Pass
Sheringham	Fail	Fail	Fail
Cromer	Fail	Fail	Fail
Mundesley	Pass	Pass	Pass
Great Yarmouth North	Pass	Fail	Pass
Great Yarmouth Pier	Pass	Fail	Fail
Great Yarmouth South	Pass	Fail	Fail
Lowestoft North	Pass	Pass	Pass
Lowestoft South	Pass	Pass	Pass
Felixstowe North	Pass	Pass	Pass
Felixstowe South	Pass	Pass	Pass
Dovercourt	Fail	Fail	Fail
Walton	Fail	Fail	Pass
Frinton	Pass	Pass	Pass
Holland	Pass	Fail	Pass
Clacton	Pass	Fail	Pass
Jaywick	Pass	Pass	Pass
Brightlingsea	Fail	Fail	Pass
Thames Water Authority			
Southend Thorpe Bay	Fail	Fail	Fail
Southend Westcliff Bay	Fail	Fail	Fail
Southern Water Authority			
Leysdown	Pass	Fail	Pass
West Beach	Pass	Pass	Pass
Herne Bay	Fail	Fail	Fail
Minnis Bay	Pass	Pass	Pass
St. Mildred's Bay	Fail	Fail	Pass
Margate The Bay	Pass	Pass	Pass
Margate Fulsam Rock	Pass	Fail	Pass
Joss Bay	Fail	Fail	Fail
Broadstairs	Fail	Fail	Fail
Ramsgate	Fail	Fail	Fail
Sandwich Bay	Fail	Fail	Fail

	1987 Published result	1987 Reworked result (95 per cent. rule)	1988 Result
Deal Castle	Fail	Fail	Fail
St. Margaret's Bay	Pass	Pass	Pass
Folkestone	Fail	Fail	Fail
Sandgate	Fail	Fail	Fail
Hythe	Fail	Fail	Fail
Dymchurch	Fail	Fail	Fail
St. Mary's Bay	Fail	Fail	Fail
Littlestone	Pass	Fail	Fail
Camber	Fail	Fail	Pass
Winchelsea	Pass	Pass	Pass
Hastings	Fail	Fail	Fail
Bexhill	Pass	Pass	Pass
Norman's Bay	Pass	Pass	Pass
Pevensey Bay	Fail	Fail	Pass
Eastbourne	Pass	Pass	Pass
Seaford	Fail	Fail	Fail
Newhaven	Fail	Fail	Fail
Saltdean	Pass	Pass	Pass
Brighton	Pass	Fail	Fail
Hove	Fail	Fail	Fail
Southwick	Fail	Fail	Fail
South Lancing	Fail	Fail	Fail
Worthing	Fail	Fail	Fail
Littlehampton	Fail	Fail	Fail
Middleton-on-sea	Pass	Fail	Fail
Bognor Regis	Pass	Pass	Pass
Pagham	Pass	Pass	Fail
Selsey	Fail	Fail	Fail
Bracklesham Bay	Pass	Fail	Pass
West Wittering	Pass	Pass	Pass
West of Eastoke	Pass	Pass	Pass
West Hayling	Pass	Pass	Pass
Eastney	Pass	Pass	Fail
Southsea	Pass	Fail	Fail
Stokes Bay	Pass	Fail	Pass
Lee-on-Solent	Pass	Pass	Pass
Calshot	Pass	Fail	Fail
Lepe	Pass	Pass	Pass
Milford-on-sea	Fail	Fail	Fail
Christchurch Bay	Pass	Pass	Fail
Highcliffe	Pass	Pass	Pass
Compton Bay	Pass	Pass	Pass
Totland Bay	Pass	Pass	Pass
Colwell Bay	Pass	Pass	Fail
Gurnard	Fail	Fail	Fail
Cowes	Pass	Fail	Fail
Ryde	Fail	Fail	Fail
Seagrove	Pass	Pass	Fail
St. Helens	Pass	Fail	Fail
Bembridge	Fail	Fail	Fail
Whitecliff Bay	Pass	Pass	Fail
Sandown	Pass	Pass	Pass
Shanklin	Pass	Fail	Pass
Ventnor	Pass	Fail	Fail
Wessex Water Authority (South Coast)			
Christchurch, Highcliffe Castle	Pass	Pass	Pass
Christchurch, Avon Beach	Fail	Fail	Fail
Christchurch, Mudeford Sandbank	Pass	Pass	Pass
Bournemouth Hengistbury	Pass	Pass	Pass
Bournemouth Pier	Pass	Pass	Pass
Poole, Shore Road Sandbanks	Pass	Pass	Pass
Poole Harbour Sandbanks	Pass	Pass	Pass
Poole Harbour Lake	Pass	Pass	Pass
Poole Harbour, Rockley Sands	Pass	Pass	Pass
Shell Bay	Pass	Pass	Pass
Studland	Pass	Fail	Pass
Swanage	Pass	Pass	Pass
Kimmeridge Bay	Pass	Pass	Pass
Lulworth Cove	Pass	Pass	Pass
Durdle Door East	Pass	Pass	Pass
Durdle Door West	Pass	Pass	Pass
Ringstead	Pass	Pass	Pass
Bowleaze Cove	Pass	Pass	Pass
Church Ope Cove	Pass	Pass	Pass
Weymouth, Lodmoor	Pass	Pass	Pass
Weymouth, Central	Pass	Pass	Pass
Portland Harbour, Castle Cove	Pass	Pass	Pass
Portland Harbour, Sandsfood Castle	Pass	Pass	Pass
West Bay (west)	Pass	Pass	Pass
Eypemouth	Pass	Pass	Pass
Seatown	Pass	Pass	Pass
Charmouth West	Pass	Pass	Pass
South West Water Authority			
Lyme Regis	Pass	Fail	Fail
Seaton (Devon)	Pass	Fail	Pass
Beer	Pass	Pass	Pass
Sidmouth	Pass	Pass	Pass
Ladram Bay	Pass	Pass	Pass
Budleigh Salterton	Fail	Fail	Pass
Sandy Bay	Pass	Pass	Pass
Exmouth	Pass	Pass	Pass
Dawlish Warren	Pass	Pass	Pass
Dawlish	Pass	Pass	Pass
Teignmouth	Fail	Fail	Pass
Shaldon	Pass	Fail	Fail
Ness Cove	Pass	Pass	Pass
Maidencombe	Pass	Pass	Pass
Watcombe	Pass	Pass	Pass
Oddicombe	Pass	Pass	Pass
Babbacombe	Pass	Pass	Pass
Redgate	Pass	Pass	Pass
Meadfoot	Pass	Pass	Pass
Beacon Cove	Pass	Pass	Pass
Torre Abbey	Pass	Pass	Pass
Hollicombe	Pass	Pass	Pass
Paignton	Pass	Pass	Fail
Goodrington	Fail	Fail	Pass
Broadsands	Pass	Pass	Pass
Shoalstone	Pass	Pass	Pass
St. Mary's Bay	Pass	Pass	Pass
Dartmouth Castle and Sugary Cove	Pass	Pass	Pass
Blackpool Sands	Pass	Pass	Pass
Slapton Sands	Pass	Pass	Pass
Mill Bay	Pass	Fail	Pass
Salcombe North Sands	Pass	Pass	Pass
Salcombe South Sands	Pass	Pass	Fail
Hope Cove	Pass	Pass	Pass
Thurlestone	Fail	Fail	Fail
Bantham	Pass	Pass	Pass
Bigbury-on-sea	Pass	Pass	Pass
Challaborough	Pass	Fail	Pass
Mothecombe	Pass	Pass	Pass
Wembury	Pass	Fail	Pass
Bovisand	Pass	Pass	Pass
Plymouth Hoe	Pass	Fail	Fail
Portwrinkle	Fail	Fail	Pass
Downderry	Pass	Fail	Pass
Seaton (Cornwall)	Pass	Fail	Fail
Millendreath	Pass	Pass	Pass
East Looe	Pass	Pass	Pass
Readymoney	Fail	Fail	Pass
Polkerris	Pass	Fail	Pass
Par	Pass	Pass	Pass
Crinnis	Pass	Pass	Pass
Charlestown & Duporth	Pass	Fail	Fail
Porthpean	Pass	Pass	Pass

	1987 Published result	1987 Reworked result (95 per cent. rule)	1988 Result
Pentewan	Fail	Fail	Fail
Polstreath	Pass	Pass	Pass
Port Mellon	Pass	Pass	Pass
Gorran Haven	Pass	Fail	Pass
Porthluney	Pass	Pass	Pass
Pendower	Pass	Pass	Pass
Gyllyngvase	Pass	Fail	Pass
Swanpool	Pass	Fail	Pass
Maen Porth	Pass	Fail	Pass
Porthallow	Fail	Fail	Fail
Porthoustock	Pass	Pass	Pass
Coverack	Pass	Pass	Pass
Kennack Sands	Pass	Pass	Pass
Pollurian Cove	Pass	Pass	Pass
Poldhu Cove	Pass	Pass	Pass
Gunwalloe Cove	Pass	Pass	Pass
Porthleven	Pass	Fail	Fail
Praa Sands	Pass	Pass	Pass
Perran Sands	Pass	Pass	Pass
Marazion and Mounts Bay	Fail	Fail	Fail
Porthcurno	Pass	Pass	Pass
Sennen	Pass	Pass	Pass
Porthmeor	Pass	Pass	Pass
Porth Gwidden	Pass	Pass	Fail
Porthminster	Pass	Pass	Pass
Carbis Bay	Pass	Pass	Pass
The Towans	Pass	Pass	Pass
Portreath	Pass	Pass	Pass
Porthtowan	Pass	Pass	Pass
Trevaunance Cove	Pass	Fail	Pass
Perranporth	Pass	Fail	Pass
Holywell Bay	Pass	Pass	Pass
Crantock	Pass	Pass	Pass
Fistral	Pass	Pass	Pass
Towan	Pass	Pass	Pass
Watergate	Pass	Pass	Pass
Mawgan Porth	Pass	Fail	Pass
Treyarnon Bay	Pass	Pass	Pass
Constantine Bay	Pass	Pass	Pass
Mother Ivey's Bay	Pass	Pass	Pass
Harlyn Bay	Pass	Pass	Pass
Trevone Bay	Pass	Fail	Fail
Rock	Pass	Fail	Pass
Daymer Bay	Pass	Pass	Pass
Polzeath	Pass	Pass	Pass
Widemouth Sand	Pass	Pass	Pass
Bude	Fail	Fail	Fail
Hartland Quay	Pass	Pass	Pass
Westward Ho!	Pass	Pass	Pass
Instow	Fail	Fail	Fail
Saunton Sands	Pass	Pass	Pass
Croyde Bay	Pass	Pass	Pass
Woolacombe	Pass	Pass	Pass
Ilfracombe	Fail	Fail	Pass
Coombe Martin	Pass	Fail	Fail
Lynmouth	Fail	Fail	Pass
Wessex Water Authority (Bristol Channel)			
Porlock Weir	Pass	Fail	Pass
Minehead Terminus	Fail	Fail	Fail
Dunster North West	Fail	Fail	Fail
Blue Anchor West	Pass	Fail	Pass
Burnham Jetty	Fail	Fail	Fail
Berrow	Pass	Pass	Fail
Brean	Pass	Pass	Pass
Weston-Super-Mare, Uphill Slipway	Pass	Pass	Fail
Weston-Super-Mare, Grand Pier	Fail	Fail	Fail
Weston-Super-Mare, Sand Bay	Pass	Fail	Pass
Clevedon Swimming Pool	Fail	Fail	Fail

	1987 Published result	1987 Reworked result (95 per cent. rule)	1988 Result
North West Water Authority			
Meols	Pass	Fail	Pass
Moreton	Pass	Pass	Pass
New Brighton	Pass	Pass	Pass
Formby	Pass	Pass	Fail
Ainsdale	Pass	Fail	Fail
Southport	Fail	Fail	Fail
St. Annes	Fail	Fail	Fail
St. Annes North	[1]Fail	[1]Fail	Fail
Blackpool South	Fail	Fail	Fail
Blackpool Central	Fail	Fail	Fail
Blackpool North	Fail	Fail	Fail
Bispham	Fail	Fail	Fail
Cleveleys	Fail	Fail	Fail
Fleetwood	Fail	Fail	Fail
Heysham, Half Moon Bay	Fail	Fail	Fail
Morecambe South	No survey		Fail
Morecambe North	No survey		Fail
Bardsea	Fail	Fail	Fail
Aldingham	[1]Fail	[1]Fail	Fail
Newbiggin	[1]Pass	[1]Fail	Fail
Walney, Biggar Bank	Pass	Pass	Pass
Walney, Sandy Gap	Pass	Fail	Pass
Walney, West Shore	Pass	Fail	Fail
Roan Head	Pass	Fail	Fail
Askam-in-Furness	No survey		Fail
Haverigg	Fail	Fail	Fail
Silecroft	Pass	Pass	Pass
Seascale	Fail	Fail	Fail
St. Bees	No survey		Fail
Allonby South	[1]Pass	[1]Fail	Fail
Allonby	Pass	Fail	Fail
Silloth	Pass	Pass	Fail
Skinburness	[1]Fail	[1]Fail	Fail
Welsh Water Authority			
Jacksons Bay Barry	Fail	Fail	Fail
Whitmore Bay Barry	Fail	Fail	Fail
Cold Knap Barry	Fail	Fail	Fail
Southerndown	Pass	Pass	Fail
Trecco Bay Porthcawl	Fail	Fail	Pass
Sandy Bay Porthcawl	Fail	Fail	Fail
Rest Bay Porthcawl	Pass	Pass	Pass
Aberafan	Pass	Pass	Pass
Swansea Bay	Fail	Fail	Fail
Bracelet Bay	Pass	Pass	Pass
Limeslade Bay	Fail	Fail	Pass
Langland Bay	Pass	Pass	Pass
Caswell Bay	Fail	Fail	Pass
Oxwich Bay	Pass	Pass	Pass
Port Eynon Bay	Pass	Pass	Pass
Rhossili	Pass	Pass	Pass
Pembrey	Pass	Pass	Pass
Pendine	Pass	Pass	Pass
Amroth	Fail	Fail	Pass
Saundersfoot	Fail	Fail	Pass
Tenby North	Fail	Fail	Fail
Tenby South	Pass	Fail	Pass
Broadhaven	Pass	Pass	Pass
Newgale	Pass	Pass	Pass
Whitesands	Pass	Pass	Pass
Newport	Pass	Pass	Pass
Newquay	Pass	Pass	Pass
Aberystwyth South	Fail	Fail	Pass
Aberystwyth North	Pass	Pass	Pass
Borth	Pass	Pass	Pass
Tywyn	Pass	Pass	Pass
Fairbourne	Pass	Pass	Pass
Barmouth	Pass	Pass	Pass
Llandanwg	Pass	Pass	Pass
Harlech	Pass	Pass	Pass
Morfa Bychan	Fail	Fail	Pass
Criccieth	Fail	Fail	Pass

	1987 Published result	1987 Reworked result (95 per cent. rule)	1988 Result
Pwllheli	Pass	Pass	Pass
Abersoch	Pass	Pass	Fail
Morfa Dinlle	No Survey		Pass
Trearddur Bay	Fail	Fail	Pass
Benllech	Fail	Fail	Pass
Llandudno West Shore	Fail	Fail	Fail
Llandudno North	Pass	Pass	Pass
Colwyn Bay	Pass	Pass	Pass
Kinmel Bay	Fail	Fail	Fail
Rhyl	Fail	Fail	Fail
Prestatyn	Pass	Pass	Pass
Department of the Environment for Northern Ireland			
Magilligan	Pass	Pass	Pass
Castlerock	Pass	Fail	Pass
Portstewart	Pass	Pass	Pass
Portrush (Mill Strand)	[1]Pass	[1]Pass	Pass
Portrush (Curran Strand)	[1]Pass	[1]Pass	Pass
Ballycastle	Fail	Fail	Fail
Brown's Bay	Pass	Pass	Pass
Helen's Bay	Pass	Pass	Pass
Crawfordsburn	Pass	Pass	Pass
Ballyholme	Fail	Fail	Pass
Groomsport	Pass	Fail	Pass
Millisle	Pass	Pass	Pass
Tyrella	Pass	Pass	Pass
Newcastle	Fail	Fail	Fail
Cranfield (Nicholsons Strand)	[1]Pass	[1]Pass	Pass
Cranfield (Cranfield Bay)	[1]Pass	[1]Pass	Pass

[1] Although these bathing waters were newly identified in 1988, the sites were sampled in 1987, Portrush (Mill Strand) and Portrush (Curran Strand) as part of Portrush, and Cranfield (Nicholsons Strand) and Cranfield (Cranfield Bay) as part of Cranfield.

Value Added Tax

Mr. Spearing: To ask the Secretary of State for the Environment if he will tabulate in the *Official Report* the current and proposed levels of value added tax required or suggested by the Council, or the Commission of the European Economic Community, in respect of the supply and disposal of water and services for each connected thereto, together with estimates made by Her Majesty's Government in respect of both net and gross amounts paid, or received, consequential to the imposition of such taxes.

Mr. Lilley: I have been asked to reply.

The Council has neither required nor suggested particular levels of VAT on water and sewerage services. Under the Commission's proposals for approximating rates of VAT in the Community, water would be taxed at a rate of between 4 and 9 per cent. Sewerage services would be taxed at a rate of between 14 and 20 per cent., assuming that they are not regarded as synonymous with "water". The theoretical annual revenue yield from supplies other than to industry would be some £25 million to £75 million in respect of water and some £175 million to £250 million in respect of sewerage services. Changes to EC tax law require unanimity. The Government have, of course, made it clear that they consider tax approximation to be unnecessary for the completion of the single market.

Alaska Works, Southwark

Mr. O'Brien: To ask the Secretary of State for the Environment if he will set out the basis on which the grant to Alaska works in Southwark was made; what special factors made the award a priority; and if he will make a statement.

Mr. Trippier *[holding answer 20 February 1989]:* The Alaska works project has been offered city grant of £4,162,000. It has been appraised by the Department and conforms to the guidelines set out in the city grant guidance notes, copies of which are available in the Library of the House. Detailed information provided in the course of the city grant appraisal is commercially confidential.

Housing (Leasing Schemes)

Mr. Tony Banks: To ask the Secretary of State for the Environment how many of the lease and leaseback schemes concerning housing development submitted by local authorities following his announcement on 9 March 1988 he *(a)* has approved, *(b)* has turned down and *(c)* is yet to consider.

Mr. Gummer *[holding answer 17 February 1989]:* My right hon. Friend had by 7 February 1989 received 499 applications for additional capital allocations under the schemes introduced following his announcement on 9 March 1988. A total of 138 have been approved, 78 were premature or have been withdrawn or were unnecessary, and 171 had been refused. Thirty-nine applications were awaiting further information from the applicant local authority and 73 were under consideration in the Department. Fifty one of the successful and 33 of the unsuccessful applications primarily related to housing.

Homelessness

Mr. Tony Banks: To ask the Secretary of State for the Environment when he expects to publish the results of his Department's review of homelessness legislation; and if he will make a statement.

Mr. Trippier *[holding answer 17 February 1989]:* I have nothing to add to the answer I gave to the hon. Member for Tottenham (Mr. Grant) on 17 January at column *150*.

Mr. Tony Banks: To ask the Secretary of State for the Environment whether he will be issuing a consultation paper as a result of his review into homelessness legislation; and if he will be bringing forward legislation as a result of this review.

Mr. Trippier *[holding answer 17 February 1989]:* The review is not yet complete. When it is, I will decide on consultation.

Flats

Mr. Tony Banks: To ask the Secretary of State for the Environment whether payments for leaseback of flats to public sector bodies under section 100 of the Housing Act 1988 will count as prescribed expenditure under the Local Government (Prescribed Expenditure) (Amendment) Regulation 1988 (SI, 1988, No. 434); and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 17 February 1989]:* I will write to the hon. Member.

Officers

Mr. Gordon Brown: To ask the Secretary of State for the Environment what were the numbers of *(a)* trading standards officers and *(b)* environmental health officers employed in 1978 and 1988.

Mrs. Virginia Bottomley *[holding answer 17 February 1989]:* Trading standards officers and environmental health officers are employed by local authorities. The available information is contained in "Trading Standards Statistics" and "Environmental Health Statistics" published by the Chartered Institute of Public Finance and Accountancy.

London Residuary Body

Mr. Tony Banks: To ask the Secretary of State for the Environment what inherited Greater London council services are still the responsibility of the London residuary body; and what is the timetable for disposal.

Mrs. Virginia Bottomley *[holding answer 17 February 1989]:* Hampstead Heath is due to be transferred to the corporation of the City of London on 31 March 1989. The London residuary body expects to complete most of its remaining GLC-related work by 1 April 1990.

The superannuation fund and staff compensation are still the responsibility of the London residuary body. In addition, the LRB currently retains responsibility for a number of financial rights and liabilities.

Tower Hamlets (Housing)

Mr. Shore: To ask the Secretary of State for the Environment what contribution to the housing revenue account the Tower Hamlets council has made from its rate fund in each year since 1979; and what is his estimate of the average subsidy per week that this represents.

Mr. Ridley *[holding answer 16 February 1989]:* Tower Hamlets informs me that it has made the following rate fund revenue account contributions to its housing revenue account each year since 1979. These contributions are also expressed as average weekly amounts, by dividing them by 52.

	£ million	*Average subsidy per week £'000*
1979-80[1]	9·557	184
1980-81[1]	12·377	238
1981-82[2]	10·279	198
1982-83[2]	6·661	128
1983-84	13·887	267
1984-85	15·143	291
1985-86	13·003	250
1986-87[3]	44·489	856
1987-88	43·044	828
1988-89[4]	32·893	633

[1] including local authority contributions to rent rebates (standard amount), all allowances in excess of the standard amount and the cost of administering the rent rebate scheme.

[2] including rent rebates allowances in excess of the standard amount and the cost of administering the rent rebate scheme.

[3] in July 1985 Tower Hamlets took responsibility for approximately 30,000 GLC Council dwellings.

[4] budgeted amount.

Water Boards

Mr. Cryer: To ask the Secretary of State for the Environment if he will state the amount of money he proposes to grant over each of the next two years to the water boards for anti-pollution measures, listing the works scheduled for implementation under this grant aid.

Mr. Moynihan *[holding answer 16 February 1989]:* Water authorities are self-financing bodies and are generally required to recover the costs of their services through charges, borrowing and internally generated funds. The Government do not provide grant aid, although grants are available under the Rural Water Supply and Sewerage Acts of 1944 and 1971 and the Industrial Development Act 1982 but only for the first-time provision of sewerage. Some authorities have received grant aid from the European regional development fund for pollution control and other aspects of their operations.

Legionella

Mr. Butler: To ask the Secretary of State for the Environment whether, pursuant to his answer of 13 February, the regular bacteriological tests of the air conditioning system and the standby generator serving the underground car park have the potential to identify *(a)* legionella and *(b)* similar organisms.

Mr. Chope *[holding answer 16 February 1989]:* Yes. The regular bacteriological sampling counts all aerobic and anaerobic bacteria present. Tests for specific bacteria such as legionella would be done only if the general bacteriological count gave cause for concern.

Parish Councils

Mr. Paice: To ask the Secretary of State for the Environment what arrangements exist to require the disclosure of financial interests in specific topics by parish councillors.

Mrs. Virginia Bottomley *[holding answer 16 February 1989]:* The provisions of sections 94 to 98 and 105 of the Local Government Act 1972 require members of local authorities, including parish councillors, to declare pecuniary interests in any council business and, unless they receive a dispensation (in the case of parish councils, from the appropriate district council) to abstain from speaking or voting on that matter.

Mr. Paice: To ask the Secretary of State for the Environment if he will review the law providing protection for individuals from illegal or improper action by parish councils; and if he will make a statement.

Mrs. Virginia Bottomley *[holding answer 16 February 1989]:* The existing arrangements appear satisfactory. Parish councils, like other local authorities, must act within the law and are subject to the supervision of their auditor and the courts. Any local government elector for the parish may raise matters with which he or she is dissatisfied at the parish meeting.

Rivers (Derbyshire)

Mr. Harry Barnes: To ask the Secretary of State for the Environment how many kilometres of rivers in Derbyshire are adversely affected by discharges from abandoned mines; and what representations he has received asking him to bring such discharges under the control of a responsible body.

Mr. Moynihan *[holding answer 15 February 1989]:* I understand that up to 60 km of rivers in Derbyshire may be adversely affected by discharges from abandoned mines.

I am aware of the concern which has been expressed about the problems caused by these discharges in some areas. It will be for the National Rivers Authority—as the responsible body for regulating all discharges to water—to tackle these problems where the discharges are preventing the achievement of river quality objectives.

Exchequer Grant

Mr. Blunkett: To ask the Secretary of State for the Environment what has been the aggregate Exchequer grant paid to local authorities in England for each financial year since 1978-79, broken down by standard economic region showing Greater London separately from the rest of the south-east *(a)* in cash terms and, *(b)* at 1988-89 prices.

Mr. Gummer *[holding answer 15 February 1989]:* The information available is as follows:

(a) Aggregate Exchequer Grant—cash terms

£ million

	1981-82	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
South East	3,627	3,789	3,756	3,795	3,784	3,960	4,103	4,242
Greater London	1,942	2,138	2,059	2,035	2,177	2,315	2,447	2,697
South East excluding Greater London	1,685	1,651	1,697	1,760	1,607	1,645	1,656	1,545
South West	899	921	932	975	959	960	1,016	1,085
East Anglia	351	363	369	382	369	381	411	408
West Midlands	1,111	1,155	1,263	1,300	1,281	1,357	1,405	1,409
East Midlands	870	883	920	1,039	953	924	998	1,027
North West	1,809	1,840	1,916	1,963	2,001	1,999	2,159	2,266
Yorkshire and Humberside	1,350	1,395	1,441	1,538	1,469	1,455	1,609	1,674
Northern Region	914	888	923	946	959	915	1,032	1,082
Total	10,931	11,234	11,520	11,938	11,775	11,951	12,733	13,193

(b) Aggregate Exchequer Grant—1988-89 prices

£ million

	1981-82	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
South East	5,201	5,071	4,808	4,623	4,374	4,429	4,359	4,242
Greater London	2,784	2,861	2,636	2,479	2,516	2,589	2,600	2,697
South East excluding Greater London	2,417	2,210	2,172	2,144	1,858	1,840	1,759	1,545
South West	1,289	1,232	1,193	1,188	1,109	1,074	1,080	1,085
East Anglia	503	486	472	466	426	426	437	408
West Midlands	1,593	1,546	1,617	1,584	1,481	1,518	1,493	1,409
East Midlands	1,247	1,181	1,178	1,266	1,102	1,034	1,060	1,027
North West	2,594	2,462	2,453	2,391	2,313	2,236	2,294	2,266
Yorkshire and Humberside	1,936	1,867	1,844	1,874	1,698	1,628	1,710	1,674
Northern Region	1,310	1,188	1,182	1,153	1,108	1,023	1,096	1,082
Total	15,673	15,033	14,747	14,545	13,611	13,368	13,529	13,193

Information is not available on a comparable basis for years prior to 1981-82. Cash values have been converted to constant 1988-89 prices using the GDP deflator.

Mr. Teddy Taylor: To ask the Secretary of State for the Environment what plans he has to offer derogations from the European Economic Community regulations on nitrate pollution to private water companies; and if he will make a statement.

Mr. Moynihan *[holding answer 16 February 1989]:* We have no plans to grant to private water companies derogations from the nitrate standard of the EC drinking water directive.

SCOTLAND

Primary School Teachers

Mr. Dewar: To ask the Secretary of State for Scotland how many teachers there are in primary schools in rural areas in Scotland at the latest date for which figures are available; and how many there were in 1979.

Mr. Rifkind: I refer the hon. Member to the answer given by my predecessor, my right hon. Friend the Member for Ayr (Mr. Younger) to the hon. Member in answer to this question on 25 July 1985 at column *697*. The most recent information on the number of teachers in primary schools by education authority is contained in SED statistical bulletin No. 1/B1/1988. Copies of this and earlier bulletins on the same subject are available in the Library.

Primary Schools (Closure)

Mr. Dewar: To ask the Secretary of State for Scotland how many primary schools in rural areas in Scotland have been closed since 1979.

Mr. Rifkind: Rural areas are not defined for statistical purposes.

Forestry

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will give the proportion of broadleaves of the total planting in Scotland by *(a)* the Forestry Commission and *(b)* private sector companies in the year 1987-88.

Lord James Douglas-Hamilton: Broadleaves made up 8·3 per cent. of the Forestry Commission's planting and 6·7 per cent. of grant-aided planting by the private sector during this period. Separate figures for the forestry companies are not available.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will give the value of the planting grants made to the private forestry sector in Caithness and Sutherland for each year since 1979; and if he will reprice the figures for inflation.

Lord James Douglas-Hamilton: The information is given in the table:

Year to 31 March	*Planting grants paid (£ thousands)*	*Planting grants paid (£ thousands revalued to 1988 equivalents)*
1980	14	24
1981	34	50
1982	124	167
1983	137	173
1984	470	564
1985	338	385
1986	691	746
1987	808	848
1988	604	604

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will give the value of the planting grants made to the private forestry sector in Scotland for each year since 1979; and if he will reprice the figures for inflation.

Lord James Douglas-Hamilton: The information is given in the table:

Year to 31 March	*Planting grants paid (£ thousands)*	*Planting grants paid (£ thousands revalued to 1988 equivalents)*
1980	1,481	2,562
1981	1,393	2,033
1982	2,474	3,341
1983	2,669	3,363
1984	3,607	4,328
1985	3,727	4,249
1986	4,476	4,834
1987	4,592	4,822
1988	5,139	5,139

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will give the sums spent on visitor facilities in each of the three conservancies, north Scotland, mid-Scotland and south Scotland in each year since 1979; and if he will reprice the figures for inflation.

Lord James Douglas-Hamilton: The information, which is available only from 1981-82 onwards, is set out in the table:

Year to 31 March	*Conservancy[1] (£ thousands)*				*Conservancy[1] (£ thousands revalued to 1988 equivalents)*			
	North	East	South	West	North	East	South	West
1982	66	62	37	55	89	83	49	74
1983	49	64	34	58	62	81	43	73
1984	61	74	150	67	73	88	179	80
1985	70	60	53	88	80	68	60	101
	North	Mid	South		North	Mid	South	
1986	88	156	10		95	168	108	
1987	112	126	148		117	132	155	
1988	192	258	295		192	258	295	

[1]The former East Scotland Conservancy was assimilated into the North and Mid Scotland Conservancies in 1985.

The figures cover the full range of visitor facilities. The figures I provided to the hon. Member on 20 November 1987 at column *537-38* covered only those categories of facilities which included forest walks and footpaths.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will list the amount of forest recreation and amenity subsidy made to the Forestry Commission in Scotland and in England and Wales in each year since 1979; and if he will reprice the figures for inflation.

Lord James Douglas-Hamilton: The information is set out in the table:

Year to 31 March	*Scotland*	*England and Wales*	*Scotland*	*England and Wales*
	(£ thousands)		*(£ thousands revalued at 1988 equivalents)*	
1980	1,070	2,463	1,844	4,240
1981	1,036	2,349	1,512	3,428
1982	1,016	2,476	1,377	3,353
1983	1,143	2,649	1,440	3,337
1984	1,278	3,058	1,530	3,660
1985	1,374	3,212	1,572	3,677
1986	1,877	3,936	2,029	4,257
1987	1,905	4,731	2,000	4,968
1988	2,637	5,826	2,637	5,826

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will give the division among the three conservancies, north Scotland, mid-Scotland and south Scotland of the forest recreation and amenity subsidy made to the Forestry Commission in Scotland in each year since 1979; and if he will reprice the figures for inflation.

Lord James Douglas-Hamilton: The information is set out in the table:

Year to 31 March	Conservancy (£ thousands) North	East[1]	South	West	Conservancy (£ thousands revalued to 1988 equivalents) North	East[1]	South	West
1980	263	214	312	281	453	369	538	484
1981	305	259	275	197	445	378	401	288
1982	238	273	274	231	322	370	372	313
1983	272	353	268	250	342	445	338	315
1984	318	337	344	279	381	403	412	334
1985	332	338	300	354	380	444	343	405
	North	Mid	South		North	Mid	South	
1986	542	784	551		586	848	595	
1987	588	656	661		617	689	694	
1988	720	965	952		720	965	952	

[1] The former East Scotland Conservancy was assimilated into the Mid Scotland and North Scotland Conservancies in 1985.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will list the items of expenditure covered by the forest recreation and amenity subsidy made to the Forestry Commission in Scotland in the year to 3 March 1988.

Lord James Douglas-Hamilton: The forest recreation and amenity subsidy is spent on a wide variety of items, including visitor centres, picnic areas, car parks, toilet blocks, forest walks, interpretative facilities, wildlife conservation, streamside improvements, archaeological conservation, amenity work, landscape improvement and the provision of facilities for specialised pursuits and events such as horse-riding and orienteering.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland how many jobs have been lost through afforestation in each year from 1983.

Lord James Douglas-Hamilton: Statistics on comparative job losses and gains as a result of afforestation are not collected.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what proportion of Forestry Commission trees in Scotland have been damaged by atmospheric pollution.

Lord James Douglas-Hamilton: I refer the hon. Member to the answer I gave to the hon. Member for Moray (Mrs. Ewing) on 5 December 1988 at column *46*.

Farm Woodland Scheme

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland how many farmers have applied for grants under the farm woodland scheme; what acreage has been planted under the scheme; and what proportion of this acreage has been planted with *(a)* broadleaves and *(b)* conifers.

Mr. Michael Forsyth: Since the scheme opened at the beginning of October 1988, a total of 130 farmers in Scotland have applied for grants under the farm woodland scheme relating to a total planting area in excess of 1,300 hectares; twenty applications have so far been approved and it is expected that the vast majority of the remaining 110 applications will be dealt with in time for planting to be undertaken in the current planting year. Information on the amount and nature of planting undertaken is not yet available.

Football Matches (Arrests)

Mr. Wareing: To ask the Secretary of State for Scotland what was *(a)* the number of association football matches played at Ibrox Park, Glasgow, during the 1987-88 season, *(b)* the total attendance during the season, *(c)* the total arrests in association with these matches, *(d)* the average attendance per match, *(e)* the average number of arrests per match and *(f)* the arrests as a percentage of the attendance.

Mr. Michael Forsyth: Glasgow Rangers football club and the chief constable, of the Strathclyde police, have provided the information on which the following table is based:

Association Football Matches at Ibrox Park, Glasgow during season 1987-88

	Number
a. Matches played.	43
b. Total attendance.	1,072,001
c. Total associated arrests.	407
d. Average attendance per match.	24,930
e. Average number of arrests per match.	9
f. Arrests as percentage of attendance.	0·038

Heritage

Mr. Bill Walker: To ask the Secretary of State for Scotland if he will make a statement on the main conclusions of the policy review of the Royal Commission on the ancient and historical monuments of Scotland.

Lord James Douglas-Hamilton: As part of the Government's programme of periodic reviews of non-departmental public bodies, a policy review has been undertaken of the activities and functions of the Royal Commission on the ancient and historical monuments of Scotland (RCAHMS) and the equivalent bodies for England and Wales. This review is being conducted jointly with my right hon. Friends the Secretaries of State for the Environment and for Wales. We shall be announcing the detailed conclusions of the review in due course.

There are however certain major issues of principle arising from the review which my right hon. and learned Friend has decided can be settled now, in advance of the

completion of the review. These are the question of whether the RCAHMS should be retained, the organisational and management arrangements of the royal commission, and the scope for transfer of heritage functions to the royal commission.

The review has established that the task of creating and maintaining a national heritage archive remains a necessary and important feature of heritage policy. We have concluded that the RCAHMS should remain as a separate body charged with performing this function and designated as the national body for survey and recording of historic building and ancient monuments.

We have also decided that the royal commission's activities should be more closely aligned with wider considerations of heritage policy. To facilitate this, the historic buildings and monuments directorate of the Scottish Development Department will become sponsoring Department for the RCAHMS. This will be accompanied by changes in the management operations of the commission to bring it into line with current practice. These will include the institution of a corporate planning system, the development of performance measures and indicators, and the provision of a financial memorandum.

The study by outside consultants which formed the first stage in the policy review suggested that there might be scope for transferring certain heritage functions from the directorate of the RCAHMS. These functions included some features of responsibility for the listing of historic buildings, the scheduling of ancient monuments, and rescue archaeology. My right hon. and learned Friend has, however, concluded that the existing arrangements for the listing of historic buildings and the scheduling of ancient monuments remain appropriate. Listing and scheduling are linked to considerations of conservation rather than of survey and record. As regards funding of rescue archaeology, the arguments of principle for and against a transfer are finely balanced, but we have concluded that transferring this responsibility to the RCAHMS is not practicable at this stage.

With these issues of principle now resolved, we consider that the review has mapped out a clear role for the royal commission in the future conservation of our heritage and has identified the organisational and management arrangements necessary to assist the commission in discharging this role to the full. I have written to the chairman of the RCAHMS to inform him of our conclusions.

Nuvan 500 EC

Dr. Godman: To ask the Secretary of State for Scotland if he will state the proportions of toxicity data for Nuvan 500 EC which have been extrapolated from laboratory tests and from field studies, such as bioassays and ecological surveys; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 26 January 1989]:* Data has been provided by the manufacturer of Nuvan 500 EC to the veterinary products committee in support of the company's application for the product to be licensed for use as a medicine. Information in support of an application for a medicinal product licence is a matter of commercial confidentiality. The publication of such information and the tests on which it is based would be a matter for the company concerned.

The Department of Agriculture and Fisheries for Scotland has carried out its own investigations into the environmental effect of dichlorvos, the active ingredient of Nuvan and its possible toxicity to a number of marine organisms. All of the toxicity data so far obtained by DAFS scientists in these investigations is derived from laboratory studies.

As I indicated in my reply of 12 January to the hon. Member for Argyll and Bute (Mrs. Michie) at column *726*, results of the studies so far of the toxicity of dichlorvos to the larval forms of the lobster (Homarus gammarus) and the herring (Clupea Hargenus) will be published later this year. Other studies (including possible field studies) are planned on the effects on marine life of prolonged or repeated exposure to low levels of dichlorvos.

Inverclyde Royal Hospital

Dr. Godman: To ask the Secretary of State for Scotland if he will list for each of the past five years the number of deaths which have occurred at the Inverclyde royal hospital; what was the cause in each case; how many of these deaths were the subject of a fatal accident inquiry; what was the result in each case; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 15 February 1989]:* The table shows the number of deaths recorded for eah year over the period. Mandatory or discretionary inquiries under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 are known to have been held in respect of five deaths. Two of these related to accidents which occurred outwith the hospital and did not involve consideration of any treatment received. In each case a determination was issued by the sheriff. These are available on request from the sheriff clerk's office, Greenock.

Inverclyde Royal hospital
Number of deaths, by primary diagnosis[1], in years 1984-88

Diagnosis	*1984*	*1985*	*1986*	*1987*	*1988*
Not known	—	2	—	1	13
Infections and Parasitic Disease	4	1	2	5	4
Neoplasms	179	160	152	165	169
Endocrine Metabolic Immunity etc.	6	5	4	2	6
Blood: Blood Forming Organ Disease	1	3	2	2	3
Mental Disorders	—	1	—	2	—
Nervous System Sense Organs	5	6	4	4	1
Circulation Systems	223	260	245	252	227
Respiratory System	74	51	67	46	59
Digestive System	48	47	40	36	45
Genito-urinary Systems	16	13	21	9	10
Complications of Pregnancy, Childbirth Puerperium	—	—	—	—	3
Skin, Subcutaneous Tissue	2	2	2	2	3

Diagnosis	*1984*	*1985*	*1986*	*1987*	*1988*
Musculoskeletal System Connective Tissue	5	1	2	3	—
Congenital Anomalies	1	1	1	—	—
Conditions Originating in Perinatal Period	—	—	—	—	—
Symptoms, Signs Ill Defined	24	35	26	31	18
Injury Poisoning	29	32	32	36	20
Total	617	620	600	596	581

[1] Primary diagnosis is used rather than certified cause of death, although in most cases this will be the same.

Shipyards

Mr. David Porter: To ask the Secretary of State for Scotland how much money his office is putting into the St. Helena ferry project for the Overseas Development Administration following the collapse of Hall Russell, Aberdeen; and if he will make a statement on his policy for subsidising Scottish shipyards.

Mr. Lang *[holding answer 20 February 1989]:* Hall Russell won the order for the St. Helena ship in open competition after full evaluation of the competing bids. When confirming the placing of the contract the Government were aware that Hall Russell could face financial difficulties if additional orders were not secured. In order for the contract to proceed in Aberdeen the Scottish Office agreed to make a contribution to the overseas aid programme in the event of additional costs above an agreed level being incurred. Additional costs will now inevitably arise because of receivership at Hall Russell, but the amount of any Scottish Office contribution has still to be determined.

Polkemmet Bing

Mr. Dalyell: To ask the Secretary of State for Scotland what action he is taking through Scottish Department officials to alleviate the position at Polkemmet Bing.

Lord James Douglas-Hamilton *[holding answer 20 February 1989]:* Power of control over emissions of smoke and fumes from colliery spoil banks rests with local authorities under the terms of the Clear Air Act 1956, but my officials have been in contact with West Lothian district council to offer advice and assistance with monitoring of air pollution levels and interpretation of results. They have visited Polkemmet together with officials of the district council and have participated in discussions with British Coal as to how best to tackle the Bing.

Chapelcross Power Station

Mr. Flynn: To ask the Secretary of State for Scotland pursuant to his reply to the hon. Member for Leyton (Mr. Cohen) *Official Report*, 26 January, column *716*, whether the spent nuclear fuel cooling ponds at Chapelcross are built to the same structural standards as the nuclear power plant; and whether the site licences take into account air crash potential on spent nuclear fuel cooling ponds.

Mr. Lang *[holding answer 9 February 1989]:* The spent nuclear fuel cooling ponds at Chapelcross are an integral part of the nuclear power station and are built to the same structural standards. The ponds themselves have a robust construction, are partially below ground and therefore have a degree of internal strength.

The nuclear site licences cover the whole plant including the spent fuel cooling ponds as well as the reactors themselves. All aspects of safety including potential air crashes are considered by the nuclear installations inspectorate in the granting of licences to operators of nuclear plant.

The safety considerations applying to the cooling ponds are therefore the same as those outlined in my reply to the hon. Member for Leyton (Mr. Cohen).

SOCIAL SECURITY

Race Relations and Equal Opportunity

Mr. Cohen: To ask the Secretary of State for Social Security if he will describe his Department's principal achievements in respect of race relations and equal opportunity since May 1979.

Mr. Moore: In the employment field my Department has implemented many of the recommendations of the joint review of policies and procedures on race relations in the Civil Service (1983) and the programme of action for women (1984), through its network of equal opportunities officers established in 1985. The more significant initiatives on race equality which have been carried out include:

(a) participation in the phased programme of departmental ethnic surveys of staff which was completed last year with the then DHSS response rate averaging 75 per cent.,

(b) the introduction of ethnic monitoring of recruitment in 1987 when early surveys indicated a shortfall in ethnic minority recruits compared with the ethnic minority working population; positive action in recruitment such as the use of ethnic media to attract ethnic minority recruits,

(c) participation (as one of four departments) in an OMCS initiative in London and the south-east to provide access training for potential executive officer recruits from ethnic minority groups,

(d) a study in 1987 of ethnic monitoring of promotion which is being followed up this year with further monitoring of promotion and job allocation, and

(e) the commitment to sponsor a Windsor fellow in 1990.

With regard to sex equality, my Department has seen an increasing number of women progressing to middle and senior management grades—about 16 per cent. of SEOs and above are women. Encouragement is also given to part-time working and job sharing with 6 per cent. of staff now working part time—over 5,500 officers. Improved special leave provisions have specifically targeted help for single parents and those caring for elderly or infirm relatives and a keeping in touch scheme was introduced in 1988 which allows preferential reinstatement for people who have to take a break from work for domestic reasons. In the area of child care, care parent and holiday play schemes assist staff working at the Department's Newcastle office and further holiday play schemes are planned for 1989. My Department also runs a successful management development course for women in grades HEO to grade 7.

As far as benefit policy and service provision and concerned ethnic origin is not relevant to entitlement to

benefit. There has been a continuing programme to ensure that social security legislation conforms with the requirements of the relevant Community directives on equal treatment for men and women in statutory and occupational schemes. Thus, clause 19 and schedule 3 of the Social Security Bill currently before this House will, if Parliament passes it, implement Council directive 86/378/EEC.

As far as means-tested benefits are concerned, income support and its predecessor, supplementary benefit, have been available to men and women on exactly the same conditions since November 1983. Prior to this date only the male partner of a couple could claim benefit.

My Department has recognised the particular problems faced by members of ethnic minorities in claiming benefits and has developed a range of measures to assist them. The more important initiatives include:

(a) publication in six Asian languages and Turkish, of the leaflet "Which benefit?", which covers the whole range of social security benefits,

(b) a free telephone advice and information service in Urdu and Punjabi,

(c) training courses for local office staff which are designed to equip them to serve successfully a multi-racial community,

(d) an interpreter/liaison service in Bradford, and

(e) signs and posters to help ethnic minority callers in local offices and public areas.

Model guidance on equal opportunities implications of policy proposals, recommended by the ministerial group on women's issues, covers race and sex discrimination and has been extended in my Department to include disability issues. This guidance will shortly be circulated to divisional heads and this will direct attention to equal opportunities issues in all areas of the Department's business.

National Insurance

Mr. Alton: To ask the Secretary of State for Social Security what was the yield from employers' national insurance contributions in the last year.

Mr. Peter Lloyd: The information is as follows:

Estimated yield from employers' national insurance contributions

	£ billion
1987-88	14·38
1988-89	15·28

Figures include National Health Service allocation contributions and exclude deductions in respect of statutory sick pay and the statutory maternity pay. Estimates for 1988-89 were published in the Autumn Statement.

Mrs. Rhoda Thompson

Mr. Devlin: To ask the Secretary of State for Social Security why Mrs. Rhoda Thompson of 25 Lerwick crescent, Middlesbrough has still not been sent her transitional payments in respect of November; and why payments are not being sent to the temporary address notified to the transitional payments unit on a number of occasions.

Mr. Peter Lloyd: Payments are now being made correctly and I have written to my hon. Friend today.

Benefits (South Yorkshire)

Mr. Redmond: To ask the Secretary of State for Social Security how many people are claiming income support in the Doncaster and Mexborough areas of South Yorkshire; what are the corresponding figures for each year since 1979; what was the actual percentage increase or decrease between the figures for 1979 and the latest figures; and what are the comparable national figures.

Mr. Peter Lloyd: The table shows the number of people receiving income support and its predecessor, supplementary benefit.

Figures have been supplied for the Department's local office at Doncaster East, Doncaster West and Wath-on-Dearne which serve the Don Valley constituency, although their boundaries are not conterminous.

	Doncaster East	*Doncaster West*	*Wath-on-Dearne*
Supplementary Benefit			
27 November 1979	5,818	7,082	4,170
2 December 1980	6,605	8,371	4,931
9 December 1981	8,284	10,730	6,088
7 December 1982	9,546	12,386	6,638
6 December 1983	10,269	12,633	7,172
12 December 1984	11,081	14,193	7,891
11 December 1985	11,498	14,188	8,073
10 December 1986	11,806	15,131	8,231
18 November 1987	11,712	14,559	7,879
Income Support			
30 November 1988	10,164	12,951	7,118
Percentage increase between 27 November 1979 and 30 November 1988 (rounded)	75	83	71

Nationally:

	Numbers
Supplementary Benefit on 27 November 1979	2,971,981
Income Support on 30 November 1988	4,325,232
Percentage increase between 27 November 1979 and 30 November 1988 (rounded)	46

Source: 100 per cent. count of cases in action. The figures given include a small number of cases not actually in receipt of benefit. The data for 1988 are provisional and subject to amendment.

Mr. Redmond: To ask the Secretary of State for Social Security (1) how many new claims for income support were made in each month since 11 April 1988 at the Doncaster and Mexborough officers of his Department; and how many claims were determined each month;

(2) what was the average number of new claims and cases since 11 April 1988 awaiting review at the Doncaster and Mexborough offices of his Department which were recorded as outstanding each month; and how many related to *(a)* supplementary benefit claims and *(b)* single payment claims;

(3) how many unlinked items of correspondence were recorded each month since 11 April 1988 at the Doncaster and Mexborough offices of his Department;

(4) what load of current cases the Doncaster and Mexborough offices of his Department have carried in the past six months.

Mr. Peter Lloyd: The information available is set out in the tables.

The figures on unlinked post are supplied from local office records. The source of the live load count is the 100 per cent. count of cases in action and is available only on a quarterly basis. The figures given include a small number of cases not acually in receipt of benefit.

	Ending last day of month 1988									1989
	April	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*
Doncaster East										
Income support										
Claims										
Intake	581	688	852	1,111	830	985	906	873	646	860
Processed	467	703	894	1,104	841	966	921	891	587	848
Outstanding	114	99	107	114	103	122	107	89	148	160
Assessment review outstanding	82	47	63	52	88	114	47	43	216	213
Unlinked post	52	25	5	0	17	73	14	11	2	19
Live load	—	—	—	—	10,379	—	—	10,164	—	—
Supplementary benefit work outstanding										
Claims	8	2	0	0	0	0	0	0	0	0
Single payments	123	9	8	8	5	3	2	2	0	0
Additional requirements	0	0	0	0	0	0	0	0	0	0
Doncaster West										
Income support										
Claims										
Intake	794	911	994	1,313	996	1,268	999	1,039	758	1,151
Processed	541	882	991	1,330	1,075	1,134	1,146	1,021	785	1,092
Outstanding	253	282	285	268	189	323	176	194	167	226
Assessment review outstanding	159	63	153	164	99	115	107	70	137	174
Unlinked post	58	33	28	20	9	393	12	12	100	33
Live load	—	—	—	—	12,950	—	—	12,951	—	—
Supplementary benefit work outstanding										
Claims	94	7	3	0	0	0	0	0	0	0
Single payments	1,692	842	117	39	7	4	0	0	0	0
Additional requirements	0	0	0	0	0	0	0	0	0	0
Wath-on-Dearne										
Income support										
Claims										
Intake	437	571	589	668	569	740	623	627	453	661
Processed	316	564	603	657	584	692	660	605	456	655
Outstanding	121	128	114	125	110	158	121	143	140	146
Assessment review outstanding	212	45	43	46	38	76	58	102	120	163
Unlinked post	31	39	32	6	22	38	10	16	26	36
Live load	—	—	—	—	7,222	—	—	7,118	—	—
Supplementary benefit work outstanding										
Claims	47	6	0	0	0	0	0	0	0	0
Single payments	731	363	38	9	6	7	4	5	0	0
Additional requirements	0	0	0	0	0	0	0	0	0	0

Medical Boards

Mr. Frank Field: To ask the Secretary of State for Social Security what guidance is available to members of medical boards concerning the grounds for review of mobility allowance awards.

Mr. Scott: Members of every medical board dealing with an application for a review are supplied with guidance notes. A copy has been placed in the Library.

Board and Lodging Allowance (Lambeth)

Mr. Fraser: To ask the Secretary of State for Social Security if he will publish a list of the organisations and hostels for which board and lodging allowance is paid in the London borough of Lambeth.

Mr. Peter Lloyd: There are no plans to publish a list of organisations or hostels in Lambeth which accommodate income support recipients.

Income Support

Mr. Frank Field: To ask the Secretary of State for Social Security what changes are planned for April in the procedures for claiming income support.

Mr. Peter Lloyd: No changes are planned for April in the procedures for claiming income support.

We have been monitoring the operation of the income support claim procedures, and in particular the claim forms, and are satisfied that they are generally working well. Revised claim forms will be introduced in April to reflect the introduction of the community charge in Scotland—there will be separate versions for Scotland and for England and Wales. The revised forms will also incorporate some minor amendments with a view to improving still further our service to the public.

We shall, of course, continue to monitor the effectiveness of the claim forms and procedures and improve them where necessary.

Mr. Jack: To ask the Secretary of State for Social Security if he will publish in the *Official Report (a)* the current number of people in private rest homes receiving

income support, *(b)* the total cost of income support for people living in private rest homes, *(c)* the current number of people in private nursing homes receiving income support and *(d)* the total cost of income support for people living in private rest homes.

Mr. Peter Lloyd: I regret that the information is not available in the form requested. However, relevant information in respect of independent—that is private and voluntary—homes was provided in my reply to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) on 21 December 1988 at columns *304-6*.

Attendance Allowance

Mr. Jack: To ask the Secretary of State for Social Security if he will publish in the *Official Report* the total number of people currently receiving attendance allowance; if he will give a breakdown of the numbers receiving the higher and lower amounts; what are the total costs involved; and if he will give the total number of those receiving the allowance living in private *(a)* rest homes, and *(b)* nursing homes.

Mr. Scott: The available information is in the table. Details of the allowances in payment to residents of rest homes and nursing homes are not kept.

Estimated number of attendance allowance recipients and cost 1988-89

Estimated average number of recipients at any one time Thousands			*Estimated total cost per year*[1] *£1 million*
All rates[1]	*Higher rate*	*Lower rate*	
760	310	450	1,042

[1] *Source:* Public Expenditure White Paper, January 1989.

Pensioners

Mr. Roy Hughes: To ask the Secretary of State for Social Security if he will consider creating a standing committee of representatives of the pensioners' movement together with the Minister and senior civil servants dealing with the areas mainly affecting the retired in social security matters.

Mr. Peter Lloyd: I refer the hon. Member to the reply given by my right hon. Friend the Prime Minister on 17 February at column *404*.

Mr. McCrindle: To ask the Secretary of State for Social Security how many pensioners have received reduced housing benefit; what this figure is as a percentage of all pensioners since April 1988; and if he will make a statement.

Mr. Peter Lloyd: I regret that the information is not available.

Mr. McCrindle: To ask the Secretary of State for Social Security what is the estimated cost of increasing income support for *(a)* all pensioners and *(b)* all beneficiaries by 10 per cent.

Mr. Peter Lloyd: The estimated costs for income support—excluding boarders and residential or nursing home residents—are:—

(a) £550 million
(b) £1,300 million

Because of the alignment of income-related benefits, the total costs of such changes would be £850 million and £1,850 million respectively.

Retirement Age

Mr. McCrindle: To ask the Secretary of State for Social Security what is the estimated cost for equalising retirement ages for men and women at the ages of 60, 62, 63 and 65 years assuming that everyone elects to retire at the specified age; and if he will make a statement.

Mr. Peter Lloyd: The most recent estimates, which are based on 1985-86 benefit rates, are that the approximate net annual cost to public funds of equalising state pension age at 60 years would be £3,000 million and at 62 years £800 million; equalisation at 65 years would save about £500 million. Estimates are not available for equalisation at 63 years.

Mr. McCrindle: To ask the Secretary of State for Social Security what is the cost of abolishing the earnings rule for retired pensioners; and if he will make a statement.

Mr. Peter Lloyd: We estimate that abolition of the retirement pension earnings rule in 1990-91 would involve a public expenditure cost of about £250 million.

Residential Homes for the Elderly

Mr. McCrindle: To ask the Secretary of State for Social Security if he will estimate the number and average cost of private residential accommodation for the elderly in 1986 and 1988; how this increase compares with the retail price index; and if he will make a statement.

Mr. Peter Lloyd: I regret that information is not available in the precise form requested. However relevant information in respect of income support payments to people in independent—that is private and voluntary—homes is provided in the table. Over the corresponding period, the increase in the retail price index was 9·9 per cent.

Supplementary benefit (income support from April 1988) to people in independent residential care and nursing homes[1]

	Number of claimants (000's)	*Average payment (£ per week current prices)*	*Average payment (£ per week constant prices*[2]*)*	*Expenditure (£ million current prices)*	*Expenditure (£ million constant prices)*
February 1986	90	98·1	107·8	459	505
May 1988	147	115·0	115·0	878	878

[1] All figures are estimates.
[2] Adjusted to May 1988 prices on basis of retail prices index.

Mr. N. Scott

Mr. Kaufman: To ask the Secretary of State for Social Security when he expects to give a substantive reply following his holding answer of 30 January, to the right hon. Member for Manchester, Gorton with respect to the case of Mr. N. Scott; and if he will set up an internal inquiry into the reasons for both the delay which was the subject of the original question and the delay in replying substantively to that question.

Mr. Peter Lloyd: I replied to the right hon. Member yesterday. We have no plans to hold an internal inquiry into either of the delays to which he refers.

ENERGY

Energy Efficiency

Mr. Jack: To ask the Secretary of State for Energy (1) when he next plans to meet the chairman and officers of the Association for the Conservation of Energy, in order to discuss the application of British energy efficiency systems and equipment to deal with global warming and the greenhouse effect;

(2) what information is available to British embassies or trade legations to enable them to deal with inquiries for British energy efficiency systems and equipment designed to combat global warming and the greenhouse effect;

(3) what steps he proposes to take in order to promote the availability of British energy efficiency systems and equipment as solutions to global warming and the greenhouse effect.

Mr. Peter Morrison: British embassies and trade missions have available to them the literature and contacts provided by the trade associations of the energy efficiency industry, and the services of the Department of Energy and the Department of Trade and Industry. Ministers and officials of both Departments frequently promote the British energy efficiency industry overseas. The identification and follow-up of export opportunities is one of the objectives of the energy efficiency office.

My right hon. Friend will be meeting the chairman of the Association for the Conservation of Energy shortly and will be very happy to discuss these matters with him.

HEALTH

Patient Statistics

8. **Mr. David Martin:** To ask the Secretary of State for Health what was the total number of patients treated by the National Health Service in 1979 and in the latest available year.

Mr. Mellor: Between 1979 and 1987-88 more than 1 million more in-patient cases were treated in National Health Service hospitals in England, a rise of 22 per cent. from 5·40 million to 6·62 million cases. In the same period provisional figures suggest that day cases have risen by 71 per cent. from 592,000 to more than 1 million, and new out-patient attendances by 10 per cent.

Infant Mortality (Listeria)

13. **Mr. Hinchliffe:** To ask the Secretary of State for Health what proportion of perinatal deaths, stillbirths and miscarriages which have occurred over the past year have been examined for the presence of listeria monocytogenes.

Mr. Kenneth Clarke: Post-mortem examinations for still births or perinatal deaths to establish the presence of listeria monocytogenes would be carried out only at the request of clinical staff or a coroner, and we do not hold information on those requests centrally.

Mr. Robin Cook: To ask the Secretary of State for Health how many miscarriages and stillbirths have been related to the consumption of soft cheeses in the United Kingdom.

Mr. Kenneth Clarke *[holding answer 16 February 1989]:* To date, there have been no confirmed reports to the public health laboratory service of miscarriages and stillbirths associated with the consumption of soft cheese. There were nine reported stillbirths associated with listeriosis in 1988.

Cottage Hospitals

14. **Mr. Gill:** To ask the Secretary of State for Health whether cottage hospitals, either separately or collectively, will be permitted to opt for National Health Service hospital trust status under his proposals outlined in the recent White Paper, "Working for Patients".

Mr. Kenneth Clarke: It is the Government's intention that any hospital or group of hospitals which meets the criteria set out in the White Paper will be eligible to apply for National Health Service hospital trust status. Each application will, of course, need to be carefully considered on its merits.

Food Irradiation

16. **Mr. Robert Hughes:** To ask the Secretary of State for Health if he will make a statement on his policy towards the irradiation of food.

Mr. Freeman: As the hon. Member will be aware, the Government announced early last year that they accepted expert advice that, under prescribed conditions, irradiated food is safe and wholesome. However, we also stated that the general prohibition of the process would remain until we had received advice on the scope and format of regulatory controls necessary to ensure good industrial and marketing practices. In that connection, my right hon. Friend the Minister of Agriculture, Fisheries and Food and I expect a report from officials shortly. I should add that any proposals to amend or adjust the current prohibition will be subject to full public consultation as is required under the Food Acts.

Health Service Personnel (Training)

18. **Ms. Armstrong:** To ask the Secretary of State for Health how many Health Service personnel are trained by the private sector.

Mr. Mellor: Precise figures are unavailable. It is known that while little basic professional training takes place in the private sector, there is a range of in-house

post-registration training from which the NHS benefits if staff move back into the service. Representatives from the Department and the private sector have recently agreed to a joint working group with the aim of increasing the total stock of skilled staff available to both sectors.

Nurses (Pay)

19. **Mr. David Shaw:** To ask the Secretary of State for Health what was the level of nurses' pay in 1979 and in the latest available year, in real terms.

Mr. Mellor: The average pay of all nurses has gone up by 45 per cent. in real terms since 1979 and now stands at its highest ever real terms level. A typical experienced staff nurse on the maximum of the scale now has basic pay of £10,650, compared with £3,813 in 1979—an increase of £3,645 or 52 per cent. in real terms. Nurses will receive a further increase of 6·8 per cent. from 1 April 1989.

Waiting Lists

21. **Mr. Loyden:** To ask the Secretary of State for Health what steps he is taking to reduce hospital waiting lists.

Mr. Mellor: The reforms in our White Paper "Working for Patients" (Cm. 555) will provide a better service for patients, including shorter waiting times.

We shall create 100 additional consultant posts over the next three years, above planned expansion levels, targeted at the worst waiting problems. We shall give hospitals, for the first time, a real incentive to treat patients quickly and efficiently by paying them for the work they actually do. There will also be better waiting times information for GPs to enable them to refer patients more easily to where waiting times are shortest. In addition, some GP practices will manage their own budgets, so as to get the best possible deal for their patients.

We have also made £86 million available from the waiting list fund over three years to tackle the worst waiting problems.

25. **Mr. Favell:** To ask the Secretary of State for Health what steps patients will be able to take to reduce waiting times for treatment following implementation of his proposals contained in the White Paper "Working for Patients".

Mr. Kenneth Clarke: The White Paper proposes that some family doctors should have the freedom to manage their own budgets for hospital services, so as to get the best possible deal for their patients. Better information will be available to all GPs and patients about hospital services, including waiting times. Hospitals will have a real incentive to treat patients quickly and efficiently because they will be paid for the work they do. The White Paper also proposes that it should be easier for patients to change their doctor if they wish to do so.

As a result, the NHS as a whole will become much more responsive to the individual patient. Patients will be able to discuss real choices with their GPs, and both will be able to act effectively in the best interest of the patient.

Mr. Hayes: To ask the Secretary of State for Health what plans he has to cut waiting lists through the more efficient use of cross-boundary flows.

Mr. Kenneth Clarke: The reforms in our White Paper "Working for Patients" (Cm. 555) will end the present arrangements which provide little incentive for health authorities to treat patients from outside their boundaries. In future, hospitals will be free to offer their services to different health authorities and will receive NHS funds for the patients they treat. For the first time, hospitals will have real incentives to treat patients quickly and efficiently regardless of where they live. and patients will be able to go to hospitals where waiting times are shortest.

Abortion

22. **Sir Bernard Braine:** To ask the Secretary of State for Health what percentage of abortions at 28 weeks were performed during 1987 because the child was likely to be born handicapped.

Mr. Freeman: In 1987 there was only one notification of an abortion which took place with a gestation period at 28 weeks. This was carried out under ground 4 of the 1967 Abortion Act which states

"there is a substantial risk that if the child is born it would suffer such physical or mental abnormalities as to be seriously handicapped."

30. **Mr. Amos:** To ask the Secretary of State for Health how many abortions have been carried out during the last 10 years for which figures are available by each of the six statutory grounds.

Mr. Freeman: The information is shown in the table. Comparable data is not available for earlier years.

Number of notifications of abortions carried out under the Abortion Act 1967 to residents and non-residents of England and Wales by statutory grounds (mentioned) 1981-87. These figures represent the number of times each of the statutory grounds reported (mentioned) rather than the number of operations.

Statutory grounds[1]	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*
All grounds	182,090	180,182	179,310	186,618	187,390	187,433	190,692
1	790	674	549	596	534	488	480
2	158,520	159,418	158,389	165,996	168,113	168,732	170,860
3	20,713	17,796	18,098	17,757	16,687	16,176	17,404
4	2,053	2,282	2,268	2,252	2,040	2,031	1,941
5	5	7	3	9	5	2	3
6	9	5	3	8	11	4	4

[1] The statutory grounds under which an abortion may be performed are that:

1. the continuance of the pregnancy would involve risk to the life of the pregnant woman greater than if the pregnancy were terminated.
2. the continuance of the pregnancy would involve risk of injury to the physical or mental health of the pregnant woman greater than if the pregnancy were terminated.
3. the continuance of the pregnancy would involve risk or injury to the physical or mental health of any existing child(ren) in the family of the pregnant woman greater than if the pregnancy were terminated.

4. there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped, or in emergency, certified by the operating practitioner as immediately necessary—
5. to save the life of the pregnant woman, or
6. to prevent grave permanent injury to the physical or mental health of the pregnant woman.

39. **Mr. Ken Hargreaves:** To ask the Secretary of State for Health how many women in England and Wales in 1988 underwent their fourth abortion operation.

Mr. Freeman: The number of notifications of women having their fourth abortion (legal terminations or spontaneous miscarriages) in England and Wales for the period January-June 1988 is 906. Of these, 322 notifications were for women who had previously had three legal terminations with no spontaneous miscarriage.

77. **Mr. Hind:** To ask the Secretary of State for Health how many abortions were performed at 18 weeks or more gestation in England and Wales in 1988 to save the life of the mother.

Mr. Freeman: There was one notification of abortion in England and Wales in the period January-June 1988 at 18 weeks or more gestation which had been performed under ground 5 of the 1967 Abortion Act which states
"to save the life of the pregnant woman".

78. **Mr. McAvoy:** To ask the Secretary of State for Health what percentage of abortions at 21 weeks, 23 weeks and 24 weeks gestation were performed during 1987 because the child was likely to be born handicapped.

Mr. Freeman: The information is shown in the table.

Notifications of abortions which took place with a gestation period of 21, 23 and 24 weeks, showing the number with a mention of ground 4 of the 1967 Abortion Act, which states
"there is a substantial risk that if the child was born it would suffer such physical or mental abnormalities as to be seriously handicapped"
for England and Wales—1987.

Weeks	*A All grounds total*	*B Ground 4 total*	*Per cent. B of A*
21	890	58	6·5
23	903	27	3·0
24	107	19	17·8
Toal	1,900	104	5·5

75. **Mr. Andrew Bowden:** To ask the Secretary of State for Health if he will list the number of abortions according to the grounds of termination in 1987 for 18 weeks and each week thereafter to 28 weeks.

Mr. Freeman: The information is given in the table:

Abortions 1987—England and Wales

Weeks	*18*	*19*	*20*	*21*	*22*	*23*	*24*	*25*	*26*	*27*	*28*
All grounds	2,800	1,725	1,363	890	905	903	107	11	9	3	1
1 (with other)	6	5	2	3	5	5	—	1	—	—	—
2 (Alone)	2,442	1,503	1,181	797	824	855	85	2	2	—	—
3 (with or without 2)	157	96	54	32	21	16	3	—	1	—	—
4 (Alone)	176	108	117	49	50	20	19	8	6	2	1
4 (with any other except 1)	19	13	9	9	5	7	—	—	—	1	—
5 or 6	—	—	—	—	—	—	—	—	—	—	—

Consultants

23. **Mrs. Gorman:** To ask the Secretary of State for Health if he will make a statement on the future position of consultants within the National Health Service.

Mr. Mellor: The White Paper "Working for Patients" fully recognises the continuing key role of consultants in the National Health Service and emphasises the need for them to play an increased role in the management of the service. In particular there will be five significant developments. First, the new funding arrangements will steer resources to those consultants best able to provide a good quality service and to treat more patients. Secondly, the Government hope that within the next two years all consultants will be taking part in "medical audit" and thus be taking the lead in improving the quality of service to patients. Thirdly, the rapid expansion planned for the resource management initiative will provide budgetary and information systems to allow consultants to make the best use of the resources available to them. Fourthly, the day-to-day management of consultants' contracts will take place at district (rather than regional) level and the managerial element of consultants' duties will be better recognised in the distinction award system. Finally, we intend to introduce a scheme under which 100 extra consultant posts can be created over the next three years.

Community Care

24. **Mr. Tom Clarke:** To ask the Secretary of State for Health when he intends to meet the Association of Metropolitan Authorities social services committee to discuss Sir Roy Griffiths' report on community care.

Mr. Mellor: We hold regular meetings with the local authority associations, including the Association of Metropolitan Authorities (AMA) to discuss issues of current interest in the social services field. Recent items have included Sir Roy Griffiths' report on community care.

The then Minister of State for Health, my right hon. Friend the Member for Braintree (Mr. Newton), met the AMA separately last June to hear their views on Sir Roy's report and we shall take account of its representations along with the others that we have received.

63. **Mr. Fearn:** To ask the Secretary of State for Health what proposals other than those in the Griffiths report he has considered for the delivery of community care.

Mr. Freeman: We are looking closely at all possible models for the delivery of community care, along with the many reactions we have received in response to Sir Roy Griffiths' report, as part of the work we have in hand to frame our own proposals.

51. **Mr. Waller:** To ask the Secretary of State for Health what recent represenations he has had on the recommendations of the Griffiths report on community care.

Mr. Freeman: We have received over 250 representations from hon. Members, organisations and members of the public about Sir Roy's recommendations. Recent responses have been received from a number of national groups and local authorities. We are studying all the responses carefully as we frame our own proposals.

Patient Care

26. **Mr. Tim Smith:** To ask the Secretary of State for Health what was the number of staff providing direct patient care in the National Health Service in 1979 and in the latest available year.

Mr. Freeman: The number of whole-time equivalent staff in post in England, providing direct (patient) care at 30 September 1979 was 457,600 and at 30 September 1987, 526,000.

The 1979 figure has not been adjusted to take account of the transfer of operating department assistants (ODAs) (some 2,600 at 31 March 1984) from ancillary to professional and technical staff group on 1 April 1984 and reduction in nurse working hours (from 40 to 37½ per week) during 1980-81.

Day Cases (Treatment)

27. **Mr. Brazier:** To ask the Secretary of State for Health what was the number of day cases treated by the National Health Service in 1979 and in the latest available year.

Mr. Freeman: During 1979, 592,000 day cases were treated in NHS hospitals in England whilst in 1987-88 the number had risen to 1,016,000 (provisional), an increase of 72 per cent.

In-Patients

28. **Mr. Knapman:** To ask the Secretary of State for Health what was the number of in-patients treated by the National Health Service in 1979 and in the latest available year.

Mr. Freeman: There were 6·62 million in-patient cases treated in National Health Service hospitals in England during the 1987-88 financial year. Earlier figures were for calendar years and in 1979 5·4 million in-patient cases were treated. The figures for 1987-88 represents a rise of over 1 million, or more than 22 per cent. compared with 1979.

Hospices

29. **Mr. Ian Taylor:** To ask the Secretary of State for Health how many terminally ill patients are now being cared for in hospices in England and Wales; and how many there were five years ago.

Mr. Freeman: This information is not collected centrally.

Cot Deaths

31. **Miss Lestor:** To ask the Secretary of State for Health if he will hold an investigation into cot deaths; and if he will make a statement.

Mr. Freeman: The Social Services Select Committee in its recent report recommended further research into the causes of infant death, particularly those attributed to sudden infant death syndrome. The Government will be responding shortly.

Mental Illness Hospitals

33. **Sir Geoffrey Pattie:** To ask the Secretary of State for Health if he will undertake an urgent review of the current and planned pace of rundown of mental illness hospitals.

Mr. Freeman: It is for health authorities to determine the pace of rundown of the old, large and often remote mental illness hospitals, which should be matched by the development of comprehensive locally-based psychiatric services.

As indicated by my hon. and learned Friend the Minister for Health in his reply to my hon. Friend on 16 December 1988 at column *766*, the annual review process provides Ministers with the opportunity to assess the performance of each regional health authority in matching the development of locally-based services against the rundown of older hospitals. In addition, I shall be meeting some of the individual regional and district health authorities most affected during the course of the year to review specific aspects of this transfer to locally-based care.

Breast Cancer Screening

34. **Mr. Patnick:** To ask the Secretary of State for Health what progress has been made on achieving the implementation of the recommendations of the Forrest report on breast cancer screening.

Mr. Freeman: I refer my hon. Friend to my reply to my hon. Friend the Member for Chelmsford (Mr. Burns) on 24 January at columns *533-37*.

Ms. Richardson: To ask the Secretary of State for Health what guidance he gives to health authorities on the provision of breast cancer screening services; in what circumstances authorities may charge users for such services; in what circumstances authorities may refuse to screen those attending such clinics with a referral letter from a general practitioner; and if he will make a statement.

Mr. Freeman: Department of Health guidance to health authorities on the provision of breast cancer screening is contained in two letters, copies of which are in the Library: DA(87)14 of 31 March 1987 with which a draft health circular and the report "Breast Cancer Screening" by the Forrest working group were enclosed; and EL(88)P/48 of 15 April 1988. These require health authorities to provide three-yearly screening under the National Health Service on a routine basis for women aged 50 to 64 and on request for older women.

A woman with symptoms should be referred by her general practitioner to a clinician specialising in breast disease. In the case of a woman outside the eligible age group who does not have symptoms but who is considered to be at high risk, for example because either her mother or her sister has a history of breast cancer, her general practitioner can consult the screening service. It is for the service in consultation with clinicians specialising in breast disease and the local general practitioners to decide how such cases should be handled.

Health authorities can charge users for services which they are not required to provide under the National Health Service.

Self-governing Hospitals

35. **Mr. Andrew MacKay:** To ask the Secretary of State for Health what are the reactions from the public to his proposed plans for self-governing hospitals.

Mr. Kenneth Clarke: Reaction is still at a very general level, but is encouragingly positive. Some of the early respondents had been unnecessarily alarmed by the Labour party's insinuations that self-governing hospitals would be in the private sector, but I believe that the message is now successfully getting through that they will remain fully part of the National Health Service.

37. **Mr. Madel:** To ask the Secretary of State for Health if he will list the steps he envisages will have to be taken before a National Health Service hospital can apply to become self-governing; and if he will make a statement.

Mr. Kenneth Clarke: I would refer my hon. Friend to section 5 of the NHS review working paper (1): "Self-Governing Hospitals", which was published yesterday. That briefly outlines the process for achieving self-governing status.

72. **Mr. Bellingham:** To ask the Secretary of State for Health how many inquiries he has received so far about his plans for self-governing hospitals, contained within the White Paper.

Mr. Kenneth Clarke: It is too early to expect firm proposals from hospitals seeking self-governing status. But we have received a number of inquiries for further information.

Mr. Stern: To ask the Secretary of State for Health if he intends to propose any minimum size for a hospital wishing to leave the control of the district health authority.

54. **Mr. McCrindle:** To ask the Secretary of State for Health if he has any plans to permit hospitals other than major acute hospitals to become self-governing.

Mr. Kenneth Clarke: Any hospital which meets the criteria in chapter 3 of the White Paper "Working for Patients" would be eligible for self-governing status, regardless of size or specialism.

46. **Mr. Parry:** To ask the Secretary of State for Health what assessment he has made of the suitability of hospitals in Liverpool for conversion to trust status.

81. **Mr. John Evans:** To ask the Secretary of State for Health how many hospitals on Merseyside will be eligible for self-management under the Government's new National Health Service proposals.

Mr. Kenneth Clarke: It is too early to make such assessments. Over time, I expect that as many hospitals as are willing and able to do so will become self-governing.

NHS (Reform)

36. **Mr. Ron Brown:** To ask the Secretary of State for Health if he has received recent representations from the British Medical Association about reform of the National Health Service; and if he will make a statement.

Mr. Kenneth Clarke: I refer the hon. Member to my reply to the hon. Member for Liverpool, West Derby (Mr. Wareing) today.

Cervical Smear Tests

38. **Mr. Colvin:** To ask the Secretary of State for Health whether he will review the advice issued by his Department on the regularity of cervical smear tests.

Mr. Freeman: We have recommended to health authorities a maximum interval of five years between tests, which we know can reduce deaths among women screened by a substantial proportion. However, we also know that the majority of women who die from cervical cancer have never had a smear test. We therefore believe that it is more important to achieve as a first priority a high response rate from all women in the eligible age group rather than aim to reduce the interval between screening. If a health authority decides it can offer more frequent screening—and we know that some have adopted a three-yearly programme—we would expect it also to be achieving a high response rate and to be able to cope with the much higher number of tests three-yearly screening creates. Of course, if any woman patient presents with gynaecological symptoms or has any reason to believe something is wrong, she can be referred for further investigation outside the screening programme. The recommended recall interval is kept under review.

Nurses

40. **Mr. Sims:** To ask the Secretary of State for Health what proposals he has to extend the role of nurses in hospitals.

Mr. Kenneth Clarke: We have given advice on delegation to a nurse of tasks not included in basic training in HC(77)22: "The Extending Role of the Clinical Nurse —Legal Implications and Training Requirements". A copy is in the Library.

With the increasing complexity of treatment and the growth of the specialist expertise of the nurse, various initiatives have been taken to extend the role of nurses in hospitals. In the White Paper "Working for Patients" the Government state that local managers, in consultation with their professional colleagues, will be expected to re-examine all areas of work to identify the most cost-effective use of professional skills.

Patients (Treatment)

41. **Mr. Michael:** To ask the Secretary of State for Health what measures his Department intends to take to ensure that patients receive the most suitable treatment and medication for their conditions.

Mr. Freeman: The diagnosis and treatment of patients is and will continue to be a matter for the professional judgment of doctors.

"Working for Patients"

Mr. Thurnham: To ask the Secretary of State for Health what representations he has received following the publication of the White Paper "Working for Patients", and if he will make a statement.

Mr. Canavan: To ask the Secretary of State for Health what representations he has received about the Government's White Paper on the future of the National Health Service.

42. **Mr. Squire:** To ask the Secretary of State for Health what representations he has received on the recent White Paper, "Working for Patients."

47. **Mr. Yeo:** To ask the Secretary of State for Health what representations he has received regarding the White Paper "Working for Patients."

48. **Mr. Kennedy:** To ask the Secretary of State for Health what representations he has received on his White Paper, "Working for Patients"; and if he will make a statement.

83. **Mr. Nicholas Bennett:** To ask the Secretary of State for Health how many representations he has so far received on the National Health Service White Paper "Working for Patients."

65. **Mr. Summerson:** To ask the Secretary of State for Health what reactions he has had to the White Paper "Working for Patients" from the medical profession and the public in general.

Mr. Kenneth Clarke: I refer my hon. Friends and hon. Members to my reply to my hon. Friends the Members for Dorset, South (Mr. Bruce), for Harrow, East (Mr. Dykes) and for Basingstoke (Mr. Hunter) earlier today.

Mr. Amess: To ask the Secretary of State for Health if he will give further details of the relationship between the new chief executive officer and the regions and districts as set out in the White Paper.

Mr. Kenneth Clarke: I have already indicated my intention to delegate to the chief executive the central management of the NHS. He will act within a framework of resources and policies set by Ministers, and will in turn be responsible for applying similar frameworks to regional health authorities and, through them, to districts.

52. **Mr. Patrick Thompson:** To ask the Secretary of State for Health if he has received any representations from Norwich district health authority following the publication of the White Paper, "Working for Patients."

Mr. Kenneth Clarke: No.

Salford Health Authority

43. **Mr. Sumberg:** To ask the Secretary of State for Health when he next intends to meet the chairman of Salford health authority; and what matters will be discussed.

Mr. Freeman: My right hon. and learned Friend has no current plans to meet the chairman of Salford health authority.

Private Medical Insurance

49. **Mr. Skinner:** To ask the Secretary of State for Health what figures he has available for the number of people over the age of 60 years who currently hold private medical insurance.

Mr. Kenneth Clarke: The general household survey 1986 (latest available data) suggests that among the population of Great Britain aged 65 and over 4 per cent. were covered by private medical insurance.

NHS (Review)

50. **Mr. Grocott:** To ask the Secretary of State for Health what has been the cost to date of preparing, publishing and presenting the Health Service review.

Mr. Kenneth Clarke: Regarding the cost of preparation of the NHS review, I refer the hon. Member to my reply to the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 7 February at column *642*.

The costs of publication of the White Paper "Working for Patients" and its attendant working papers will be borne by HMSO. However, copies of the White Paper and working papers have been purchased for distribution by my Department at a cost of £35,675 and an estimated £65,000 respectively.

Regarding the cost of presenting the White Paper, I refer the hon. Member to my reply to the hon. Member for Peckham (Ms. Harman) on 9 February at columns *75-76*.

GPs (Practice Budgets)

53. **Mr. Franks:** To ask the Secretary of State for Health if he will make a statement on general practitioners' reaction to the proposed plans for general practitioner practice budgets.

Mr. Kenneth Clarke: I have been encouraged by the positive response of many general medical practitioners to these proposals. We expect that general medical practitioners will increasingly see the scheme as an opportunity to improve the range and quality of service they can offer to their patients and to increase their own job satisfaction.

59. **Mr. Kirkwood:** To ask the Secretary of State for Health if he will estimate the number of general practitioner practices he expects to apply, and to be ready, to manage their budgets in April 1991.

Mr. Kenneth Clarke: My aim initially is to encourage a substantial number of the larger general medical practitioner practices to apply to manage their own budgets with effect from April 1991. It is too early to estimate what the level of take-up of the scheme will be.

Hospitals (Trust Status)

55. **Mr. Madden:** To ask the Secretary of State for Health what proposals he has for consultation with local communities which are served by National Health Service hospitals which decide to establish trusts under his recent proposals.

Mr. Kenneth Clarke: It will be for regional health authorities to publicise locally all proposals for hospitals to become National Health Service hospital trusts. They

will consider the views of everyone who expresses an interest, including the health authorities concerned, staff at the hospital, general practitioners and community health councils. Regional health authorities will be asked to submit responses from the public, together with any comments they may have on them, to me so that I can take them into account in considering applications.

75. **Mr. Simon Hughes:** To ask the Secretary of State for Health how many National Health Service hospital trusts he expects to be established in April 1991.

Mr. Kenneth Clarke: It is too early to estimate numbers.

71. **Mr. Tony Banks:** To ask the Secretary of State for Health if he will disclose the names of hospitals in London about which his Department has been in discussion with regard to the formation of National Health Service hospital trusts, as envisaged in his White Paper.

Mr. Kenneth Clarke: My Department has discussed the proposals only in general terms. It is too early to discuss which hospitals might become National Health Service trusts until all interested parties have had the opportunity to consider the working paper on self-governing hospitals, published yesterday.

GPs (Drug Budgets)

56. **Mr. Paice:** To ask the Secretary of State for Health if he will make a statement on the White Paper proposals for general practitioner drug budgets.

Mr. Kenneth Clarke: I will be publishing shortly a working paper which discusses arrangements for the introduction of indicative drug budgets.

Drugs and Medicines (Warnings)

57. **Mr. Flynn:** To ask the Secretary of State for Health what initiatives he plans to improve the legibility of danger warnings on drugs and medicines.

Mr. Freeman: All medicines must be treated with respect. The Medicines (Labelling) Regulations already require clarity, legibility and ready discernibility to purchaser or user. We are now considering comments on proposals we made last year to promote safer use of medicines by, amongst other things, label warnings which would be better understood by the public.

Drugs (Expenditure)

58. **Mr. Baldry:** To ask the Secretary of State for Health what has been the total amount spent on drugs in the National Health Service for each year for the last 10 years.

Mr. Freeman: The information requested is set out in the table for England, itemised between the cost of drugs in hospitals and in the family practitioner service.

	Hospitals £ Million	*FPS £ Million*	*Total £ Million*
1978-79	128·063	554·048	682·111
1979-80	155·719	632·880	788·599
1980-81	185·280	766·382	951·662
1981-82	213·923	876·490	1,090·413
1982-83	244·765	1,008·891	1,253·656
1983-84	266·552	1,130·119	1,396·671
1984-85	278·778	1,191·598	1,470·376
1985-86	296·613	1,274·620	1,571·233
1986-87	318·246	1,377·784	1,696·030
1987-88	351·839	1,539·010	1,890·849

AIDS

20. **Sir Michael McNair-Wilson:** To ask the Secretary of State for Health how much his Department is spending on AIDS education advertising.

Mr. Mellor: Our budget for the current year is £10 million; £8·7 million of this funds the work of the health education authority, and £1·3 million has been allocated to the national AIDS helpline, which provides a free, confidential telephone advice service. We are also spending £2 million on a nationwide campaign warning of the dangers of injecting drug misuse.

60. **Mr. McCartney:** To ask the Secretary of State for Health what plans he has to give statutory force to the British Medical Association's recently issued guidelines to doctors on the disclosure of information to insurance companies about people who have undergone an HIV test.

Mr. Freeman: I have no such plans. The Access to Medical Reports Act 1988 already contains safeguards about the disclosure of information by doctors to insurance companies.

44. **Mr. Key:** To ask the Secretary of State for Health what steps he is taking to expand community-based AIDS education programmes.

Mr. Freeman: Health authorities were asked in the planning guidelines circular (HC(88)43) issued last July, to develop community based prevention initiatives aimed at helping people in selected target groups to change behaviour which puts them at risk of HIV infection. We expect a total of £14 million to be spent on this work by health authorities in 1989-90. In addition, the Health Education Authority's AIDS programme includes work to reach particular target groups and to support local programmes, and a number of voluntary organisations which we support have AIDS education programmes aimed at specific sections of the population.

Nurses (Regrading)

61. **Mr. Cox:** To ask the Secretary of State for Health if he will make a statement on the present position regarding nurses' regrading.

Mr. Freeman: All nurses and midwives have been told their new grades and have received their backpay from 1 April 1988. This has resulted in an average pay increase for 1988 of 17·9 per cent. and provides a greatly improved career structure.

Rural Health Services

62. **Mrs. Ray Michie:** To ask the Secretary of State for Health what plans he has for safeguarding rural health services.

Mr. Kenneth Clarke: The plans outlined in "Working for Patients" will not only safeguard, but improve, services in all parts of the country, including rural areas.

Hospital Building

66. **Mr. Wood:** To ask the Secretary of State for Health what was the amount spent on hospital building for the National Health Service in 1979 and at the latest available year in real terms.

Mr. Freeman: The annual accounts of health authorities do not specifically identify expenditure on hospital building as such. Following are figures of total capital expenditure derived from the annual summarised accounts of health authorities in England:

	1978-79 £000 (cash)	*1978-79 £000 (at 1987-88 prices)*	*1987-88[1] £000 (cash)*	*Real-terms increase per cent.*
Hospital services	289,140	593,304	749,635	26·3
Hospital and community health services (HCHS)	367,352	753,792	1,001,444	32·9

[1] Provisional figures (as yet subject to audit).

Notes:

1. Capital expenditure includes the acquisition of land and buildings, the cost of new building construction and major adaptations to existing buildings together with associated professional fees, equipment and engineering work costs. It also includes general expenditure on the purchase of all vehicles and other major items of equipment.
2. HCHS includes hospital, community health, ambulance, blood transfusion and other services.
3. The 1978-79 figures have been expressed at 1987-88 prices by the use of the gross domestic product deflator.

By-pass Operations

67. **Mr. Evennett:** To ask the Secretary of State for Health how many coronary by-pass operations were carried out in the four Thames health regions in the last year for which figures are available; and what was the corresponding figure for 1978.

Mr. Freeman: The figures for the latest available year are in the table. Thames region residents treated by the London postgraduate special health authorities are not included. Figures for 1978 are not available by region.

Regions	*1987-88*
North West Thames	516
North East Thames	999
South East Thames	1,363
South West Thames	480

Chronically Sick and Disabled People

68. **Mr. Hannam:** To ask the Secretary of State for Health if he will take steps to ensure that chronically sick or disabled people in the community who have high health care costs continue to receive the health care they require after the proposed changes to the National Health Service take effect in 1991.

Mr. Kenneth Clarke: No chronically sick or disabled person will be disadvantaged by the White Paper proposals. Each district health authority will be responsible for ensuring the health care needs to everyone living within its boundaries are properly provided for, and will be funded accordingly.

NHS (Plans)

69. **Rev. Martin Smyth:** To ask the Secretary of State for Health if he will make a statement about his future plans for the National Health Service.

Mr. Kenneth Clarke: I refer the hon. Member to my statement to the House on 31 January 1989 at columns 165-70.

Hip Replacements

70. **Mr. David Davis:** To ask the Secretary of State for Health what was the number of hip replacement operations carried out in 1979 and in the latest available year.

Mr. Freeman: The number of total hip replacements and other arthroplasty of hip performed in NHS non-psychiatric hospitals in England in 1979 and 1986 (the latest year for which information is available centrally) are 29,520 and 40,900 respectively.

Non-emergency Treatment

74. **Mr. Spearing:** To ask the Secretary of State for Health what consideration has been given and what evidence was received by his Department, concerning the preference of patients in deciding between speed and location of non-emergency treatments at hospitals consequent on the adoption of his recent proposals.

Mr. Kenneth Clarke: The Government's policy is to provide for a more effective choice for individual patients and their GPs when they decide where non-emergency treatment should be sought. The proposals in the White Paper "Working for Patients" will allow NHS funds to follow patients across administrative boundaries where GPs and their patients choose treatment elsewhere because, for example, a shorter waiting time is on offer.

Paediatric Consultants (South Tees)

76. **Mr. Holt:** To ask the Secretary of State for Health how many paediatric consultants are presently employed by the South Tees health authority.

Mr. Freeman: Contracts of employment for consultant medical and dental staff, except in the case of teaching health authorities, are held by regional health authorities. We do not have details centrally of the place of employment of consultants whose contracts are held by regions. My hon. Friend may wish to seek the information locally, directly from the health authorities concerned.

Scientists (Grading)

79. **Mr. Tredinnick:** To ask the Secretary of State for Health whether he proposes to examine the present

grading structure for physicists, biochemists, clinical psycholgists and other scientists; and if he will make a statement.

Mr. Freeman: The management side of the scientific and professional staffs council has set up a working party to investigate the scale of reported problems of recruitment and retention of physicists, biochemists, clinical psychologists and other scientists. I understand that the management side has said that if these investigations reveal a problem for NHS management it would wish to consider if an appropriate way of solving it would be by examination of the present grading structure.

Stillborn Children

80. **Mr. Soley:** To ask the Secretary of State for Health whether he has any proposals to change the regulations for registration of the deaths of stillborn children.

Mr. Freeman: My right hon. and learned Friend has made proposals to change the statutory provisions for the registration of stillbirths in ways which would align them more closely with death registration procedures, and these are contained in the Green Paper entitled "Registration: a modern service" Cm. 531 which was published on 1 December 1988. Comments on those proposals, and on others affecting the registration service more widely, have been invited by 31 March.

Food

84. **Mr. Ashton:** To ask the Secretary of State for Health if he will list those individuals and bodies he has met in the last fortnight to discuss health and safety of food issues.

Mr. Kenneth Clarke: In the last two weeks I have discussed food safety issues with a number of ministerial colleagues, Members of Parliament and other individuals.

Food Poisoning

Mr. Skinner: To ask the Secretary of State for Health (1) how many cases of listeria poisoning have been notified in Derbyshire within the last 12 months;

(2) how many cases of salmonella poisoning have been notified in Derbyshire in 1984, 1985, 1986, 1987 and at the nearest available date in 1988.

Mr. Kenneth Clarke: The exact information requested is not available from the notifications of infectious diseases requirements under the Public Health Acts.

Legionnaire's Disease

Ms. Walley: To ask the Secretary of State for Health, if he will give details of all epidemiological research undertaken by the public health laboratory service in respect of legionnaire's disease.

Mr. Freeman: Public health laboratory service epidemiological research on legionnaire's disease began in 1977, the year the legionnella pneumophila was first described in the USA. Early work by the PHLS included the development of an active national surveillance system, methods of diagnosis and the detection of legionellae in environmental samples. Much of the epidemiological research has been directed at studying sources of infection and routes of transmission during the investigation of outbreaks of legionnaire's disease detected by the surveillance system. This work has been accompanied by the development and evaluation of control methods.

I am placing in the Library two lists which give detailed references to published research on this subject carried out by the PHLS.

List 1 covers papers describing work mainly of an epidemiological nature. List 2 deals with closely related and overlapping work on serological method, typing of the organism for epidemiological purposes, experimental studies of transmission and studies of the ecology and control of legionellae in water systems.

NHS Operations

Mr. Harry Greenway: To ask the Secretary of State for Health how many different types of operation are currently performed and on how many people, under the National Health Service; what were the comparable figures 10, 15 and 30 years ago; and if he will make a statement.

Mr. Freeman: Information on the number of different types of operation performed is not readily available and could be produced only at disproportionate cost.

The figures available centrally show an increase in the number of in-patient cases operated on from 1·33 million in 1961 to 2·39 million in 1986. In addition, 0·8 million day cases were operated on in 1986. Corresponding figures for 1987-88 are not available, but the number of in-patient cases treated in the surgical specialties increased from 2·43 million in 1986 to 2·52 million in 1987-88.

Consumer Research

Mr. Robin Cook: To ask the Secretary of State for Health if he will publish the results of the research on consumers' experience of and attitudes to the National Health Service undertaken for his Department by Research Services of Great Britain Ltd.

Mr. Kenneth Clarke: I have no knowledge of such research.

Meningitis

Mr. Redmond: To ask the Secretary of State for Health if he will list by area health authority in both the Trent regional health authority and the Yorkshire regional health authority, the number of cases of meningitis for 1988 and to date; and what are the national averages for the same periods.

Mr. Freeman: Cases of infectious diseases are notified by the doctor in attendance to the proper officer for each local authority area. Notifications of meningitis are therefore not generally available at the district health authority level. However, the table shows the number of notifications of meningitis for the counties most closely approximating to the Yorkshire and Trent regional health authorities.

Notifications of meningitis by county 1988[1] 1989[1, 2]

	1988	*1989*
England and Wales	3,001	302
Yorkshire		
West Yorkshire	171	10

Humberside	78	5
North Yorkshire	41	5
Trent		
South Yorkshire	124	3
Derbyshire	36	5
Leicestershire	58	4
Lincolnshire	26	3
Nottinghamshire	67	8

[1] Provisional
[2] For the period 31 December 1988 to 20 January 1989.

"Social Trends"

Mr. Redmond: To ask the Secretary of State for Health what proposals he has to include in future editions of *Social Trends* detailed analysis of regional, economic and occupational variations in respect of life expectancy, infant mortality rates and overall mortality rates.

Mr. Freeman: Responsibility for the contents of *Social Trends* lies with the Central Statistical Office. The contents of next year's edition of *Social Trends* has not yet been decided.

Tampons

Ms. Walley: To ask the Secretary of State for Health what are the most recent figures for cases of toxic shock syndrome in the United Kingdom.

Mr. Freeman: Toxic shock syndrome is not separately identified in the statisical returns made by health authorities to the Department. However, 41 confirmed and probable cases of toxic shock syndrome were reported to the central public health laboratory in the two years 1985 and 1986 taken together. These figures do not include Northern Ireland.

Hip Replacements

Mr. Evennett: To ask the Secretary of State for Health how many hip replacement operations were carried out in the four Thames health regions in the last year for which figures are available; and what was the corresponding figure in 1980.

Mr. Freeman: The information requested is given in the table.

Estimated number of hip replacement operations and other anthroplasty of hip (810-811)[1] performed on in-patients in NHS non-psychiatric hospitals

	1986	*1980*
North West Thames	2,400	1,770
North East Thames	3,300	2,690
South East Thames	3,600	3,100
South West Thames	3,300	2,370

[1] Classification of surgical operations (CSO)-3rd revision.
Because of NHS restructuring in 1982, the regional figures are not strictly comparable.

Salmonella

Mr. Teddy Taylor: To ask the Secretary of State for Health, pursuant to his reply of 16 February to the hon. Member for Southend, East, when his Department first became aware of the health hazards related to the new strain of salmonella; and what steps were taken to advise the general public and categories at particular risk.

Mr. Kenneth Clarke: First indications of a problem with salmonella enteritidis PT4 and eggs emerged towards the end of 1987, but sufficient epidemiological evidence to justify public health action did not become available until the summer of 1988. At that time evidence suggested that the problem arose from the consumption of raw eggs or from uncooked dishes containing raw eggs—such as mayonnaise. On 29 July 1988 my Department issued a letter to National Health Service caterers on raw eggs. On 26 August 1988 my Department issued a public press notice advising consumers to avoid raw eggs or home-made dishes containing uncooked eggs. This advice was circulated to chief environmental health officers of local authorities on 2 September 1988 and to catering and hotel organisations on 5 September 1988. Chief environmental health officers of the local authorities were asked to give publicity to this advice.

Subsequently it became apparent from further epidemiological evidence that there was also risk of infection from the consumption of lightly cooked eggs. On 21 November 1988 we issued further public advice. A press release by my Department gave some reassurance that, in the context of the consumption of some 30 million eggs a day in the United Kingdom, the risk to any individual was very small, but that a small number of outbreaks had been associated with the consumption of lightly cooked eggs.

The Chief Medical Officer published further advice on 5 December 1988. He repeated his earlier advice not to eat raw eggs. As far as lightly cooked eggs were concerned, he said the risk of harm to a healthy individual was small but it was advisable for vulnerable groups such as the elderly, the sick, babies and pregnant women to eat only eggs which had been cooked until the white and the yolk were solid. I answered a private notice question in the House on 5 December at columns 19-24 which also set out that advice to the public.

The Government also took steps through a series of newspaper advertisements from 16 to 18 December 1988 to reiterate the advice of the Chief Medical Officer and to ensure that the facts on eggs were known to everyone.

Emergency Services

Mr. Bowis: To ask the Secretary of State for Health if he will make a statement on the performance of hospital accident and emergency services at recent rail and air disasters.

Mr. Freeman: I am delighted to have this opportunity to put on record my appreciation of all that was done by both the hospital accident and emergency services and the ambulance services during the recent rail and air disasters. They coped magnificently and performed to the highest standard. Many more lives might have been lost were it not for the way in which they responded to those emergencies.

Hospitals (Capital Assets)

Ms. Harman: To ask the Secretary of State for Health if he will publish the value of the capital assets of each of the major acute hospitals with more than 250 beds.

Mr. Kenneth Clarke *[holding answer 9 February 1989]:* This information is not at present available. Establishing the current value of NHS assets will be one of the first steps in introducing the capital charging arrangements outlined in the White Paper "Working for Patients".

Breast Milk

Mr. Fearn: To ask the Secretary of State for Health if he has knowledge of any research or evidence on passage of listeria from the bloodstream into breast milk.

Mr. Kenneth Clarke *[holding answer 20 February 1989]:* As with many other organisms or substances carried in the bloodstream, listeria has been shown to pass from the bloodstream into breast milk. My Department is not aware of any current research.

Cook-Chill Food

Mr. Battle: To ask the Secretary of State for Health what proposals are being considered by the Leeds western health authority to introduce cook-chill catering into hospitals in that area; and what consultations have taken place concerning this proposal.

Mr. Kenneth Clarke: At its meeting on 24 March 1988 the Yorkshire regional health authority resolved to adopt in principle the findings of the report received from its regional catering strategy steering group "Regional Catering Strategy for the 1990s". Paragraph 31(a) of that report recommended a regional catering strategy for catering based on the use of cook-chill technology.

Leeds western health authority, along with other district health authorities in the region, will be considering the implications of this policy at local level. The hon. Member may therefore wish to contact the chairman of Leeds western health authority to establish what proposals, if any, he has under consideration.

Hospital Waiting Lists (Gloucester)

64. **Mr. French:** To ask the Secretary of State for Health what is the current waiting list for operations in the Gloucester health authority area.

Mr. Mellor: At 31 March 1988 there were 4,005 patients on the in-patient waiting list for surgical specialities in Gloucester district health authority.

Smokers

Mr. Jessel: To ask the Secretary of State for Health if he will provide figures to show changes in the proportion of smokers and non-smokers and the average daily number of cigarette expenditure per person and per household as a proportion of income in the last 30 years.

Mr. Mellor *[holding answer 20 February 1989]:* The information available centrally is given in the table.

	Percentage of population who smoke cigarettes (16+ years)		*Cigarettes smoked per day (16+ years)*		*Tobacco expenditure as a percentage of household expenditure*
	Males	*Females*	*Males*	*Females*	
1972	52	41	17·1	12·4	4·5
1974	51	41	17·9	13·4	4·3
1976	46	38	18·4	14·4	4·2
1978	45	37	18·1	14·4	3·9
1980	42	37	17·7	14·6	3·5
1982	38	33	17·3	14·0	3·6
1984	36	32	16·4	13·7	3·4
1986	35	31	16·4	13·9	3·2

Note:
The figures on smoking exclude cigar and pipe smoking. In 1986 9 per cent. of men smoked a pipe or cigars.
Source: General Household Survey.

Farmed Food

Mr. Ron Davies: To ask the Secretary of State for Health when he will reply to the questions asked by the hon. Member for Caerphilly on 18 January concerning the possible contamination of farmed food.

Mr. Kenneth Clarke: I replied to the hon. Member yesterday.

Written Answers to Questions

Wednesday 22 February 1989

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Minister of State during his recent visit to Baghdad raised with the Iraqi Foreign Minister the reported use of chemical weapons by Iraqi forces and the reported repression of the Kurdish population; and if he will make a statement.

Mr. Waldegrave: I refer the hon. Member to my answer of 20 February to the hon. Member for Hamilton (Mr. Robertson). I also discussed the position of the Kurdish population of Iraq and human rights in the country during my visit.

CSCE

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the forthcoming CSCE forum on information in London, including the membership of the British delegation.

Mr. Waldegrave: The Information Forum is part of the Helsinki process and will deal with flows of information between East and West. Lord Rees-Mogg will lead the British delegation. We are currently considering the composition of the remainder of the delegation.

Council of Ministers (Voting)

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list, by meeting, date, and policy issue those occasions where the European Community Council of Ministers has reached a decision binding on all by qualified majority vote; and if he will break down the votes cast for and against by member state on each occasion.

Mrs. Chalker: I refer the hon. Member to my answer to the hon. Member for Newham, South (Mr. Spearing) on 19 October 1988.

German Reunification

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government have ever discussed at an official level with the Federal Republic of Germany, the implications of their declaration on the application of the European Community treaties to Berlin, Cmnd. 455, for German reunification.

Mrs. Chalker: Discussions between the Three Allied Powers (the United Kingdom, the United States of America, and France) and the Federal Republic of Germany relating to the application of the European Community Treaties to Berlin take place from time to time in the context of Allied rights and responsibilities relating to Berlin and to Germany as a whole.

EC Treaties (Protocols)

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions on which the United Kingdom has been responsible as principal originator for the addition of protocols to the treaties upon which the European Community is founded, with reasons given for the action.

Mrs. Chalker: There have been none.

Mr. Sillars To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government have, at any time in the past 10 years, discussed at an official level with the Federal Republic of Germany alone, or together with other states, the issue of German reunification.

Mrs. Chalker: We have made clear, in contacts with the Government of the Federal Republic of Germany, our view that real and permanent stability in Europe will be difficult to achieve so long as the German nation is divided against its will.

German Reunification

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government policy towards the reunification of Germany.

Mrs. Chalker: As my right hon. and learned Friend told my hon. Friend, the Member for Bedfordshire, South-West (Mr. Madel), on 8 February, successive British Governments have taken it as axiomatic that real and permanent stability in Europe will be difficult to achieve so long as the German nation is divided against its will.

EC (Nationality Discrimination)

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what rules on the prohibition of discrimination on grounds of nationality have been adopted by the Council to give effect to article 7 of the treaty establishing the European Economic Community.

Mrs. Chalker: The Treaty provisions on non-discrimination have been embodied in many Community instruments since 1957. Detailed information is not readily available and could only be provided at disproportionate cost.

EC Economic and Social Committee

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the current names, age and categories of United Kingdom members of the European Community Economic and Social Committee.

Mrs. Chalker: Following is the information requested:

Group 1 (Employers):

Mr. Ian Campbell CVO (66),
Miss E. G. Dodd (63),
Mr. K. J. Gardner FRSC (65),
Mr. C. A. Hancock (53),
Mr. J. A. de Normann (66),
Mr. W. G. Poeton (62),
Mr. K. M. Tamlin (60),
Mr. F. G. Whitworth (63);

Group 2 (Employees):

Mr. J. R. Boddy MBE (66),
Mr. Campbell Christie (52),
Mr. E. A. B. Hammond OBE (59),
Mr. T. Jenkins (42),
Miss A. Maddocks (61),
Mr. A. R. Smith (59),
Mr. L. J. Smith OBE (65);

Group 3 (Various Interests):
Mr. W. Aspinall (46),
Professor W. Black (62),
Mrs S. Flather JP (55),
Mr. R. J. Moreland (47),
Dr. A. Robinson (52),
Mr. G. Spiers (59),
Dr. P Storie-Pugh CBE, MC, TD, DL (69),
Mr. M. P. Strauss (60),
Mrs A. Williams MBE (60).

EC (Enlargement)

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government towards the further enlargement of the European Community.

Mrs. Chalker: We share in the consensus amongst member states that at least until 1992 the priority for the Community must be consolidation—in particular the completion of the single market and the full absorption of Spain and Portugal—not enlargement.

EC (Membership)

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs how many states have formaly indicated a wish to enter into dialogue with the European Community with a view to ultimately becoming members.

Mrs. Chalker: Only one country, Turkey, has a formal application to join the European Community on the table. Morocco applied to join the Community in 1987, but the Council of Ministers took the view that this application should not be pursued. Norway completed accession negotiations in 1972, but did not in the event join the Community.

EC Treaties

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs who may submit new protocols to the treaties upon which the European Community has its legal foundation; and what is the procedure for their assessment and final acceptance.

Mrs. Chalker: The procedure for amendments to the Treaty of Rome is laid down in article 236 of that Treaty. Similar provisions appear in article 204 of the Treaty establishing the EAEC and in article 96 of the Treaty establishing the ECSC.

Kampuchea

Mr. Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government, as a member of the United Nations Security Council, will press for an international peace settlement on Kampuchea.

Mr. Eggar: We are already working for a peaceful settlement in Cambodia. We welcome current developments towards that goal.

Bangladesh

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Bangladesh on human rights issues.

Mr. Eggar: We have made clear to the Bangladesh Government the concern felt in this country about human rights issues. They were discussed most recently during the visit of President Ershad. Some hon. Members had the opportunity to raise these issues with President Ershad on 15 February.

Foreign Affairs Council

Mr. Cyril D. Townsend: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the Foreign Affairs Council held on 20 February.

Mrs. Chalker: My right hon. and learned Friend the Foreign Secretary and I attended the Foreign Affairs Council in Brussels on 20 February. Much of the day was taken up with discussion in the framework of political co-operation of relations with Iran in the light of the threats against Mr. Salman Rushdie. My right hon. and learned Friend has already reported to the House on this.

The Council again discussed the dispute with the United States over the EC directive banning imports of meat from animals treated with hormones. The Commission reported agreement with the United States Administration of the establishment of a high-level group to find ways of resolving the dispute within 75 days. To the extent that United States suppliers send hormone-free meat to the EC, United States retaliatory measures would meanwhile be reduced. In view of this progress the Council took no decision to implement counter-retaliation. The Council adopted a regulation requiring national controls on the export of eight key chemical weapons precursors. This followed agreement at the EPC ministerial meeting on 14 February on the case for such a regulation. Though we already have strict controls on these and other CW precursors, the Government welcome this action.

The Presidency reported on the outcome of the first substantive EC/ACP ministerial negotiating meeting on the renewal of the Lomé convention, which was held in Brazzaville on 16/17 February, and attended by my hon. Friend the Minister for Overseas Development.

The Council adopted negotiating mandates for trade and co-operation agreements with Poland and Bulgaria, discussed the Community's relations with Eastern Europe; and agreed a Community position for the San Jose V meeting on 27/28 February with the Central American states in San Pedro Sula, Honduras.

The Council discussed proposals introduced by the Netherlands Foreign Minister for improving co-ordination between the Community and the Council of Europe. This will be further discussed at the March Foreign Affairs Council.

An EC/Tunisia Cooperation Council was held in the margins of the Council.

NORTHERN IRELAND

Meat and Bone Meal

Mr. William Ross: To ask the Secretary of State for Northern Ireland whether there have been any recent changes in the amount of meat and bone meal exported from Northern Ireland to the Republic of Ireland.

Mr. Viggers: I have no evidence of any changes in such exports.

Mr. William Ross: To ask the Secretary of State for Northern Ireland whether there have been any recent changes in the amount of meat and bone meal imported into Northern Ireland from the Republic of Ireland.

Mr. Viggers: I have no evidence of any changes in such imports.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish a table in the *Official Report* to show the amounts of meat and bone meal imported into and exported from Northern Ireland, with the countries of origin and destination, in each of the last 12 months or as much of such information as is available to him.

Mr. Viggers: The information available from Customs and Excise records relates only to trade between Northern Ireland and the Republic of Ireland and is as follows:

Imports and exports of meat and bone meal

1988	*To Northern Ireland Tonnes*	*From Northern Ireland Tonnes*
January	2,252	149
February	2,373	250
March	2,757	391
April	2,118	142
May	1,966	233
June	2,272	174
July	1,776	153
August	2,668	102
September	5,227	87
October	2,160	278
November	1,263	272
December	1,285	323

Industrial Development Board

Mr. William Ross: To ask the Secretary of State for Northern Ireland whether any persons convicted of fraud have been employed (1) directly or (2) as consultants by the Industrial Development Board.

Mr. Viggers: I am not aware of any consultant or person directly employed by IDB who was convicted of fraud.

School Meals

Mr. Battle: To ask the Secretary of State for Northern Ireland if he will publish a table showing the expenditure on school meals for each year between 1978-79 and the latest date available, in current and constant prices.

Dr. Mawhinney: Net expenditure on school meals and milk is as follows:

Financial year	*Cash £000*	*At 1987-88 prices £000*
1978-79	17,031	34,761
1979-80	19,670	34,537
1980-81	18,088	26,813
1981-82	17,381	23,455
1982-83	19,152	24,121
1983-84	21,572	25,986
1984-85	22,417	25,704
1985-86	24,739	26,913
1986-87	25,580	26,929
1987-88	23,950	23,950

Note: Expenditure figures for school meals and milk are not recorded separately.

Emergency Provisions

Mr. Arbuthnot: To ask the Secretary of State for Northern Ireland when he expects Lord Colville's report on the operation of the Northern Ireland (Emergency Provisions) Acts of 1978 and 1987 to be available.

Mr. Tom King: I have arranged for copies to be placed in the Libraries of both Houses today.

WALES

Water Industry

Mrs. Ann Taylor: To ask the Secretary of State for Wales whether he has had any indication of the European Commission's view of the Government's proposal to restrict any one shareholding in the privatised water industry in Wales to 15 per cent.

Mr. Grist: I refer the hon. Lady to the reply given to the hon. Member for Cardiff, South and Penarth (Mr. Michael) on 20 February at column *456*.

Trunk Road Schemes

Mr. Amos: To ask the Secretary of State for Wales if he will list those trunk road schemes in Wales on which he anticipates public inquiries being held during the current year with, where known, the likely date of the inquiry.

Mr. Wyn Roberts: The information is as follows:

Schemes in respect of which an Inquiry date has been fixed:—

Scheme	*Date*
A5 Ty-Nant to Dinmael Improvement (Clwyd)	24-27 January
A55 Rhuallt Hill Improvement (Clwyd)	7-17 February
M4/A4042 Brynglas Tunnels/Malpas Road Relief Scheme (Gwent)	Commenced 14 February
A458/A453 Welshpool Relief Roads (Powys)	Commencing 4 April

Schemes in respect of which Inquiries are anticipated but no dates yet fixed:

Scheme	
A465	Aberdulais to Glynneath Improvement (West Glamorgan)
A487	Caernarfon to South of Port Dinorwic Improvement (Gwynedd)
A4042	Penperlleni Bypass (Gwent)
A487	Pont Seiont to Bontnewydd Improvement (Gwynedd)
A494	Mold Bypass (Clwyd)
A4060	Pentrebach to Mountain Hare Improvement (Mid Glamorgan)
A470	Llanbynmair Improvement (Powys)

Gross Domestic Fixed Capital Formation

Mrs. Clwyd: To ask the Secretary of State for Wales what are the present levels of gross domestic fixed capital formation in Wales; and what is the percentage change over *(a)* 1988 and *(b)* the period 1978-79 in both cash and real terms, and expressed in real terms as a percentage of gross domestic product on equivalent industries.

Mr. Peter Walker: The latest figure for gross domestic fixed capital formation for selected industry groups[1] in Wales is £1,505 million in 1986. Comparable figures are not available for 1978-79.

Note:
[1]The selected industry groups making up the total are: Agriculture; Forestry and Fishing; Energy and Water Supply; Manufacturing; Transport and Communications and Dwellings.

Gross Domestic Product

Mrs. Clwyd: To ask the Secretary of State for Wales what is the average gross domestic product per head in Wales in each year since 1979, in real terms.

Mr. Peter Walker: The information is as follows:

GDP/Head at 1987 Prices[1]

Year	£
1979	4,440
1980	4,234
1981	4,115
1982	4,305
1983	4,467
1984	4,325
1985	4,719
1986	4,893
[2]1987	4,991

Source: Central Statistical Office.
[1] These figures have been deflated to 1987 prices using United Kingdom deflators as these are not available on a regional basis.
[2] Provisional data.

Wages

Mrs. Clwyd: To ask the Secretary of State for Wales what is the average weekly wage of *(a)* full-time and *(b)* part-time workers for Wales for (i) males and (ii) females.

Mr. Peter Walker: In April 1988 the average gross weekly earnings of full-time adult males and females on adult rates of pay in Wales were £217·80 and £150·30 respectively. The figure for part-time females was £58·70. Data for part-time males is not available.

Income Statistics

Mrs. Clwyd: To ask the Secretary of State for Wales what is the total number of people in each income quintile in Wales; and how many *(a)* families with children, *(b)* single-parent families, *(c)* pensioners and *(d)* disabled people are in each income quintile.

Mr. Peter Walker: Information by income quintile is not available.

School Meals

Mr. Battle: To ask the Secretary of State for Wales if he will publish a table showing the expenditure on school meals for each year between 1978-79 and the latest date available, in current and constant prices.

Mr. Wyn Roberts: Expenditure on school meals and milk for the period requested is given in the following table:

School meals and milk—net current expenditure

Year	*Cash (£000)*	*1986-87 prices (£000)*
1978-79	24,673	48,089
1979-80	26,066	43,472
1980-81	23,455	33,026
1981-82	24,303	31,152
1982-83	27,008	32,311
1983-84	27,772	31,778
1984-85	29,745	32,396
1985-86	28,535	29,487
1986-87	29,601	29,601
[1]1987-88	30,219	28,704

[1] Data is provisional.
Note.—Net current expenditure is defined as current expenditure net of non-grant income (eg sales, fees and charges).

Home Improvement Grant

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will give for each Welsh district council for each of the past 10 years *(a)* the number of home improvement grant applications, *(b)* the number approved, *(c)* the total value of the grants applied for, *(d)* the total value of the grants approved, *(e)* the percentage that *(d)* represents of *(c)* and *(f)* the total allocation to each authority in each year; and if he will make a statement regarding the likely effect of the proposed charges in the Local Government and Housing Bill on home improvement grants.

Mr. Grist: I shall write to my hon. Friend and place a copy of my reply in the Library of the House.

Rating Reform

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what a typical ward sister would pay in each Welsh district *(a)* in rates, *(b)* in community charge and *(c)* in a system of capital value rates plus local income tax paid in the proportions of 80-20, respectively, if she lived in a typical house paying at present average rates for the district.

Mr. Grist: Illustrative community charge figures and average domestic rates for each Welsh district were published in the *Official Report* on 29 July 1988 at column *656-58*. I have made no detailed estimates of the impact of a system of capital value rates and local income tax in Wales.

Cash Limits

Mr. Gwilym Jones: To ask the Secretary of State for Wales if there is to be any change to the cash limit for class XVII vote 2 for the current financial year.

Mr. Peter Walker: Yes. The cash limit on class XVII vote 2 is to be reduced from £76,700,000 to £76,525,000 by a reduction of £175,000 in the grant-in-aid provision for the Development Board for Rural Wales. This will enable me to make a corresponding sum available from spare housing subsidy provision in the demand-led class XVII vote 3 to pay a grant to the DBRW under section 11 of the

Development of Rural Wales Act 1976 towards the cost of making an immediate start on a programme of housing maintenance at Newtown in Powys.

Examinations Expenditure

Mr. Nicholas Bennett: To ask the Secretary of State for Wales (1) if he will list the number of children sitting *(a)* CSE exams, *(b)* O-level exams and *(c)* A-level exams in each local education authority in Wales as a percentage of the total number in the relevant year groups in each authority for the latest available year in which these examinations were sat;

(2) if he will list by each local education authority in Wales the total number of children achieving *(a)* CSE grades 2-5, *(b)* O-level grades A-C and CSE grade 1, and *(c)* A-level grades A to E as a percentage of the total number of pupils in the relevant year group in each authority, for the latest available year in which these examinations were sat.

Mr. Wyn Roberts *[holding answer 13 February 1989]:* The information is not available in the form requested. It is impossible to identify a relevant year group for each type of examination. Pupils take CSE and O-level examinations in years 4 to 5 and all years of the 6th form. In 1986-87 the number of pupils attempting such exams exceeded the number of pupils aged 15 at the start of the academic year (5th formers). Similarly pupils take A-levels in the first, second and third years of the 6th form. The following table is based on a survey of 1987 school leavers. It shows the number of pupils attempting and achieving success in examinations as a percentage of all those who left school. The results will be subject to some sampling errors.

School Leavers 1986-87—Maintained schools only

Percentages

	Total Leavers	*Attempting*[1] *CSE*	*'O' Level*	*'A' Level*	*Achieving*[2] *Lower Grades*[3]	*Higher Grades*[4]	*'A' Level Pass*
Clwyd	6,260	88	84	16	87	56	15
Dyfed	4,675	75	78	21	75	56	19
Gwent	6,660	81	72	15	76	48	12
Gwynedd	3,725	82	80	16	82	56	14
Mid Glamorgan	8,835	72	71	16	67	48	15
Powys	1,685	88	84	20	86	51	16
South Glamorgan	5,730	79	76	23	72	53	21
West Glamorgan	5,200	81	82	13	78	55	12
Wales	42,770	80	77	17	76	52	15

[1] A candidate attempting more than one type of examination is counted under each type.
[2] Those leavers who gain results in more than one of the categories shown are counted more than once, under each qualification achieved.
[3] 'O' level grades D-E, CSE grades 2-5.
[4] 'O' level grades A-C, CSE grade 1.

TRADE AND INDUSTRY

Polar Platform Satellite

Mr. Warren: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the negotiations with the European Space Agency concerning United Kingdom industrial participation in the polar platform satellite.

Mr. Atkins: The European Space Agency and its member states are currently reviewing alternative concepts for the polar platform in the light of studies led by British Aerospace and Matra respectively. The United Kingdom will be seeking the most cost-effective solution consistent with our objective of securing the progressive commercialisation of earth observation. British industry can expect to play a leading role in the development of whichever platform is selected to meet this end.

Liquidations

Mr. Michael Brown: To ask the Chancellor of the Duchy of Lancaster what regulations govern the time limits within which liquidations of companies and businesses must be completed.

Mr. Atkins: There are no statutory time limits within which a liquidation must be completed but the insolvency rules 1986 provide that when the liquidator in an insolvent liquidation has realised such of the company's assets as he can without needlessly protracting the liquidation he shall declare a dividend, if funds are available for that purpose.

Franchise Businesses

Mr. Speller: To ask the Chancellor of the Duchy of Lancaster pursuant to his answer of 15 February to the hon. Member for Devon, North if he will make it his policy to collect statistical and other details on franchise businesses; if he will establish a franchise unit within his Department; and if he will make a statement.

Mr. Forth: I am not persuaded that the Government need such data and I am not clear what would be the objectives of a franchise unit.

British Aerospace (Contract)

Mr. Macdonald: To ask the Chancellor of the Duchy of Lancaster what efforts were made to ensure that the £10 million worth of contracts arising from the construction of the British Aerospace air combat manoeuvering platform went to British fabrication yards.

Mr. Atkins: I refer the hon. Gentleman to the answer given to him by my hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs during oral questions on 15 February 1989 *Official Report* column 299 and reiterate that it is not for Government to interfere in the commercial decisions of companies.

Takeover Bids

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster in respect of which takeover bids his Department received three deputations of hon. Members in 1988.

Mr. Atkins: Ministers in this Department met approximately 10 deputations of hon. Members in 1988 about takeover bids which included Nestle's bid for Rowntree, Goodman Fielder Wattie's bid for Ranks Hovis McDougall, and Elders IXL's bid for Scottish & Newcastle Breweries.

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster (1) if, pursuant to his answer of 15 February, he will give further details of the consideration given to early-day motions on takeover bids;

(2) what weight he gives to the number of hon. Members who have signed an early-day motion on a takeover bid.

Mr. Atkins: Due consideration is of course given to all early-day motions. However, the weight attributed to that consideration may vary.

Furniture (Foam Insulation)

Mr. David Porter: To ask the Chancellor of the Duchy of Lancaster what steps he has taken to inform furniture retailers of the new foam insulation regulations coming into force on 1 March.

Mr. Forth: A total of 1,500 copies of the draft regulations were sent out on 1 March 1988. I then relied upon the usual channels of communication. The final regulations were submitted to Parliament in July, and interested parties were informed. These included the media generally, the trade press, local authority trading standards departments and all relevant trade associations. I am advised that the foam suppliers in particular have been meticulous in advising their customers about how their products comply with the new legal requirements. Guidance notes for the trade, which take account of initial reactions to the regulations, are being prepared and will be widely distributed soon.

I have not written to every furniture retailer in the country. The Department does not have a list of all such retailers' names and addresses.

Disabled People

Mr. Corbyn: To ask the Chancellor of the Duchy of Lancaster (1) what provisions *(a)* Royal Mail (Letters), *(b)* Royal Mail (Parcels) and *(c)* Post Office (Counters) make to accommodate safely registered disabled persons in workplaces; and if there are safe areas of work specifically reserved for their disabled employees;

(2) how many people who are profoundly deaf are currently employed by Royal Mail (Letters) within the grade of postman/postwoman;

(3) what is the number of people employed by the Royal Mail (Letters) on permanent sorting duties whose normal mobility is restricted by having to use a wheelchair;

(4) what is the number of people currently employed by the Post Office within *(a)* Royal Mail (Letters), *(b)* Royal Mail (Parcels) and *(c)* Post Office (Counters);

(5) what is the number of people currently employed by the Post office within *(a)* Royal Mail (Letters), *(b)* Royal Mail (Parcels) and *(c)* Post Office (Counters) who are registered as disabled within the terms of the Disabled Persons (Employment) Acts 1944 and 1958;

(6) what numbers of people employed by Royal Mail (Letters) within the grade of *(a)* postmen, postwomen, *(b)* postmen, postwomen higher grade, *(c)* postal assistant, *(d)* postal officer, *(e)* postal executive class D, *(f)* postal executive class C, *(g)* postal executive class B, *(h)* postal executive class A, *(i)* doorkeepers and *(j)* cleaners are registered as disabled within the terms of the Disabled Persons (Employment) Acts 1944 and 1958;

(7) what are the numbers of people employed by Royal Mail (Letters) in the grades of postal executive class C and above; and how many of the total are *(a)* women, *(b)* of ethnic minority origin and *(c)* registered as disabled;

(8) if he will list the number of persons who are currently entered in the register of disabled persons within the terms of the Disabled Persons (Employment) Acts 1944 and 1958 who have applied for employment with *(a)* Royal Mail (Letters), *(b)* Royal Mail (Parcels) and *(c)* Post Office (Counters) during (i) 1984, (ii) 1985, (iii) 1986, (iv) 1987 and (v) 1988; and how many of these applicants were subsequently employed.

Mr. Forth: Questions of employment in the letters, parcels and counters businesses of the Post Office, including employment of different categories of people and facilities provided for them, are a matter for the Post Office. I am asking the Post Office to contact the hon. Member about these questions.

Domestic Animals (Pelts and Skins)

Mr. Hinchliffe: To ask the Chancellor of the Duchy of Lancaster if he will take steps to introduce the separate logging of the quantities of exported dog pelts and cat skins.

Mr. Forth: No. There is insufficient trade to justify separate monitoring of such goods.

Clothing Industry

Mr. Latham: To ask the Chancellor of the Duchy of Lancaster whether he will raise in the European Council of Ministers the need for arrangements to be in place before 1992 to prevent knitwear imports from Third world countries entering the Federal Republic of Germany through the German Democratic Republic and purporting to be manufactured in COMECON countries; and if he will make a statement.

Mr. Atkins *[holding answer 21 February 1989]:* Under the terms of inner German trade, goods originating in the German Democratic Republic may enter the Federal Republic of Germany free of import duty. This arrangement does not apply to other member countries of the Council for Mutual Economic Assistance (COMECON). The Federal authorities monitor consignments of textiles to ensure compliance with the origin requirements, and United Kingdom officials will shortly review these and other procedures with the Economics Ministry in Bonn to minimise the risk of abuse of inner German trade in the run-up to 1992 and beyond. If my hon. Friend is aware of any specific cases arousing concern I should be grateful if he would bring them to my attention.

ATTORNEY-GENERAL

Estate Agents

110. **Mr. Battle:** To ask the Attorney-General if he has any proposals for the reform of the process of house purchase and the practice of estate agents.

The Attorney-General: So far as reform of the process of house purchase is concerned, improvements in practice are needed rather than legislation and I welcome the work of the professions and the conveyancing standing committee of the Law Commission in this area. The practice of estate agents is a matter for my right hon. Friend the Secretary of State for Trade and Industry. I understand that consultations are continuing with estate agents' representatives and other interested groups.

NATIONAL FINANCE

Government Stocks

Mr. Higgins: To ask the Chancellor of the Exchequer if he will list Government stocks which have sinking funds and are likely to be redeemed ahead of the final date for repayment; and whether he is obliged to redeem such stocks as soon as the sinking fund is sufficient to repay them.

Mr. Lawson *[holding answer 20 February 1989]:* There are two United Kingdom Government securities with sinking funds:

3½ per cent. conversion loan (denominated in sterling); and Fifteen year 8 7/8 per cent. Bonds due 1993 (denominated in $ US).

In addition, guaranteed 4½ per cent. Bonds and Irish Free State 4½ Land Bonds, have a Government guarantee and sinking funds.

Terms and conditions of these securities are set out in their prospectuses. It is not the Government's practice to comment on any discretion the prospectus may afford.

Child Benefit

Sir Ian Gilmour: To ask the Chancellor of the Exchequer what is his estimate of the increased revenue in 1988-89 if *(a)* the personal income tax allowances, *(b)* mortgage interest, *(c)* superannuation and personal pension contributions and *(d)* self-employed retirement annuity premiums were restricted to basic rate tax; by how much child benefit could be increased if all the extra revenue were used for this purpose; what would be the redistributive effects, by family type and income decile; and how many working families with children would be lifted off entitlement to family credit.

Mr. Lawson *[holding answer 31 January 1989]:* Almost two-thirds of those who would pay more tax as a result of restricting personal allowances and other tax reliefs to the basic rate currently pay tax at the basic rate only: those near the top of the basic rate band would be pushed into paying tax at the higher rate. About 3½ million single people and married couples would pay more income tax: of those, about 2¼ million currently pay tax at the basic rate only.

Revised estimates of the direct revenue yield in 1988-89 if the allowances and reliefs had been restricted to the basic rate are:

	£ million
a. Personal allowances	1,160
b. Mortgage interest relief	330
c. Employees' superannuation and personal pension contributions	200
d. Retirement annuity relief[1]	100

[1] Including relief for retirement annuity payments made by employees.

Note: These estimates are based on a projection of the 1986-87 survey of personal incomes. No account is taken of possible behavioural changes or the effect on receipts of capital gains tax.

The yield arising from making the changes (a) to (d) simultaneously is £2,100 million, somewhat more than the sum of the yields from the four changes separately, since even more basic rate taxpayers would become higher rate payers. If all this were used to increase child benefit, it could be raised by about £4·40 a week in a full year and at 1988-89 prices. This assumes that child allowances in income support would be unchanged, with child benefit, as now, fully deductible from income support payments; and that there would be compensating reduction in the child additions for family credit.

Estimates of the effect on family credit case-load are very uncertain. On the basis of the assumptions in "Impact of reformed structure of income-related benefits" (October 1987), the case-load might be reduced by about a third, (around 150,000 families).

The tables show the combined effect, analysed by type of tax unit and income decile, of the net revenue yield or costs from restricting the allowances and reliefs to the basic rate and increasing child benefit.

(a) Net effect by type of tax unit
gain to tax unit (+), loss to tax unit (−)

£ million

	With children	*Without children*	*Total*
Single	+ 90	− 210	− 120
Married one earner	+ 280	− 230	+ 50
Married two earners	+ 770	− 700	+ 70
Total	+1,140	−1,140	0

(b) Net effect by decile of total income[1]
gain to tax unit (+), loss to tax unit (−)

Decile	*£ million*
Lowest	[2]
2	[2]
3	[2]
4	+ 20
5	+ 40
6	+ 120
7	+ 290
8	+ 470
9	+ 500
Highest	−1,440
Total	0

[1] Deciles of income have been defined in terms of total income, including non-taxable benefits, but before the additional £4·40 per week of child benefit. Income has not been adjusted to equivalence levels to take account of the need of different types of tax units.

[2] Under £5 million.

The gains in the lower deciles from the increase in child benefit are negligible since the families with children in them will generally be entitled to income support or family credit. The increase in child benefit would therefore, in most cases, be offset by a corresponding reduction in income-related benefits.

OVERSEAS DEVELOPMENT

Lomé 4

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he is able to make to the World Development Movement's charter for Lomé 4, in particular its requirement that Lomé 4 should assist the poorest farmers, support environmentally suitable development, reduce child mortality and improve other key health indicators and assess the impact of all projects on women; and if he will make a statement.

Mr. Eggar: I welcome the charter's emphasis on support for the poorest, on improvement in environmental monitoring and assessment, on assistance to the health sector and on ensuring that the interests of women are properly taken into account. These are issues to which we attach great importance.

Bangladesh

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring of British bilateral aid to Bangladesh is undertaken by representatives of Her Majesty's Government.

Mr. Eggar: Our aid is monitored through regular visits by Overseas Development Administration staff, from both London and our south east Asia development division in Bangkok. The aid section of the British High Commission in Dhaka is responsible for day-to-day oversight of the programme.

EDUCATION AND SCIENCE

Support Grant

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science when he expects to announce the education support grant guidelines for 1989-90.

Mrs. Rumbold: My right hon. Friend announced on 15 December 1988 the allocations to individual LEAs of expenditure to be supported through ESGs in 1989-90. My right hon. Friend yesterday met representatives of the local authority associations for preliminary discussions about the content and scale of the 1990-91 programme. He will be announcing shortly a list of proposed activities for support in 1990-91 in the light of yesterday's discussions.

School Leavers

Mrs. Wise: To ask the Secretary of State for Education and Science how many children leave school before they are aged 16 years.

Mr. Butcher: It is estimated that, in England, during the academic year 1986-87, some 107,000 pupils left school before their 16th birthday.

Zidovudine

Mr. Alfred Morris: To ask the Secretary of State for Education and Science (1) if he will receive copies of all reports given by the independent data and safety monitoring committee to the chairmen of the MRC/INSERM co-ordinating committee of the trial on the benefits of zidovudine for healthy people who are HIV positive; and if he will make a statement;

(2) pursuant to his reply to the right hon. Member for Manchester, Wythenshawe, on 7 February, *Official Report*, column *608*, how many participants have been enrolled to date in the Medical Research Council trial on the benefits of zidovudine for healthy people who are HIV positive in *(a)* the United Kingdom and *(b)* France.

Mr. Jackson: My right hon. Friend does not expect to receive copies of such reports; the conduct of the trial is a matter for the Medical Research Council and INSERM. the number of participants enrolled on the trial up to 15 February 1989 was 218 in the United Kingdom and 84 in France.

University Lecturers

Mr. Andrew Smith: To ask the Secretary of State for Education and Science pursuant to his answer of 9 February, *Official Report*, column *750*, if he will express the figures contained in his answer as a percentage of total university lecturing staff for each of the years 1980 to 1987.

Mr. Jackson: The information on lecturers leaving universities in Great Britain to take up employment or study abroad as a percentage of lecturers in post in the previous year is as follows:

	Non-clinical	*Clinical*	*All*
1980	0·7	1·8	0·8
1981	0·6	1·4	0·6
1982	0·6	1·4	0·7
1983	0·4	2·1	0·5
1984	0·5	1·0	0·5
1985	0·4	1·1	0·5
1986	0·6	1·2	0·6
1987	0·5	1·0	0·6

GCSE

Mr. Thurnham: To ask the Secretary of State for Education and Science if he will make a statement about advice available to students on choosing subjects for the GCSE examination.

Mrs. Rumbold: Schools are best placed to advise their pupils on choosing appropriate subjects at GCSE. In addition to giving pupils individual advice, many schools issue guidance booklets on their GCSE choices. DES publicity recommends that parents should make sure that their children take English, maths and science at GCSE.

Animals (Experiments)

Mr. Hinchliffe: To ask the Secretary of State for Education and Science which university laboratories concerned with animal experimentation use animals not bred specifically for this purpose; and who supplies the animals concerned.

Mr. Jackson: This information is not collected centrally.

School Meals

Mr. Battle: To ask the Secretary of State for Education and Science if he will publish a table showing the

expenditure on school meals for each year between 1978-79 and the latest date available, in current and constant prices.

Mr. Butcher: The information is given in the table:

Net expenditure on school meals and milk[1]—England

	Cash Terms £ million	*1986-87 Real Terms[2]* £ million
1978-79	388	756
1979-80	422	704
1980-81	397	559
1981-82	397	509
1982-83	411	492
1983-84	427	489
1984-85	432	471
1985-86	435	450
1986-87	459	459

[1] Net expenditure includes the salaries and wages of staff engaged in the preparation and supervision of the meal, the cost of food and overheads less the income received from pupils and adults who pay for their meals. It does not include any capital or capital financing costs. The figures include the costs of the school milk service which have not been collected separately since 1981-82.

[2]The cash figures for the earlier years have been repriced to 1986-87 real terms using the gross domestic products (market prices) deflator.

Universities and Polytechnics

Mr. Stern: To ask the Secretary of State for Education and Science if he has any plans to increase the financial independence of universities and polytechnics.

Mr. Jackson: Under the Education Reform Act, polytechnics in England are being re-established as institutions independent of local education authorities, with funding from the Polytechnics and Colleges Funding Council. Following the Act, there is a wide-ranging debate on the funding of higher education which the Government want to see develop and mature further. However, we are actively considering the possibility of some shift in the flow of public funds from the grants to be disbursed by the higher education funding councils towards students' fees met under the mandatory awards arrangements.

Grant-maintained Schools

Mr. Straw: To ask the Secretary of State for Education and Science what information has been given by his Department or by those acting on its behalf, directly or indirectly, to journalists or others, which has specified in respect of complaints relating to the conduct of ballots for grant-maintained schools, the names of the local education authority concerned and the nature of the complaint; when; by whom; and to whom.

Mr. Kenneth Baker: When asked about concerns relating to the conduct of ballots my Department has referred to reports which have appeared in the media.

Mr. Straw: To ask the Secretary of State for Education and Science what decisions he has made on the applications which he has received for grant-maintained status.

Mr. Kenneth Baker: I have today informed the governing bodies of Skegness grammar school, Lincolnshire and Audenshaw high school, Tameside that I have approved their proposals that their schools should become grant-maintained from September 1989.

Teachers (Shortages)

Mr. Straw: To ask the Secretary of State for Education and Science if he will list in the *Official Report* the measures which have been taken by Her Majesty's Government since 1985 in respect of teacher shortages; what was the total cost of each measure; and if he will make a statement on their effect.

Mr. Kenneth Baker: The table shows the principal measures taken since the introduction of our action programme on teacher shortages in 1986, and their costs to date.

	Measures	*Total cost* £ million
(i)	Bursary scheme for trainee teachers in maths, physics, CDT	6·381
(ii)	Support for LEAs in-service training in shortage subjects in order to upgrade teachers' skills and conversion of teachers in other subjects to maths, physics and CDT	35·5
(iii)	Support for new initiatives in higher education institutions and the Open University for new types of initial and in-service training provision, including distance learning packs and more flexible training arrangements	6·4
(iv)	TASC (Teaching as a Career) Unit to promote teaching as a career and improve recruitment practices among local education authorities and initial teacher training institutions	0·725
(v)	TASC advertising and publicity campaigns	1·179
(vi)	Production of video teaching programmes by the BBC, Thames TV and Yorkshire TV for in-service training use	0·435
(vii)	Pump priming support for local initiatives to improve supply in shortage subjects	0·050
(viii)	Taster courses for mature people and others to encourage entry or return to teaching	0·040
(ix)	Regional conferences with the Scientific Technology Regional Organisation (SATRO) on how industry can help to alleviate shortages	0·010

It is too early to make a definitive assessment of the effectiveness of the action programme. We have commissioned an independent evaluation of all our teacher shortage initiatives from the University of Bath. The first report of the findings of that study was published last June and is available in the Library. A final reort is due this autumn. I am, however, satisfied that our action programme is effective.

The bursary has been successful in reversing the decline in recruitment to initial teacher training courses in shortage subjects. Recruitment to maths, physics and CDT has increased by 27·8 per cent., 24·9 per cent. and 38·2 per cent. since 1986. The fall in vacancy figures suggests that our measures generally are having an impact on shortages.

Residential Special Schools

Mr. Pawsey: To ask the Secretary of State for Education and Science if he has yet decided upon arrangements for the future administration of the Inner London Education Authority's residential special schools located outside Inner London.

Mrs. Rumbold: My right hon. Friend has received the report of the working party that he set up last year to consider the future of ILEA's residential special schools located outside Inner London. A copy has been placed in the Library.

With the agreement of the inner London boroughs, the report recommends an allocation of the schools to the inner London boroughs, which will become responsible for their maintenance. It also recommends that the boroughs should agree on co-ordinating arrangements for planning and policy issues relating to the schools.

My right hon. Friend accepts that the recommendations on the allocation of schools provide a secure basis for the future maintenance of these establishments, within the new framework of education in inner London. His final decisions on allocation will be taken in the light of boroughs development plans, which are to be published by the end of this month. He will moreover, wish to consider further the boroughs' proposals for co-ordinating arrangements for these schools. In view of the specalist nature of these schools he is concerned that there should be sound and workable arrangements for ensuring that the future planning and management of these schools will be on a rational and coherent basis. Before taking a final view on that matter the Secretary of State will wish to review the boroughs' proposed arrangements for voluntary co-ordination and is accordingly inviting the Inner London education advisory committee to inform him of the outcome of its discussions on this subject.

HOME DEPARTMENT

Race Relations

Mr. Fraser: To ask the Secretary of State for the Home Department what steps are being taken by his Department to eradicate the circulation of racist literature to black prisoners.

Mr. Douglas Hogg: The Prison department's race relations policy statement, and other guidance issued to governors, makes it abundantly clear that racist language and literature will not be tolerated. Any governor who becomes aware that racist literature is being circulated in his or her establishment would be expected, with the assistance of the establishment's race relations liaison officer, to ensure that the matter is fully investigated and that, wherever possible, those responsible for its circulation are identified and dealt with appropriately.

AIDS

Mr. Vaz: To ask the Secretary of State for the Home Department if he will state the Government's policy on the confidentiality of a person's HIV status in United Kingdom prisons; if he will outline who is told when a person is diagnosed HIV antibody positive or with AIDS and for what reasons; and what measures are taken regarding a HIV antibody positive prisoner and for what reasons.

Mr. Douglas Hogg: The importance of preserving medical confidentiality has been stressed in guidance on the management of prisoners with HIV infection which has been issued to governors, medical officers and prison service staff in England and Wales. However, the Department considers that it has a duty to ensure, on grounds of health and safety, that staff with an operational need to know are informed of the presence and identity of prisoners who are a potential risk to them and to other prisoners.

We have, therefore, established a system under which such members of staff are informed of prisoners who are subject to viral infectivity restrictions (VIR). Since such restrictions, which are at the discretion of the medical officer but will usually determine the prisoner's living accommodation and may limit access to certain regime activities, may be applied to prisoners with HIV or other infective conditions disclosure of VIR status does not entail disclosing a diagnosis.

Practice elsewhere in the United Kingdom is a matter for my right hon. Friends the Secretaries of State for Scotland and for Northern Ireland.

Local Government

Mr. Alton: To ask the Secretary of State for the Home Department how much money was paid to local authorities under section 11 of the Local Government Act 1966 in each of the last 10 years.

Mr. John Patten: The amount of grant paid under section 11 of the Local Government Act 1966 to local authorities in respect of each of the last 10 years for which information is available is given in the table. Grant is paid at the rate of 75 per cent. of an authority's eligible expenditure. Figures for 1987-88 are not yet available as a number of authorities have not yet submitted audited claims.

Year	*Grant*
1977-78	24,656,387
1978-79	28,273,873
1979-80	34,481,552
1980-81	45,767,083
1981-82	54,754,571
1982-83	65,305,918
1983-84	[1]74,017,662
1984-85	[1]72,819,943
1985-86	[1]80,808,402
1986-87	[1]87,177,400

[1] Provisional figure.

NACRO

Mr. Sheerman: To ask the Secretary of State for the Home Department how many officials from his Department have acted as observers on the council of the National Association for the Care and Resettlement of Offenders and its network of advisory committees since 1979.

Mr. Douglas Hogg: The information requested is as follows:

Home Office observers

	NACRO council	*NACRO advisory committees*
1979-80	1	5
1980-81	1	7
1981-82	1	8
1982-83	1	7
1983-84	1	8
1984-85	1	11
1985-86	1	10
1986-87	1	11
1987-88	1	8

Parole System

Mr. Sheerman: To ask the Secretary of State for the Home Department what representations he has had on the Carlisle report on the parole system; and if he will make a statement.

Mr. John Patten: We have received a number of representations. We have asked interested individuals and organisations to send us their comments by 10 March. We shall then consider the recommendations carefully in the light of the responses we have received.

Probation Officers

Mr. Wheeler: To ask the Secretary of State for the Home Office if he will provide the age and service profile of senior probation officers and their position on the salary scale; and what would be the cost of abolishing the first five salary incremental points.

Mr. John Patten: The 1,066 senior probation officers in post in April 1988 were distributed across the salary scale as follows:

Point on scale	*Percentage of SPOS*
1	4
2	4
3	8
4	8
5	9
6	8
7	5
8	4
9	3
10	47

If all officers on points one to five were moved to point six, the cost would be £380,000 in the first year—excluding any consequential increase for officers already at or above point six. Information on the age and service profile of senior probation officers is not available centrally, and could be obtained only at disproportionate cost, if available at all.

Paddy Armstrong

Mr. Corbyn: To ask the Secretary of State for the Home Department what medical attention has been offered to Paddy Armstrong, currently being held in Her Majesty's Prison, Gartree; and if he will make a statement on his medical condition.

Mr. Douglas Hogg: Specific clinical information pertaining to individual prisoners is confidential and is not normally disclosed. I have no information which suggests that Mr. Armstrong's general medical condition is other than satisfactory.

Gerard Conlon

Mr. Corbyn: To ask the Secretary of State for the Home Department what medical attention has been offered to Gerard Conlon, currently being held in Her Majesty's Prison, Long Lartin; and if he will make a statement concerning his medical condition.

Mr. Douglas Hogg: Specific clinical information pertaining to individual prisoners is confidential and is not normally disclosed. I have no information which suggests that Mr. Conlon's general medical condition is other than satisfactory.

Mr. Corbyn: To ask the Secretary of State for the Home Department how many times Gerard Conlon, currently being held in Her Majesty's Prison, Long Lartin, has been moved since first being held in 1974.

Mr. Dougals Hogg: I shall write to the hon. Member.

Cat Theft

Mr. Hinchliffe: To ask the Secretary of State for the Home Department (1) what action he intends to take following the evidence on cat thefts contained in the recent Petwatch special report, a copy of which he has been sent;

(2) which police forces record reported losses of cats.

Mr. Douglas Hogg: It is for the chief officers to decide how reports of stolen or missing property are recorded. We are not persuaded that the information contained in the National Petwatch report necessitates any new action on cat theft.

Refugees

Mr. Alton: To ask the Secretary of State for the Home Department whether he intends to extend the scope of section II of the Local Government Act 1966 to include within its remit non-commonwealth refugees.

Mr. John Patten: The possibility of legislative changes, which would be necessary if the scope of the grant under section II of the Local Government Act 1966 were to be extended to cover communities from outside the Commonwealth, was within the terms of reference of the scrutiny of the grant system which my right hon. Friend announced in reply to a question from my right hon. Friend the Member for Brent, North (Sir R. Boyson) on 26 May 1988 at column *279*. My right hon. Friend is at present studying the report of the scrutiny.

Immigration

Mr. Darling: To ask the Secretary of State for the Home Department if he will indicate for each week in 1988 the number of passengers arriving at *(a)* Heathrow, *(b)* Gatwick and *(c)* Dover holding entry clearance and arriving from each of (i) India, (ii) Pakistan, (iii) Bangladesh, (iv) Ghana and (v) Nigeria.

Mr. Renton *[holding answer 13 February 1989]:* The available information is compiled only on a monthly basis and relates to total admissions of passengers excluding those exempt from requiring entry clearance. The data available for 1988 is given in the following table.

Total admissions of passengers excluding those exempt from requiring entry clearance[1] by certain nationalities and ports in 1988

Number of persons

Nationality	*January*	*February*	*March*	*April*	*August*	*September*
Heathrow						
India	7,900	7,100	7,400	5,200	14,100	15,600
Pakistan	3,600	3,100	3,900	4,900	8,100	6,600
Bangladesh	900	800	1,100	1,300	1,800	1,400
Ghana	1,100	1,100	1,200	1,200	2,200	2,200
Nigeria	4,700	4,700	3,500	1,200	6,500	7,200

Nationality	January	February	March	April	August	September
Gatwick						
India	500	500	800	400	1,600	1,400
Pakistan	500	400	400	600	1,100	1,000
Bangladesh	40	30	40	20	90	70
Ghana	300	200	300	200	500	600
Nigeria	2,700	1,700	2,000	1,000	3,700	3,600
Dover						
India	140	140	170	380	1,510	920
Pakistan	130	100	130	190	650	350
Bangladesh	20	20	10	60	120	70
Ghana	20	30	30	30	90	80
Nigeria	50	40	60	50	130	110

[1] Provisional estimates. Estimates for May, June and July are not yet available due to delays in the counting of landing cards for technical reasons.

PRIME MINISTER

Residents (Registration)

Mr. Ralph Howell: To ask the Prime Minister if she will list the minimum and maximum number of separate registers in which residents of the United Kingdom are given separate numbers; and if she can estimate the cost and number of people needed to maintain all such registers.

The Prime Minister: This information is not held centrally.

General Hershad

Mr. Corbyn: To ask the Prime Minister what meetings she has had with General Hershad, President of Bangladesh; and what subjects were discussed.

The Prime Minister: I had talks with, and gave dinner for, President Ershad on 16 February. The talks covered both bilateral and regional issues.

ENERGY

Wave Energy

Mr. Home Robertson: To ask the Secretary of State for Energy if, pursuant to his reply to the hon. Member for East Lothian on 20 January, *Official Report*, column *343*, he will place in the Library a copy of the minutes of the meeting of the Advisory Council on Research and Development at which the decision was made concerning the closure of the offshore wave energy programme.

Mr. Michael Spicer: A copy of a summary of the main conclusions and recommendations of the Advisory Council on Research and Development on the wave energy programme was placed in the Libraries of both Houses on 27 April 1982.

Wind Power

Mr. Home Robertson: To ask the Secretary of State for Energy what progress has been made by his Department in the consideration of the potential of offshore wind power during the past seven years.

Mr. Michael Spicer: The technical potential of offshore wind power has been estimated at around 140 Twh/year at an expected cost of electricity in the range 4·2– 7·4 p/kWh. These estimates are based on collaborative studies which were jointly funded by my Department and the CEGB, and have taken into account constraints imposed by other offshore activities. The extent to which any of this resource could be economically exploited will be the subject of further work.

The United Kingdom has also participated in an International Energy Agency (IEA) study of offshore wind energy conversion systems which considered the technical and economic problems of exploiting this resource.

Electricity Supply System (Merseyside and North-West)

Mr. John Evans: To ask the Secretary of State for Energy what is the estimated value of the electricity supply system covering *(a)* Merseyside and *(b)* the north-west.

Mr. Michael Spicer: This is a matter for the electricity supply industry. I shall ask the chairman of the Merseyside and North Wales and the North Western Electricity boards to write to the hon. Member.

Safe Integrated Reactor

Mr. Greg Knight: To ask the Secretary of State for Energy what assessment he has made of the proposed Anglo-American consortium plans for a safe integrated reactor.

Mr. Michael Spicer: The United Kingdom Atomic Energy Authority has informed my Department of its interest in developing a 300MWe reactor as a member of the SIR consortium. The consortium's proposals are at an early stage and I shall be kept informed of developments.

Foreign Coal

Mr. Redmond: To ask the Secretary of State for Energy if he will list by year, port and tonnage the amount of foreign coal imported into England and Wales for the last five years.

Mr. Michael Spicer: The information requested is as follows:

Port	Quantity (000 tonnes)				
	1984	1985	1986	1987	1988
Middlesbrough	1,447	2,352	2,610	2,501	2,878
Port Talbot	2,023	1,834	1,558	1,958	1,997
Immingham	225	615	1,349	669	999
London (including Tilbury)	239	1,515	404	538	743
Medway	120	723	661	556	565
Sunderland	23	88	243	198	418
Trent	[1]1,415	[1]963	778	335	386
Hartlepool	8	101	295	354	314
Cardiff	—	113	247	222	294
Goole	73	48	36	236	286
Kings Lynn	1	1	—	117	117
Newport (Gwent)	32	181	83	5	116
Portsmouth	205	210	7	59	92
Swansea	—	5	—	—	92
Grimsby	—	—	—	—	88
Avonmouth	16	78	96	60	86
Colchester	554	326	196	91	71
Liverpool	38	371	143	65	31
Exeter	134	70	14	10	18
Others	280	412	136	147	146
Total	6,835	10,006	8,856	8,122	9,739

[1] Imports recorded under port of Scunthorpe.
Note: Figures may not add due to rounding.
Source: HM Customs and Excise (port of entry basis).

Nuclear Power Generation (Yorkshire)

Mr. Redmond: To ask the Secretary of State for Energy what information he has regarding the likely growth of nuclear power generation in the three counties of Yorkshire over the next 15 years.

Mr. Michael Spicer: My right hon. Friend has received no application from the CEGB for consent to construct any nuclear power station in Yorkshire. It is for the CEGB to decide whether and when to apply for consent to construct any new power station.

Yorkshire Coalfields (Employment)

Mr. Redmond: To ask the Secretary of State for Energy if he will list his latest estimate of the level of employment in British Coal in the Yorkshire coalfields in 1990 and 1995.

Mr. Michael Spicer: This is a matter for the British Coal Corporation and I have asked the chairman to write to the hon. Member.

Electricity Privatisation

Mr. Nicholas Bennett: To ask the Secretary of State for Energy what proposals are being considered for customer rights following the privatisation of electricity.

Mr. Michael Spicer: The Electricity Bill currently before Parliament will create many new customer rights, including an improved right to an electricity supply, protection for consumers who get their electricity from a landlord, protection for the elderly and disabled, help for those having difficulty paying bills and a new system of guaranteed standards of performance with automatic compensation for failures to meet these standards. The director general of electricity supply will have a statutory duty to protect the interests of the consumer, and the new regional consumers' committees will provide him with lay advice on consumer issues.

Wood Crops

Mr. Speller: To ask the Secretary of State for Energy what steps *(a)* he has taken and *(b)* he will take to promote the use of arable wood crops or wood chips as a fuelstock for conversion into electricity.

Mr. Michael Spicer: Investigation of the economic prospects for the use of wood crops and wood chip as a fuelstock has formed part of my Department's research, development and demonstration programmes on biofuels for the past decade and just over £1·5 million has been spent in this area.

Projects so far have looked at the potential for harvesting, processing, storing and transporting of fuel wood as well as investigations of novel systems such as integrated or whole tree harvesting and also combustion trials. In addition, we have supported studies of short rotation energy forestry including the establishment and development of trial plots and coppice harvesting techniques as well as the possible environmental impact.

Our intention for the future programme is laid out in energy paper 55, copies of which are in the Libraries of both Houses.

Within my Department's plans for electricity privatisation, wood crops or wood chip will be eligible to contribute towards the non-fossil fuel obligation.

Energy Act 1983

Mr. Ward: To ask the Secretary of State for Energy what arrangements he proposes to succeed the provisions of sections 5 and 7 of the Energy Act 1983 as they apply in England and Wales.

Mr. Parkinson: Our privatisation proposals are designed to increase competition in generation by bringing new entrants into the market. We have not, however, overlooked those independent generators who are currently supplying area boards.

We appreciate that there are existing projects where investments have been advanced against the backdrop of the 1983 Energy Act and the obligation under the Act on

area boards to purchase independently-produced electricity. We wish to ensure that the changes brought about by privatisation do not disadvantage those who have invested in generating plant as a result of the Act and who are currently selling to area boards under its terms. I am therefore pleased to announce that area board chairmen in England and Wales have agreed to transitional arrangements which will safeguard those generators, and leave them no worse off in revenue income terms than at present. Similar arrangements have been agreed in Scotland.

I can therefore confirm that generators who have entered into arrangements with the area boards to supply electricity since the 1983 Act will, if they choose, be able to continue those arrangements for a five-year transitional period. The boards will maintain energy and capacity payments at comparable levels to those available under the Act. This is a significant commitment by the boards to independent generators and it will assist those whose decisions on plant investment have been influenced by the existence of the provisions of the Energy Act in planning for the future.

It would be inconsistent with the general thrust of privatising the industry to enshrine in legislation a permanent protection for Energy Act generators. It would also be wrong in principle to extend their transitional arrangements to those who invested in capacity and were supplying area boards before the passage of the 1983 Act.

EMPLOYMENT

Employment Training

Mr. Meacher: To ask the Secretary of State for Employment how many persons have *(a)* joined and *(b)* dropped out from the employment training programme each month since the scheme began, both in each region and nationally.

Mr. Nicholls: The information requested is given in the table. The number of employment training leavers includes early leavers and those who have completed their training. The figure is estimated and is only available nationally.

Employment training—Starts and leavers
September to December 1988

Region	September		October		November		December	
	Starts	*Leavers*	*Starts*	*Leavers*	*Starts*	*Leavers*	*Starts*	*Leavers*
South East	1,633	—	2,050	—	1,987	—	1,707	—
London	2,503	—	3,057	—	3,110	—	2,406	—
South West	1,076	—	1,724	—	2,023	—	1,742	—
West Midlands	2,470	—	3,733	—	3,829	—	3,303	—
East Midlands and Eastern	1,771	—	2,728	—	2,860	—	2,202	—
Yorkshire and Humberside	2,974	—	4,523	—	5,509	—	4,402	—
North West	3,029	—	4,962	—	5,544	—	4,145	—
Northern	2,395	—	3,219	—	3,546	—	2,895	—
Wales	1,381	—	1,967	—	2,649	—	2,172	—
Scotland	2,331	—	3,120	—	4,045	—	3,894	—
Great Britain	21,462	1,000	31,083	5,000	35,202	7,000	28,867	7,000

Note:
The leavers figures are estimated and relate to trainees who were not transferred from previous programmes.

Mr. Loyden: To ask the Secretary of State for Employment what is *(a)* the number entering employment training each month, *(b)* the number of trainees entering practical experience placements each month, *(c)* the number leaving employment training each month and *(d)* the reasons given for leaving each month by trainees on (i) a national and (ii) an area office basis.

Mr. Nicholls: The information is not available in the precise form requested. The following tables give the number entering employment training each month nationally and by area. Information on the number entering practical placements is not collected. The number leaving employment training is currently only available for Great Britain as a whole and is estimated. Regional and area breakdowns of this information will be available from April of this year. Data on the reasons given by trainees for leaving employment training is not currently available but it will be obtained from follow up surveys. The first results should be available by the end of the year.

Employment training—Starts and leavers
Table 1
Monthly totals: September 1988 to January 1989
Great Britain

	Starts	*Leavers*[1]
September	21,462	1,000
October	31,083	5,000
November	35,202	7,000
December	28,867	7,000
January	36,698	[2]—

[1] The leavers figures are estimated and relate to trainees who were not transferred from previous programmes.
[2] Leavers figures for January are not yet available.

Monthly totals: September 1988 to January 1989

Area	September	October	November	December	January
Berkshire and Oxfordshire	106	207	156	182	320
Hertfordshire and Buckinghamshire	230	309	243	224	300
Essex	155	246	326	286	355
Hampshire and Isle of Wight	444	488	457	423	444
Kent	259	429	475	336	503
Sussex	218	241	224	188	259
Surrey	121	131	106	68	125
North London	730	565	602	533	655

Area	September	October	November	December	January
West London	165	258	372	198	302
East London	268	382	432	329	488
South London	116	202	216	179	404
Inner London North	820	1,159	948	712	1,314
Inner London South	404	491	540	454	639
Avon	156	329	385	339	437
Devon and Cornwall	494	783	1,003	833	1,178
Somerset and Dorset	193	355	326	363	259
Gloucestershire and Wiltshire	232	257	309	207	274
Birmingham and Solihull	465	1,190	1,237	1,051	1,377
Coventry and Warwickshire	334	378	448	320	423
Dudley and Sandwell	480	521	444	436	705
The Marches	318	419	448	489	558
Staffordshire	383	589	640	552	681
Wolverhampton and Walsall	490	636	612	455	576
Derbyshire	358	594	620	386	540
Bedfordshire and Cambridgeshire	212	373	376	286	382
Leicestershire and Northants	274	472	465	358	534
Nottingham	356	643	659	501	762
Norfolk and Suffolk	403	460	544	466	500
Lincolnshire	168	186	196	205	232
Bradford, Calderdale and Kirklees	454	706	1,135	873	877
Sheffield and Rotherham	679	1,187	1,310	1,079	1,268
Wakefield, Barnsley and Doncaster	513	788	1,123	867	1,188
Humberside	975	1,127	949	828	1,060
Leeds/North Yorkshire	353	715	992	755	1,059
Manchester East	363	596	660	426	477
Manchester Central	545	738	899	608	828
Manchester North	323	541	646	523	602
Cheshire	463	897	697	451	605
Lancashire	599	891	882	797	960
Merseyside	619	1,137	1,477	1,132	1,694
Cumbria	117	162	283	208	290
North Tyne	353	455	707	613	789
South Tyne	706	1,003	997	884	977
Durham	618	857	804	596	797
Cleveland	718	904	1,138	802	1,074
Wrexham	277	430	491	520	606
Swansea	479	586	945	698	819
Cardiff	432	683	885	687	1,017
Gwent	193	268	329	257	458
Central and Fife	344	337	497	478	514
Grampian and Tayside	398	382	617	380	453
Lothian and Borders	394	683	787	679	601
Glasgow City	476	574	704	740	733
Renfrew, Dumbarton and Argyll	153	286	417	552	392
Ayrshire, Dumfries and Galloway	306	303	373	442	961
Lanarkshire	214	483	576	537	452
Highlands and Islands	46	72	84	86	121

Note: Figures may not tally with those previously published due to retrospective adjustments at area level.

YTS

Mr. Redmond: To ask the Secretary of State for Employment if he will publish for 1988 and to date, for the Doncaster and Mexborough areas of South Yorkshire *(a)* the number of filled places in YTS by training occupational classification and *(b)* the number of contracted places in YTS by training occupational classifications.

Mr. Cope: Information is not separately available for Doncaster and Mexborough. The following tables give figures for the local authority district of Doncaster which includes Doncaster, Mexborough and Thorne.

Table 1
YTS agreed and filled places in Doncaster local authority district January to July 1988

	January 1988		February 1988		March 1988		April 1988		May 1988		June 1988		July 1988	
	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled
Administrative and clerical occupations	814	235	814	248	814	255	814	265	796	274	804	359	830	443
Creative, educational and recreational service occupations	204	58	204	64	204	68	216	70	216	79	200	98	200	115
Health, community personal service occupations	446	118	446	119	446	120	403	124	395	132	343	193	343	254
Selling and storage occupations	858	163	858	172	858	180	847	195	796	206	837	286	837	327
Scientific occupations	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Catering and food preparation and processing occupations	167	24	167	24	167	24	167	25	167	32	177	48	177	53
Agricultural and related occupations	348	62	348	64	348	65	345	70	345	71	179	103	179	113
Fishing occupations	0	0	0	0	0	0	0	0	0	0	0	0	0	0

	January 1988		February 1988		March 1988		April 1988		May 1988		June 1988		July 1988	
	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled
Transport operating occupations	14	8	14	8	14	8	14	8	14	14	31	14	31	14
Construction and civil engineering occupations	298	105	298	107	298	109	256	113	216	130	232	156	232	167
Mining, oil extraction and quarrying occupations	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Electrical and electronic engineering occupations	79	20	79	20	79	21	79	21	79	21	80	31	70	33
Mechanical engineering, and metal production and processing occupations	454	107	454	110	454	110	404	116	404	125	347	152	347	178
Motor vehicle repair and maintenance occupations	374	90	374	92	374	92	373	96	373	103	290	145	290	171
Non-metal processing occupations	0	0	0	0	0	0	16	0	16	0	16	0	16	1
Printing occupations	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Clothing and textiles manufacturing occupations	157	26	157	27	157	29	156	35	148	36	98	52	98	61
Security service occupations	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	129	2,108	129	1,991	129	1,902	163	1,834	223	1,754	352	1,712	352	1,448
TOTAL	4,342	3,124	4,342	3,046	4,342	2,983	4,253	2,972	4,188	2,977	3,986	3,349	4,002	3,378

Note: Filled places marginally exceed agreed places on a number of occasions because Managing agents can exceed agreed places by 10 per cent. when required.

Table 2

YTS agreed and filled places in Doncaster local authority district September 1988 to January 1989

	August 1988		September 1988		October 1988		November 1988		December 1988		January 1989	
	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled	Agreed	Filled
Administrative and clerical occupations	830	505	830	594	823	643	823	685	823	704	823	726
Creative, educational and recreational service occupations	200	146	200	171	200	184	200	205	200	212	200	237
Health, community and personal service occupations	343	271	343	297	343	314	343	337	343	347	343	356
Selling and storage occupations	837	370	837	425	832	474	832	516	832	539	832	592
Scientific occupations	0	0	0	0	0	0	0	0	0	0	0	0
Catering, food preparation and processing occupations	177	55	177	63	177	68	177	74	177	75	177	78
Agricultural and related occupations	179	118	179	133	179	139	179	148	179	149	179	154
Fishing occupations	0	0	0	0	0	0	0	0	0	0	0	0
Transport operating occupations	3	14	31	14	31	14	31	14	31	14	31	14
Construction and civil Engineering occupations	232	184	232	225	232	232	232	245	232	240	232	239
Mining, oil extraction and quarrying occupations	0	0	0	0	0	0	0	0	0	0	0	0
Electrical and electronic engineering occupations	70	33	70	46	70	47	70	49	70	49	70	51
Mechanical engineering, and metal production and processing occupations	347	199	347	246	347	266	369	275	369	280	369	285
Motor vehicle repair and maintenance occupations	290	187	290	193	290	197	290	198	290	199	290	202
Non-Metal processing occupations	16	1	16	2	16	8	16	8	16	10	16	10
Printing occupations	0	0	0	0	0	0	0	0	0	0	0	0
Clothing and textiles manufacturing occupations	98	70	98	73	98	74	98	76	98	77	98	81
Security service occupations	0	0	0	0	0	0	0	0	0	0	0	0
Others	352	1,171	391	888	403	648	403	496	403	343	403	268
TOTAL	3,974	3,324	4,041	3,370	4,041	3,308	4,063	3,326	4,063	3,238	4,063	3,293

Notes:

1. Filled places marginally exceed agreed places on a number of occasions because Managing Agents can exceed agreed places by 10 per cent. when required.
2. The 'Others' Filled Places for August to November 1988 are overstated because the correct TOC was unknown at the time of computer input. Efforts to obtain correct classification have resulted in the data becoming more accurate as the year progressed.

Health and Safety

Mr. Janner: To ask the Secretary of State for Employment (1) how many companies have been convicted of offences under section 2 of the Health and Safety at Work etc. Act in each of the last five years for which records are available; how many and what percentage were convicted and acquitted, respectively; and what penalties were imposed on those convicted;

(2) how many individuals have been convicted of offences under section 2 of the Health and Safety at Work etc. Act in each of the last five years for which records are

available; how many and what percentage were convicted and acquitted, respectively; and what penalties were imposed on those convicted.

Mr. Nicholls: Centrally available statistics from the records of the Health and Safety Executive's factory and agricultural inspectorates and of local authorities which include almost all the relevant proceedings are given in the table. These do not distinguish between companies and individuals but the large majority of proceedings are against companies.

Informations laid under Section 2 of the Health and Safety at Work etc. Act
Great Britain

	HSE's factory and agricultural inspectorates								*Local authorities*	
		Result				*Fines*				
	Informations laid	*Conviction*	*Withdrawn*	*Dismissed*	*Not known*	*Lowest*[1]	*Highest*	*Average*	*Informations laid*	*Convictions*
1983										
Number	345	276	22	28	19	50	3,000	363	168	131
Percentage	100	80	6	8	6				100	78
1984										
Number	328	275	24	24	5	20	12,000	424	189	170
Percentage	100	84	7	7	2				100	90
1985										
Number	378	309	23	33	13	50	30,000	618	142	124
Percentage	100	82	6	9	3				100	87
1986 Q1										
Number	85	74	2	7	2	25	2,000	582	[2]—	[2]—
Percentage	100	88	2	8	2					
1986-87										
Number	295	238	24	23	10	25	5,500	653	208	170
Percentage	100	81	8	8	3				100	82
1987-88[3]										
Number	333	261	25	31	16	50	250,000	1,609	[2]—	[2]—
Percentage	100	78	8	9	5					

[1] Excludes cases which resulted in conviction but there was no fine.
[2] Not available.
[3] Provisional.

Mr. Janner: To ask the Secretary of State for Employment (1) how many companies have been convicted of offences under section 3 of the Health and Safety at Work etc. Act in each of the last five years for which records are available; how many and what percentage were convicted and acquitted, respectively; and what penalties were imposed on those convicted;

(2) how many individuals have been convicted of offences under section 3 of the Health and Safety at Work etc. Act in each of the last five years for which records are available; how many and what percentage were convicted and acquitted, respectively; and what penalties were imposed on those convicted.

Mr. Nicholls: Centrally available statistics from the records of the Health and Safety Executive's factory and agricultural inspectorates and of local authorities which include almost all the relevant proceedings are given in the table. These do not distinguish between companies and individuals but the large majority of proceedings are against companies.

Informations laid under Section 3 of the Health and Safety at Work etc. Act
Great Britain

	HSE's factory and agricultural inspectorates								*Local authorities*	
		Result				*Fines*				
	Informations laid	*Conviction*	*Withdrawn*	*Dismissed*	*Not known*	*Lowest*[1]	*Highest*	*Average*	*Informations laid*	*Convictions*
1983										
Number	140	115	7	15	3	40	2,500	338	49	39
Percentage	100	82	5	11	2				100	80
1984										
Number	150	121	13	12	4	100	10,000	493	40	35
Percentage	100	81	9	8	2				100	88
1985										
Number	162	120	25	15	2	50	8,000	589	44	41
Percentage	100	74	16	9	1				100	93
1986 Q1										
Number	63	53	4	3	3	100	1,250	404	[2]—	[2]—
Percentage	100	84	6	5	5					
1986-87										
Number	186	135	21	22	8	50	5,000	585	83	68
Percentage	100	73	11	12	4				100	82
1987-88[3]										
Number	195	158	16	7	14	20	500,000	3,731	[2]—	[2]—
Percentage	100	81	8	4	7					

[1] Excludes cases which resulted in conviction but where there was no fine.
[2] Not available.
[3] Provisional.

Mr. Janner: To ask the Secretary of State for Employment how many individual employees were convicted under section 6 of the Health and Safety at Work etc. Act in each of the last five years for which records are available; how many and what percentage were convicted and acquitted, respectively; and what penalties were imposed on those convicted.

Mr. Nicholls: Two individual employees have been prosecuted under section 6 of the Health and Safety at Work etc. Act in the last five years—one in 1987 and one in 1985. Both were convicted. The sentences were a £200 fine and a conditional discharge.

Minimum Wage

Mr. Loyden: To ask the Secretary of State for Employment what information he has as to what percentage of the national average wage the national minimum wage is in *(a)* France, *(b)* Netherlands, *(c)* Spain, *(d)* Portugal and *(e)* Luxembourg.

Mr. Nicholls: The following is the latest available information:

France 58 per cent.; Netherlands (October 1987) 58 per cent.; Spain (December 1987) 40 per cent.; Portugal (March 1988) 63 per cent.; Luxembourg (December 1988) 30 per cent.

The percentages are based on different datum points and coverage: they are not, therefore, directly related and cannot be taken as a comparative measure between the different countries.

Benefit Claims (Merseyside)

Mr. Loyden: To ask the Secretary of State for Employment how many people had unemployment benefit claims disallowed by adjudication officers, in the adjudication area covering Merseyside, on the ground that claimants were not available for work, in each quarter since 1986; and what was the number of claims disallowed as a percentage of total claims.

Mr. Lee: The table shows, over the period for which figures are available, the number of persons whose entitlement to unemployment benefit was disallowed because they were considered not to be available for work for the area requested.

Information requested on the number of claims disallowed as a percentage of the total claims made is not available.

Quarter ending	*Number disallowed*
31 March 1986	193
30 June 1986	173
30 September 1986	292
31 December 1986	272
31 March 1987	246
30 June 1987	183
30 September 1987	244
31 December 1987	209
31 March 1988	186
30 June 1988	160

Training

Mr. Loyden: To ask the Secretary of State for Employment what is the latest information available on the number of people who transferred from the community programme to employment training; and what is this figure as a percentage of community programme participants.

Mr. Nicholls: To the end of December 1988, the latest date for which information is available, it is estimated that about 9,000 people had transferred from the community programme to employment training. This is about 5 per cent. of the number on the community programme at 31 August 1988. These figures exclude people who transferred to employment training after completing their work on the community programme.

Horseracing (Safety)

Mr. Strang: To ask the Secretary of State for Employment how many serious accidents at work have occurred at *(a)* horseracing and *(b)* equestrian establishments; and how many workers have been permanently disabled in each case for each of the last 10 years.

Mr. Nicholls: Information relating to accidents at horse racing and equestrian establishments is not separately recorded.

Information on workers permanently disabled as a result of such accidents is not recorded.

Mr. Strang: To ask the Secretary of State for Employment how many visits have been made by Health and Safety Executive inspectors to *(a)* horseracing and *(b)* equestrian establishments in each of the last 10 years.

Mr. Nicholls: This information is not separately recorded and could be obtained only at disproportionate cost.

YTS

Mr. Strang: To ask the Secretary of State for Employment how many people have been YTS trainees in *(a)* the agricultural industry and *(b)* the horse industry in each of the last five years; how many were involved in accidents in each year; and if he will give a breakdown of the accidents according to severity.

Mr. Cope: Figures of the number of individual trainees experiencing YTS in the agriculture and horse industries in each of the last five years are not available in this form.

Information on fatal, major and minor accidents in the agricultural and the horse industry before 1988 is not available.

Information for 1988 is as follows:

1988 Equestrian accidents[1]

	Fatal	*Major injuries*[2]	*Minor injuries*
Total number reported to the Training Agency	None	20	61
Number which would not have been reported to HSE	None	2	5

1988 Agricultural accidents[1]

	Fatal	*Major injuries*[2]	*Minor injuries*
Total number reported to the Training Agency	None	48	183
Number which would not have been reported to HSE	None	8	28

[1] Training Agency accident figures for YTS have been compiled on a similar basis to those prepared by the Health and Safety Executive for employed people. However, the Agency's figures include a number of accidents, in particular road traffic accidents during scheme time and accidents to trainees in educational establishments, which may not have been reportable to the Executive had the individuals been employed.
[2] From 1 April 1986 major injuries have been classified according to severity criteria laid down in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 (RIDDOR).

Health and Safety (Agriculture)

Mr. Strang: To ask the Secretary of State for Employment what information he has on the degree of involvement of trade union representatives in health and safety in the agricultural industry; and how many establishments have trade union safety representatives.

Mr. Nicholls: Trade union representatives take part in discussions on health and safety issues in the agricultural industry through the Health and Safety Commission's agriculture industry advisory committee and its working parties, and directly with agricultural employers. A survey carried out by the Health and Safety Executive in 1979 found that trade union-appointed safety representatives were present in only 1 per cent. of agricultural establishments. However, as only about 30 per cent. of such establishments have one or more regular employees, this figure covered about 15 per cent of agricultual employees. The Executive is currently updating its 1979 findings by means of a new survey.

Mr. Strang: To ask the Secretary of State for Employment whether he will introduce legislation to enforce the appointment of appropriate trade union safety representatives in the agricultural industry.

Mr. Nicholls: No. The Safety Representatives and Safety Committees Regulations 1977 allow recognised trades unions to appoint safety representatives in agriculture and in other industries. Trades union are not obliged to appoint safety representatives, nor are employers obliged to recognise trades unions. This is a matter for negotiation between unions and the employers concerned.

Fraud Investigators

Mr. Corbyn: To ask the Secretary of State for Employment (1) from what date it is intended to deploy any fraud investigators at the Borough unemployment benefit office;

(2) where are the fraud investigators, to be based at the Borough unemployment benefit office, currently based;

(3) whether fraud investigators to be based at the Borough unemployment benefit office will have access to case files in other local unemployment benefit offices; which other local offices will be visited by the fraud investigators; and for what periods;

(4) when fraud investigators are based at the Borough unemployment benefit office, how cases will be selected for investigation.

Mr. Lee: There is no intention to employ investigators at Borough unemployment benefit office in addition to those already operating there to deal with local fraud cases. As has always been the practice, cases are referred to investigators because evidence of suspected fraud has come to light including through such means as observation on signing days and investigations with employers.

Mr. Corbyn: To ask the Secretary of State for Employment (1) how many fraud investigators are employed in each regional office covering the Greater London area;

(2) what targets are set by regional offices for individual investigators or teams of investigators.

Mr. Lee: There are 109 investigators and no targets are set for these investigators by regional office.

Mr. Corbyn: To ask the Secretary of State for Employment (1) how many fraud investigators reporting to the south-east regional office are operating from or are expected to operate from the Borough unemployment benefit office at Keyworth house;

(2) why fraud investigators are employed at a regional level; and what is their relationship with fraud staff employed at an area level.

Mr. Lee: The new inner London fraud team has been set up to investigate the hidden economy in London. It will concentrate on investigating fraud at the place of employment to identify those people who are working and also claiming unemployment benefit. Investigation of individual cases of fraud will be dealt with by existing sector fraud teams who may refer particular cases to the inner London fraud team if, for example, an employer is found to be employing a number of benefit recipients. None of the inner London fraud team will operate from Keyworth house.

Tourism

Mr. French: To ask the Secretary of State for Employment if he will make a statement on the effects of different per capita rates of public spending on tourism in the constituent parts of the United Kingdom.

Mr. Lee *[holding answer 20 February 1989]:* Government per capita support for tourism through the national tourist boards and the Highlands and Islands development board in 1987-88 was as follows:

	Funding £	*Average expenditure per head of population* £
England	23,335,000	0·5
Scotland	17,211,000	3·4
Wales	8,625,000	3·0
Northern Ireland	4,813,000	3·1

In addition, the Government provide a wide range of other forms of assistance in support of tourism-related industries. However, differences in the composition of public expenditure in different parts of the United Kingdom mean that information on the effect of this could not realistically be obtained.

Labour Statistics

Mr. Wray: To ask the Secretary of State for Employment how many *(a)* full-time and *(b)* part-time jobs (i) male and (ii) female there were in March 1979 and

March 1989 in the *(a)* industrial *(b)* nursing *(c)* agriculture and fishing and *(d)* service sectors in the (i) United Kingdom and (ii) Scotland.

Mr. Lee *[holding answer 20 February 1989]:* The available information is given in table A and table B for March 1979 and September 1988 (the latest date for which figures are available) and relates to employees in employment. There are no estimates of full-time and part-time employees in employment in Northern Ireland for these dates, and therefore no estimates for the United Kingdom. The only available information about full and part-time employment in Scotland in March 1979 and September 1988 is for female employees in employment.

Comparisons between March and September will be influenced by the effects of seasonal variation.

Table A
Full-time and part-time employees in employment United Kingdom

Thousands

	March 1979		*September 1988*	
	Males	*Females*	*Males*	*Females*
All industries and services (divisions 0-9)[1]	13,401	9,522	12,001	10,204
of which:				
Production industries (divisions 1-4)[1]	5,736	2,232	3,952	1,631
Coal extraction and manufacture of solid fuels (class 11)[1 2]	287	12	122	4
Agriculture, forestry and fishing (division 0)[1]	291	84	252	90
Service industries (divisions 6-9)[1]	6,268	7,101	6,899	8,362

[1] Division or Class of the 1980 Standard Industrial Classification.
[2] Estimates below national level are subject to considerable estimation error due to the relatively small number of employees in the industry in each English region, Scotland and Wales.

Table B
Full-time and part-time employees in employment Scotland

Thousands

	March 1979				*September 1988*			
	Males	*Females*			*Males*	*Females*		
		Full-time	*Part-time*	*All*		*Full-time*	*Part-time*	*All*
All industries and services (divisions 0-9)[1]	1,190	558	316	874	992	504	389	893
of which:								
Production industries (divisions 1-4)[1]	477	168	30	198	293	114	21	135
Coal extraction and manufacture of solid fuels (class 11)[1 2]	26	1	[3]—	1	6	[3]—	[3]—	[3]—
Agriculture, forestry and fishing (division 0)[1]	41	4	3	7	24	2	2	4
Service industries (division 6-9)[1]	532	379	279	658	545	382	362	744

[1] Division or Class of the 1980 Standard Industrial Classification.
[2] Estimates below national level are subject to considerable estimation error due to the relatively small number of employees in the industry in each English region, Scotland and Wales.
[3] Nil or negligible.

TRANSPORT

Railways (Electrification)

Mr. Spearing: To ask the Secretary of State for Transport what is the estimated cost of electrification of the Cambridge-King's Lynn railway line; what is his estimate of the average numbers of passengers travelling between Ely and King's Lynn in any day or week; and if he will publish the calculations which show the expected return on this investment over the route *(a)* Cambridge to Ely, *(b)* Ely to King's Lynn and *(c)* Cambridge to King's Lynn.

Mr. Portillo: The total cost of the project is estimated at £20·1 million, of which £11 million will be spent on the necessary infrastructure. The Department has no separate figures for passenger loadings between Ely and King's Lynn. This project was, as usual, appraised using a 7 per cent. discount rate, and was shown to be the most cost-effective way of continuing to operate this line.

Trunk Road Schemes

Mr. Amos: To ask the Secretary of State for Transport if he will list those trunk road schemes in England on which he anticipates public inquiries being held during the current year with, where known, the likely date of the inquiry.

Mr. Peter Bottomley: We anticipate that the following public inquiries may be held in February-March 1989, and 1989-90. An inquiry may not be necessary if all objections can be resolved after publication of draft orders.

1. Schemes where a Public Inquiry has been announced

Scheme	*Date*
A3 Milford bypass	21 March 1989
A47 Norwich southern bypass	Started 21 February 1989
A49 Weaverham diversion	26 April 1989

2. Schemes where Orders have been published and a Public Inquiry may be held

Scheme	*Date*
A5 Telford-Shrewsbury	April 1989
A6 Burton Latimer bypass	May 1989
A13 Thames avenue-Wennington	September 1989
A13 Wennington-Mar Dyke	September 1989
A65 Gargrave bypass	July 1989
A339 Basingstoke northern bypass	June 1989
*A435 Alcester bypass	April 1989
A516 Etwall bypass	July 1989

3. Schemes where it is proposed to publish Orders, and where a Public Inquiry may subsequently be held

Scheme
M5 widening Wardon-Strensham
M65 Blackburn Southern Bypass
M66 Denton-Middleton*
M1-A1 Link (6 schemes)*
A1 Brownieside Diversion
A1 Dishforth-Leeming Phase 1
A1 Glatton Grade Separated Junction
A1 Marshall Meadows Improvement
A5 Fazely, Two Gates and Wilnecote Bypass
A5 Little Brickhill Bypass
A11 Besthorpe-Wymondham
A12 Hackney Wick–M11*
A16 Spalding-Sutterton Improvement
A17 Leadenham Bypass
A17 Wigtoft-Sutterton Bypass
A23 Handcross-Pease Pottage
A27 Brighton Bypass Contract 4*
A27 Westhampnett Bypass
A30 Okehampton-Launceston
A35 Yellowham-Troytown
A38 Dogshead Lane Overbridge
A39 Wadebridge Bypass
A40 Gipsy Corner Junction Improvement
A40 Western Circus Junction Improvement
A41 Aston Clinton Bypass
A41 Bicester Bypass
A41 Whitchurch Bypass
A43 Blisworth Bypass
A47 East Dereham-North Tudenham
A49 Skewbridge at Woofferton Improvement
A59 Mellor Brook Bypass
A65 Burley Bypass*
A66 Bowes-County Boundary Improvement
A69 Haltwhistle Relief Road
A140 Scole Bypass
A406 Pope's Lane-Western Avenue Southern Section
A423 Southam Bypass
A435 Norton-Lenchwick Bypass
A523 Macclesfield Inner Relief Road*
A568 Widnes E Bypass (N)
A590 Dalton Bypass
A638 Doncaster N Bridge

Schemes marked with an asterisk* are those where a public inquiry to establish the line has already been held, and supplementary orders, side roads orders and/or compulsory purchase orders are under consideration.

Scheme timings are based on the latest available planning information and may be subject to change.

A69 (Hexham)

Mr. Amos: To ask the Secretary of State for Transport what has been the traffic flow on the A69 west of Hexham during the past 10 years for which figures are available.

Mr. Peter Bottomley: From information available traffic flows during the period are recorded as follows:

Location	*Year*	*Annual average daily flow*
Between Haydon Bridge and Bardon Mill	1979	5,804
	1985	7,300
	1987	7,705
	1988	8,726
Between Haydon Bridge and Hexham	1982	7,705
	1987	8,308

Cottingley Bar-Shipley Bypass (Tunnel)

Mr. Waller: To ask the Secretary of State for Transport whether the proposal for a long tunnel between Cottingley Bar and the Shipley eastern bypass, submited as option B in the current public consultation exercise, has been subjected to COBA analysis; and if the will make a statement.

Mr. Peter Bottomley: The tunnel option, included in the recent information brochure issued by the Department, was subjected to COBA analysis.

Relative to the other options considered, the tunnel schemes would have high constructions costs. This effects the economic return. A single carriageway scheme would have a low positive net present value, and a dual carriageway scheme would be negative. The other effects of the tunnel options were summarised in the framework shown in the brochure.

London Traffic Model

Mr. Bermingham: To ask the Secretary of State for Transport what have been the total costs incurred to his Department in the development and use up until discontinuance of the London area model at the Transport and Road Research Laboratory; and if he will make a statement.

Mr. Peter Bottomley *[holding answer 21 February 1989]:* The total cost of the development and use of the London area model, up until the decision to withdraw it from further use, was some £138,000.

Mr. Bermingham: To ask the Secretary of State for Transport what are the total costs incurred to his Department by the use of the London transportation studies model; and if he will make a statement.

Mr. Peter Bottomley *[holding answer 21 February 1989]:* The Department assumed responsibility for the LTS model and databases on the abolition of the GLC. Contracts for the continuation of LTS services were placed first with the London residuary body and then from May 1987 with the MVA consultancy. We intend shortly to invite tenders for a new contract.

The total costs incurred for the period April 1986 to December 1988 were about £2·1 million. This figure covers development, maintenance and use of both the London transportation studies model and the databases associated with it.

Mr. Bermingham: To ask the Secretary of State for Transport if he has any intentions to utilise a package of models to assist in the analysis of strategic policy options in relation to transport planning in London in view of inherent problems in any such model; and if he will make a statement.

Mr. Peter Bottomley *[holding answer 21 February 1989]:* The Department makes considerable use of mathematical transport models in its analytical work and, for London, the LTS is the principal model in use. The output from such models is only one consideration in deciding between policy options. Such models represent a much simplified view of the complex interaction between transport choices made by the individuals and the operational and financial consequences for the various transport modes. Great care has to be taken in interpreting their results.

AGRICULTURE, FISHERIES AND FOOD

Wages Board

Mr. Strang: To ask the Minister of Agriculture, Fisheries and Food (1) if he will extend the Agriculture Wages Board Order to cover private gardeners, estate workers, gamekeepers and equestrian workers;

(2) whether grooms who work at establishments which are both equestrian and farms are covered by the agricultural wages board; and if he will make a statement.

Mr. Ryder: I refer the hon. Member to the reply given on 10 February 1989 to the hon. Member for Carlisle (Mr. Martlew) at columns *830-31*.

Salmonella and Eggs

Mr. Macdonald: To ask the Minister of Agriculture, Fisheries and Food, further to his answer of 13 February to the hon. Member for the Western Isles, *Official Report*, column *94*, whether he placed a copy of the joint Ministry of Agriculture, Fisheries and Food, Department of Health and British Egg Industry Council working group report on salmonella and eggs in the Library at 10.45 am or 10.45 pm on Tuesday 7 February.

Mr. MacGregor: I placed a copy of the joint Ministry of Agriculture, Fisheries and Food, Department of Health and British Egg Council working group on salmonella and eggs in the Library of the House at about 10.45 am on Tuesday 7 February 1989.

Milk Quota

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what estimates he has made of the amount of additional milk quota agreed at the Council meeting of 23 January which will accrue to United Kingdom producers; what proposals the European Economic community has for uses for the extra milk produced.

Mr. Donald Thompson: The additional amount of milk quota which will accrue to United Kingdom producers will depend on the number and size of eligible applications received. There are no proposals to divert the increased production to specific uses.

Mr. Teddy Taylor: To ask the Minister for Agriculture, Fisheries and Food if he will identify the nature of the additional costs of £64 million which will result in the European Economic Community budget in consequence of the decision of 23 January to increase milk quotas by 600,000 tonnes; and if he will indicate the nature of the policy changes also adopted on 23 January which will offset £41 million of this cost.

Mr. Donald Thompson: EC Commission estimates assume that the additional 600,000 tonnes of milk quota will give rise to a corresponding increase in Community exports of milk products, which would increase expenditure on export refunds by 99 million ecus (£64 million). An additional cost, estimated at 21 million ecus (£14 million), results from a 0·5 per cent. reduction of the milk co-responsibility levy for producers delivering 60,000 kg of milk or less. The 2 per cent. reduction of the butter intervention price yields estimated savings of 85 million ecus (£55 million).

Food Policy

Mr. Teddy Taylor: To ask the Minister for Agriculture, Fisheries and Food what expenditure by the European Economic Community on food policy is permitted under the February 1988 agreement on legally binding spending controls; if possible additional spending on the consequences of exceptional circumstances as determined by the Council falls to be contained within the spending controls; and if he will make a statement.

Mr. Ryder: The financial guideline for expenditure in the guarantee section of the CAP covers all expenditure on agricultural market support and 50 per cent. of expenditure on set-aside. The guideline for 1989 is 28,624 million ecu (£18,500 million), which is 1,863 million ecu (£1,200 million) above the corresponding provision in the 1989 Community budget.

There is no general provision which would permit expenditure to exceed the guideline in exceptional circumstances. However, there is a monetary reserve of 1,000 million ecu (£650 million) to cover additonal expenditure or savings arising from significant movements in the dollar against the ecu. If the dollar falls to such an extent that extra spending of more than 400 million ecu (£260 million) is generated, the excess amount is transferred from the reserve. Conversely savings of more than 400 million ecu resulting from a rise in the dollar are transferred from the agriculture budget into the reserve. If the dollar/ecu exchange rate maintains its current level payments into the reserve will take place in 1989.

Bovine Somatotropin

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what advice he has received from the Veterinary Products Committee concerning the safety of Monsanto's bovine somatotropin for cows; and if he will make a statement.

Mr. Donald Thompson: I refer the hon. Member to the answer I gave him on 6 February at column *573*.

Eggs

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what production standards are required for eggs to be classified as free range.

Mr. Ryder *[holding answer 20 February 1989]:* The relevant production standards are laid down in Commission regulation EEC 95/69, as amended in particular by Commission regulation EEC 1943/85.

Feedstuffs

Mr. Michael: To ask the Minister of Agriculture, Fisheries and Food which of the European Community states have a mandatory requirement for the sterilisation of animal feedstuffs, particularly poultry.

Mr. Ryder *[holding answer 20 February 1989]:* In the United Kingdom animal protein intended for use in feedingstuffs is heated or otherwise treated in order to destroy salmonella organisms. We do not have precise information on requirements in other member states of the European Community. But the provisions of the EC directives on feedingstuffs require all member states to

prescribe that animal feedingstuffs may be marketed only if they are wholesome, unadulterated and of merchantable quality.

Salmonella Enteritidis

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to commission research into the epidemiology of salmonella enteritidis in free-range flocks of laying hens.

Mr. Donald Thompson *[holding answer 16 February 1989]:* Cultural and serological findings from the veterinary laboratory are providing epidemiological information on salmonella enteritidis in poultry. A specific research project at the central veterinary laboratory is being formulated and the results are likely to have application to all laying hens.

SCOTLAND

Craft Enterprises

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will commission an independent study of the financial and other needs of small craft enterprises working in rural areas in Scotland.

Mr. Lang: Support for the crafts industry in Scotland is provided through the Scottish Development Agency and the Highland and Islands development board. Both bodies provide a range of financial and other support to the industry in line with its support for other types of small businesses. These bodies also fund Craftpoint, a limited company providing marketing services to the crafts industry throughout Scotland. The functions of Craftpoint are shortly to be reviewed and I have asked the agencies to prepare a consultation document on the long-term strategy for the crafts industry in Scotland incorporating the findings of this review.

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will consider increased financial support for craft industries in rural areas in Scotland, and if he will make a statement.

Mr. Lang: The Scottish Development Agency and the Highlands and Islands development board both view support for the crafts industry as a priority function and there is no evidence that viable projects are being lost through lack of funding. Decisions on the level of financial support are for the agencies to make within their overall approved budget provisions.

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list in the *Official Report* those powers that currently exist to provide capital or revenue grants or loans to small craft enterprises in rural areas.

Mr. Lang: Under the provisions of their Acts, both the Scottish Development Agency and the Highlands and Islands development board have a wide range of powers which enable them to support the crafts industry through the provision of financial assistance, premises, advisory, marketing and other services.

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list in the *Official Report* the initiatives he has taken to promote the interests of small craft businesses in rural areas since 1979.

Mr. Lang: The Scottish Development Agency and the Highlands and Islands development board, together with Craftpoint, are actively involved in the promotion of the crafts industry in Scotland. For example, Craftpoint sponsors an annual highland trade fair held each year in Aviemore and the Scottish Development Agency maintains a crafts collection which is used for promotional purposes.

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will publish a catalogue of established craft enterprises in Scotland financed by central funds, to be updated on a regular basis.

Mr. Lang: The Scottish Development Agency publishes a quarterly news sheet entitled "Crafts News" which includes a list of all crafts enterprises assisted by the agency through grant funding during the previous quarter. Information on assistance provided to crafts enterprises by the Highlands and Islands development board is not available.

Taxi Licensing

Mr. David Marshall: To ask the Secretary of State for Scotland what is the total number of taxi operators' licences available for issue by Glasgow district council; how many have been issued; and how many are available for re-issue.

Lord James Douglas-Hamilton: This information is not held centrally. A forthcoming consultation paper on the review of the Civic Government (Scotland) Act 1982 will address, inter alia, the licensing arrangements for taxis and private hire cars.

Rural Areas (Hospital Beds)

Mr. Dewar: To ask the Secretary of State for Scotland how many beds there were available in hospitals in rural areas in Scotland at the latest date for which figures are available; and how many there were in 1979.

Mr. Rifkind: The information requested is not available. There is no satisfactory definition of a rural area in relation to hospitals and their catchment population.

Rural Areas (General Practitioners)

Mr. Dewar: To ask the Secretary of State for Scotland how many general practitioners there are in rural practices in Scotland at the latest date for which figures are available; and how many there were in 1979.

Mr. Rifkind: For statistical purposes medical practices are classified by health boards as urban, semi-urban or rural. At 1 April 1988, the date of the latest information available, the number of medical practices classified as rural was 341; at 1 October 1979 the number similarly classified was 316.

Health Authorities (Priorities)

Mr. Steel: To ask the Secretary of State for Scotland whether he will order the publication of the "Scottish Health Authorities, Review of Priorities for the Eighties and Nineties".

Mr. Rifkind: The SHARPEN report was published on 9 November 1988. Copies are available in the Library.

School Meals

Mr. Battle: To ask the Secretary of State for Scotland if he will publish a table showing the expenditure on school meals for each year between 1978-79 and the latest date available, in current and constant prices.

Mr. Michael Forsyth: The information is as follows:

Year	*Cash (Net expenditure)* £000's	*Adjusted to 1988-89 prices using the GDP deflator* £000's
1978-79	34,057	74,244
1979-80	37,939	70,794
1980-81	38,495	60,630
1981-82	39,896	57,211
1982-83	40,234	53,833
1983-84	41,828	53,540
1984-85	41,859	50,984
1985-86	42,847	49,531
1986-87	44,638	49,950
1987-88	46,503	49,433

Grant-aided Colleges

Mr. Allan Stewart: To ask the Secretary of State for Scotland whether he will announce the allocations of grant-in-aid for recurrent expenditure to the grant-aided colleges in Scotland; and if he will make a statement.

Mr. Michael Forsyth: I am pleased to announce that the Secretary of State has made the following offers of recurrent grant to the 17 grant-aided colleges for the financial year 1989-90. The offers, which are conditional on parliamentary approval of the Supply Estimates, are as follows:

	Offer 1989-90 £million	*Per cent. increase*
Central Institutions		
Duncan of Jordanstone College of Art	3·965	8·0
Dundee Institute of Technology	7·260	8·0
Edinburgh College of Art	4·223	3·0
Glasgow College of Technology	12·916	8·0
Glasgow School of Art	3·795	3·0
Napier Polytechnic of Edinburgh	18·140	8·0
Paisley College of Technology	11·054	3·0
Queen Margaret College	4·591	8·0
Queen's College, Glasgow	3·285	8·0
Robert Gordon's Institute of Technology	12·589	3·0
The Royal Scottish Academy of Music and Drama	2·553	3·0
Scottish College of Textiles	2·553	7·5
Colleges of Education		
Craigie	1·570	4·1
Jordanhill	10·299	3·5
Moray House	7·852	8·0
Northern	6·325	3·0
St. Andrew's	3·828	3·2

Local Government (Electoral Arrangements)

Mr. Allan Stewart: To ask the Secretary of State for Scotland when he expects work to begin on the next review of local government electoral arrangements in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: The Local Government Boundary Commission for Scotland has a statutory duty to review the electoral arrangements for each region, islands area and district in the period of 10 to 15 years after the commission submitted its report on the initial review of each area. The commission submitted its reports on the islands areas in the period October 1976 to June 1977, on the regions in the period June 1977 to December 1978 and on the districts in the period July 1978 to April 1985.

My right hon. and learned Friend has approved a proposal by the commission to commence as soon as practicable the next statutory review of local government electoral arrangemens in the same order as that in which the commission submitted its reports on the initial review, i.e. the islands areas, the regions and finally the districts. The review will be conducted in accordance with the rules set out in schedule 6 to the Local Government (Scotland) Act 1973.

Energy Act 1983

Mr. Bill Walker: To ask the Secretary of State for Scotland what arrangements he proposes to succeed the provisions of sections 5 and 7 of the Energy Act 1983 as they apply to Scotland.

Mr. Lang: The Government appreciate that there are existing projects in Scotland where investment has been advanced against the backdrop of the rules of the obligation to purchase contained in the Energy Act 1983. We are, therefore, keen to ensure that the changes brought about by electricity privatisation neither disadvantage those who have invested nor materially affect the working of contracts already agreed.

The two Scottish boards have confirmed that any generator in Scotland whose decision on plant investment has been influenced by the existence of the provisions of the Energy Act 1983 in planning for the future and who has arrangements with a board to purchase electricity generated by him under the provisions of the Act will, if he chooses, be able to continue those for a five-year transitional period following privatisation. In commercial terms this is a significant commitment by the Scottish boards.

It would be inconsistent with the general thrust of privatising the industry to enshrine in legislation a permanent protection for a specific category of generators. The guiding principle behind our proposals in this area is to ensure that all economic sources will have fair access. The commitment given by the Scottish boards complements our proposals by securing that appropriate transitional arrangements are set in place.

Education (Parents' Views)

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland (1) if he will list in the *Official Report* the full list of questions asked in the market research survey conducted by MVA consultants of parents' views on Scottish education;

(2) what was the total cost of the survey conducted by MVA consultants of parents' views on Scottish education;

(3) what random process was used in the selection of interviewees for the purposes of conducting the MVA survey of parents' attitudes towards Scottish education;

(4) what was the total number of people contacted *(a)* per region and *(b)* per age group in the course of the MVA survey of parents' attitudes towards Scottish education.

Mr. Michael Forsyth *[holding answer 20 February 1989]:* The main fieldwork on the recently commissioned survey of parents' views on Scottish education has not yet begun and would not be helped by releasing the list of questions before interviews take place. The consultants are an established market research organisation and are responsible for the methodology, including detailed arrangements for organising and conducting the fieldwork.

As regards the cost of the survey, I refer the hon. Member to the answer given on 13 February to the hon. Member for Glasgow, Garscadden (Mr. Dewar) at column *43*.

DEFENCE

Low Flying

Mr. Home Robertson: To ask the Secretary of State for Defence if he will make a statement on the speed, height and purpose of the low level flight by three jet aircraft over Whittinghame, East Lothian, at 3.35 pm on Wednesday 8 February.

Mr. Neubert: Three Hawk aircraft from RAF Chivenor were authorised to carry out a simulated attack exercise in the area at heights down to 250 ft and under the normal speed restrictions for the aircraft and type of sortie.

Mr. Home Robertson: To ask the Secretary of State for Defence if he will make a statement on the speed, height and purpose of the low level flight by two jet aircraft over Biel, Dunbar, East Lothian, at 12.48 pm on Thursday 2 February.

Mr. Neubert: Two F-111 aircraft from RAF Lakenheath were authorised to carry out a routine low-level training sortie over the area at heights down to 250 ft and under the normal speed restrictions for the aircraft and type of sortie.

YTS Training Centres

Mr. Redmond: To ask the Secretary of State for Defence how many YTS training centres there are outside Great Britain; where these are located; who is eligible to attend them; and what is the cost per country to the Exchequer for which the most recent figures are available.

Mr. Sainsbury: There are two YTS centres overseas, one in Cyprus and one in Hong Kong. All dependants of armed forces and Civil Service personnel in both locations between the ages of 16 and 19½ years of age are eligible to attend. The current staff cost of running the centres is £32,500 per annum in Cyprus and £20,000 per annum for Hong Kong.

Strategic Defence Initiative

Ms. Gordon: To ask the Secretary of State for Defence how many research contracts awarded to his Department's research establishments under the United States strategic defence initiative have been sub-contracted to United Kingdom universities and other such educational establishments; what is the total worth of these sub-contracts; and if he will make a statement.

Mr. Sainsbury: None.

AWRE Burghfield

Sir Michael McNair-Wilson: To ask the Secretary of State for Defence if he is now able to make a statement about the explosion at atomic weapons research establishment, Burghfield in December during the disposal of potentially explosive material.

Mr. Sainsbury *[holding answer 17 February 1989]:* This event has been the subject of a thorough investigation and I shall write to the hon. Member in due course when I have the findings.

Procurement Expenditure

Mr. Salmond: To ask the Secretary of State for Defence if he will publish a table indicating the regional breakdown of defence procurement expenditure for each year from 1974, in percentage terms.

Mr. Sainsbury *[holding reply 23 January 1989]:* The estimates given taken from our computer records, which include for each contract let a single "location of work" code which represents the place at which we expect most of the work to be carried out by the main contractor. These figures do not take account of the different location of subcontractors or of supplies to the main contracts. The latest estimates of regional distribution of the Ministry's United Kingdom equipment expenditure from 1983-84 onwards are as follows:

Percentages

Standard Region	*1983-84*	*1984-85*	*1985-86*	*1986-87*
North	5	6	6	8
Yorkshire and Humberside	1	2	3	3
East Midlands	5	4	4½	3
East Anglia	3	3	1½	3
South East	49	50	47½	49
South West	14	11	14½	13
West Midlands	4	3	3½	4
North West	12	12	10	9
Scotland	5	6	6	5
Wales	1	2	2	2
Northern Ireland	1	1	1½	1

Notes:

1. Estimates of expenditure on equipment are available by region only from 1983-84.
2. The estimates for 1985-86 and later years are more reliable because of a change in methodology.
3. The figures for 1986-87 may be subject to minor revision for publication in "Statement on the Defence Estimates (Vol. 2), 1989".

HEALTH

"Working for Patients"

Mr. Robin Cook: To ask the Secretary of State for Health what level of expenditure on information technology he estimates will be necessary to implement the proposals in "Working for Patients"; and what provision has been made in public spending plans to meet this expenditure.

Mr. Kenneth Clarke: The NHS needs to invest in modern management. The precise level of the investment required in information technology will depend on the outcome of our discussions with those concerned about

the detailed implementation of the White Paper's proposals, and, where appropriate, on the outcome of any trials of new systems. The cost will not be met at the expense of plans for patient provision.

Race Relations

Mr. Cohen: To ask the Secretary of State for Health if he will describe his Department's principal achievements in respect of race relations and equal opportunity since May 1979.

Mr. Kenneth Clarke: My Department is fully committed to achieving equality of opportunity throughout all its activities.

In the employment field my Department has implemented many of the recommendations of the joint review of policies and procedures on race relations in the Civil Service (1983) and the programme of action for women (1984). The more significant initiatives on race equality which have been carried out include.

a. the participation in the phased programme of departmental ethnic surveys of staff which was completed last year with the then DHSS response rate averaging 75 per cent.

b. the introduction of ethnic monitoring of recruitment in 1987 when early surveys indicated a shortfall in ethnic minority recruits compared with the ethnic minority working population, and

c. following a pilot exercise, ethnic monitoring of promotion and job allocation will be carried out this year.

In addition my Department has undertaken to sponsor a Windsor Fellow in 1990.

With regard to sex equality my Department has seen an increasing number of women progressing to middle and senior management grades (14 per cent. of SEOs and above are women). Encouragement is given to part-time working and job sharing with over 3 per cent. of staff (about 200) working part-time. Improved special leave provisions have specifically targeted help for single parents and those caring for elderly or infirm relatives and a "Keeping in Touch" scheme was introduced in 1988 which allows preferential reinstatement for people who have to take a break from work for domestic reasons. A holiday play scheme for the children of staff working in headquarters will run during Easter 1989 and child care provision is one of the areas being examined in a review of opportunities available to women employees in the Department.

Turning to employment in the NHS, every opportunity has been taken to remind health authorities of their responsibilities under the Race Relations and Sex Discrimination Acts and they have been urged to take account to implement the codes of practice of the Commission for Racial Equality and the Equal Opportunities Commission.

My Department supports the work of the King's fund task force on racial equality and has also established the national steering group on equal opportunities for women in the NHS.

My Department's social services inspectorate (SSI) is engaged in a programme of work to promote race equality in the provision of social services by local authority social service departments (SSDs). In 1988, the SSI issued a document of guidance on good practice for use by SSDs. Since 1987 we have funded the race equality unit at the National Institute of Social Work. The unit provides independent advice to SSDs on implementing effective race relations policy and practice. Funding to the unit will rise from £95,000 in 1988-89 to £127,500 in 1989-90. The SSI is currently running a series of workshops focusing on the professional needs of senior women managers in SSDs.

In the area of health care services, in 1982 my Department appointed an adviser on ethnic minority health. She had already directed the "Stop Rickets" campaign, designed to explain the nature of the disease and the role of vitamin D in its prevention through material in the major languages of the Indian sub-continent, and through meetings with members of the community. From 1984 she directed the Asian mother and baby campaign, a key feature of which was the appointment of "link-workers" to overcome the barriers of language and culture which often exist between patients from ethnic minorities and health professionals.

My Department has provided funding for a number of voluntary organisations concerned with ethnic minority health. For example, grants to organisations working with people affected by sickle cell disease and thalassaemia and their relatives amounted in 1988-89 to £15,000 each to the Sickle Cell Society, the Organisation for Sickle Cell Anaemia Research and the Thalassaemia Society. Altogether, we have provided over £¾ million since 1984 for a variety of innovative projects to improve access to health care for ethnic minorities. A further £1 million is being provided over three years from 1988-89 to produce health promotional material in minority languages. In 1987 the Minister for Health chaired a seminar on ethnic minority health for chairmen of regional and district health authorities, and Ministers are monitoring the progress of health authorities and family practitioner committees in this area.

In 1986 we became the first Government specifically to identify women's health within the responsibilities of a Government Minister. In addition to implementing screening programmes for breast and cervical cancers we are providing funding of almost £½ million in 1988-89 for some 20 voluntary organisations concerned with women's health. The Health Education Authority is planning to give more prominence to women's health and the maternal death rate continues to fall.

Model guidance on equal opportunities proofing of policy proposals, recommended by the ministerial group on women's issues, covers race and sex discrimination and has been extended in my Department to include disability issues. This guidance will shortly be circulated within the Department and this will direct further attention to equal opportunities issues in all the Department's activities.

Soft Cheese

Mrs. Gillian Shephard: To ask the Secretary of State for Health what advice has been given by the Chief Medical Officer about the consumption of soft cheeses.

Mr. Kenneth Clarke: The chief medical officer at my Department issued general advice to the public about listeria in food on 10 February 1989. He also gave specific advice to pregnant women and to some patients, who are particularly vulnerable because of their illness or treatment, to avoid eating certain cheeses.

His advice said that public attention had recently been drawn to findings of the presence of listeria monocytogenes in a number of different food products. It must be remembered that listeria is widely distributed in the environment and some exposure to this organism is

unavoidable. Indeed at any one time a number of us, perhaps as many as 1 in 20, carry this bacteria in our gut without any ill-effects.

The disease, listeriosis, caused by infection with this organism is fortunately still quite rare. Last year 287 cases were reported, although it is certain that there were some other unreported cases. When it occurs it can give rise to a mild 'flu-like illness, although more serious cases may develop meningitis and septicaemia. Of considerable concern is the fact that in pregnant women it may also infect the developing baby and lead to miscarriage, stillbirth or severe illness in the newborn baby.

Unlike most of the bacteria causing food-related illness that we have been used to dealing with in the past, listeria has the unusual property of being able to multiply at the sort of temperatures which may be found in refrigerators. Fortunately in most foods where it is present, it occurs at very low levels and is killed by adequate cooking.

However, for some soft cheeses, the situation is different because the method of preparation and the time they may be kept before eating allows listeria to multiply. High numbers of listeria have been found in several varieties of soft cheeses, and a number of cases of listeriosis —both in this country and abroad—have been associated with eating heavily contaminated soft cheese.

Because of this, having taken the best possible expert advice, the chief medical officer advises that pregnant women should avoid eating certain types of soft cheeses. It is not possible to specify precisely the cheeses in which listeria is likely to grow, but on the basis of current information these are likely to be soft ripened cheeses such as the brie, camembert, and blue vein types. On the other hand, hard cheeses such as the cheddar and cheshire types, processed cheeses, cottage cheeses and cheese spreads have not given cause for concern.

The levels of listeria that have been found in other foods such as cooked-chilled meals and ready-to-eat poultry have usually been very low. Given the particular risks to the developing foetus the chief medical officer feels that it would be prudent for pregnant women to re-heat these types of food until they are piping hot rather than to eat them cold. Otherwise all that is necessary is for pregnant women to follow the normal, general hygiene precautions summarised here and to take care that they maintain a well-balanced diet during pregnancy.

Other people who appear to be at special risk and should therefore follow this advice are those with underlying illness which results in impaired resistance to infection, such as patients who have had transplants, those on particular drugs which depress the immune system, and those with leukaemia or cancers of the lymphatic tissues.

The chief medical officer also said that although the wider public have become worried about reports of listeria contamination of a variety of foods, including salads and some cooked-chilled ready-to-eat foods on sale, the evidence so far is that the amount of listeria in these foods is generally very low. Provided that the good hygiene practices recommended are followed there is no need to change the type of food regularly eaten and enjoyed.

The general advice to the public is that listeria monocytogenes is widely distributed in the environment, for example, it has been found in vegetation, water, soil and the faeces of man and animals and therefore some exposure to this organism is unavoidable. For the average healthy member of the public the risk of becoming ill with listeriosis from eating food is very small indeed. Nevertheless there are a number of simple precautions which the public can take which will reduce their exposures to listeria and other pathogenic bacteria:

(i) Keep foods for as short a time as possible, follow the storage instructions carefully and observe the "best-by" and "eat-by" dates on the label;
(ii) do not eat under-cooked poultry or meat products. Make sure you re-heat cooked-chilled meals thoroughly and according to the instructions on the label. Wash salads, fruit and vegetables that will be eaten raw;
(iii) Make sure your refrigerator is working properly and is keeping the food in it really cold;
(iv) Store cooked foods in the refrigerator away from raw foods and cheeses;
(v) When re-heating food make sure it is heated until piping hot all the way through and do not re-heat more than once;
(vi) When using a microwave oven to cook or re-heat food observe the standing times recommended by the oven manufacturer to ensure that the food attains an even temperature before it is eaten;
(vii) Throw away left-over re-heated food. Cooked food which is not to be eaten straight away should be cooled as rapidly as possible and then stored in the refrigerator.

Meningitis

Mr. Redmond: To ask the Secretary of State for Health if he will list the localities of any unexplained clusters of cases of meningitis in the three counties of Yorkshire for 1988 and to date; and if he will make a statement.

Mr. Freeman: The information requested is not available from the notifications of infectious diseases reported to the Office of Population Censuses and Surveys under the Public Health (Control of Disease) Act 1984, as those notifications do not identify clusters.

Sex-change Operations

Mr. Redmond: To ask the Secretary of State for Health if he will list the number of sex-change operations performed by the National Health Service for *(a)* male to female and *(b)* female to male in each area health authority of the Trent regional health authority for each of the last 20 years; and what was the cost to the Exchequer in each case.

Mr. Freeman: Such information is not held centrally. The hon. Member may like to write to the chairman of the Trent regional health authority for such information as is held by the region.

Emergency Services

Mr. Redmond: To ask the Secretary of State for Health what reviews are taking place in the various health authorities in the Trent regional health authority of the conduct of accident and emergency services.

Mr. Freeman: Trent regional health authority is currently reviewing the accident and emergency services at Newark general hospital, in central Nottinghamshire and at the Montagu hospital, Mexborough, in Doncaster. Sheffield district health authority is reviewing its own accident and emergency services.

Renal Transplants

Mr. Fearn: To ask the Secretary of State for Health how many patients are awaiting renal transplant; and what is the average waiting time for such a transplant.

Mr. Freeman: The United Kingdom waiting list for renal transplants, as notified to the United Kingdom transplant service on 16 February 1989, was 3,521.

Waiting time information is not readily available in the form requested. Of those waiting, 35 per cent. had been on the list for less than one year, 19 per cent. for between one and two years, 12 per cent. for between two and three years, nine per cent. for between three and four years, and 16 per cent. for more than four years. The remaining nine per cent. were not classified. The length of time a patient waits for a transplant depends on a number of factors, the principal one being how difficult it is to find a suitably matched donor organ.

Renal Dialysis

Mr. Fearn: To ask the Secretary of State for Health how many patients are provided with home dialysis treatment through the National Health Service.

Mr. Freeman: I refer the hon. Member to my reply to the hon. Member for Holborn and St. Pancras (Mr. Dobson) on 30 January at columns *42-44*.

Tampons

Ms. Walley: To ask the Secretary of State for Health what research his Department is aware of into the link between sanitary tampon use and vaginal ulceration.

Mr. Freeman: Some reports of research on this matter were published in the United States of America several years ago. Vaginal ulceration was associated with the use of tampons in a small number of women but the ulcers healed when tampons were no longer used. The reports suggested various mechanisms which might have caused the ulcers.

Cook-chill Food

Mrs. Wise: To ask the Secretary of State for Health whether any maternity units use cook-chill food.

Mr. Kenneth Clarke: Health authorities are responsible for the delivery of catering services which meet the needs of all their patient groups.

We do not collect centrally information on the production of food for specific categories of patients.

Mrs. Wise: To ask the Secretary of State for Health how many hospitals currently use cooked-chilled food; and how many hospitals are intending to use cooked-chilled food under present plans.

Mr. Kenneth Clarke: We do not hold centrally information on those hospitals which provide cook-chill catering.

Myalgic Encephalomyelitis

Mr. Peter Griffiths: To ask the Secretary of State for Health what guidance his Department has given to district health authorities to ensure the recognition of the problems of sufferers from myalgic encephalomyelitis and the co-ordination of their treatment.

Mr. Freeman: The Department has issued no guidance to district health authorities on myalgic encephalomyelitis.

Mr. Peter Griffiths: To ask the Secretary of State for Health what is his Department's latest estimate of the number of persons diagnosed as suffering from myalgic encephalomyelitis.

Mr. Freeman: I regret that no information is held centrally on which to base an estimate of the number of people diagnosed as suffering from myalgic encephalomyelitis.

Mr. Peter Griffiths: To ask the Secretary of State for Health what research programmes are supported by his Department into the problem of myalgic encephalomyelitis; and what is the the total of financial support in the current financial year.

Mr. Freeman: The Department is not funding research into myalgic encephalomyelitis. The Medical Research Council is the main agency through which the Government support clinical research; it receives its grant-in-aid from the Department of Education and Science.

Rural Dispensing Arrangements

Mr. Latham: To ask the Secretary of State for Health whether, as part of his proposed reforms of the National Health Service, he envisages changing the present arrangements relating to rural dispensing by doctors or rural pharmacies contained in the Clothier regulations; and whether he will make a statement.

Mr. Kenneth Clarke: The proposed reforms of the NHS set out in the Government's White Paper 'Working for Patients' do not alter the principles underlying the regulations for determining the arrangements for NHS dispensing in rural areas. As a result of the changed composition and responsibilities of family practitioner comittees, however, some changes to the regulations will be necessary. We shall be putting forward detailed proposals later in the year.

Nurses

45. **Mr. Conway:** To ask the Secretary of State for Health by how many the number of nurses in the National Health Service would have to be increased or cut to achieve the number in the service in 1979.

Mr. Freeman *[holding answer 21 February 1989]:* The total number of nursing and midwifery staff (including agency staff) employed in the NHS in England at 30 September 1987—404,000 wholetime equivalents—would have to be reduced by 21,700 wholetime equivalents to achieve the September 1979 level adjusted to take account of the change in the working week from 40 to 37·5 hours introduced in 1980-81. Taking no account of such a reduction in the working week the reduction required would be 45,600 wholetime equivalents to reach the 358,400 employed in 1979.

SOCIAL SECURITY

Benefits (South Yorkshire)

Mr. Redmond: To ask the Secretary of State for Social Security how many people in the Doncaster and Mexborough areas of South Yorkshire were receiving *(a)*

attendance allowance at (i) the higher rate and (ii) the lower rate, *(b)* invalid care allowance, *(c)* mobility allowance, *(d)* invalidity benefit, *(e)* severe disablement allowance, *(f)* industrial disablement pension, *(g)* war disablement pension, *(h)* retirement pension, *(i)* income support and *(j)* supplementary benefit at the latest dates for which figures are available; what are those dates; and if he will give comparable figures for five years and 10 years ago.

Mr. Peter Lloyd: I regret that information is not available in the precise form requested. Nor are details available of the numbers of people receiving *(a)* attendance allowance, *(b)* invalid care allowance, *(c)* mobility allowance, *(f)* industrial disablement pension, *(g)* war disablement pension or *(h)* retirement pension in the Doncaster and Mexborough areas of South Yorkshire.

The table gives the information available on the dates shown for the Department's local offices at Doncaster, East, Doncaster, West, Mexborough and Wath-on-Dearne which serve the Don Valley constituency, although their boundaries are not conterminous.

	Doncaster, East	*Doncaster, West*	*Mexborough*[2]	*Wath-on-Dearne*[3]
(d) Invalidity Benefit[1]				
As at 31 January 1989	4,461	5,831	2,220	—
As at 15 January 1985	3,912	4,659	1,562	—
(e) Severe Disablement Allowance				
As at 31 January 1989	701	933	239	—
As at 15 January 1985	213	692	132	—
(i) Income Support				
As at 30 November 1988	10,164	12,951	—	7,118
(j) Supplementary Benefit				
As at 18 November 1987	11,712	14,559	—	7,879
As at 6 December 1983	10,269	12,633	—	7,172
As at 27 November 1979	5,818	7,082	—	4,170

[1] Includes an unknown number of sickness benefit claimants as separate records of sickness/invalidity benefit claimants are not kept.
[2] Mexborough NIO does not deal with income support/supplementary benefit claims.
[3] Wath-on-Dearne local office deals only with income support/supplementary benefit claims.
Note: With the exception of supplementary benefit, comparable figures for five years and 10 years ago are no longer held.
Source: 100 per cent. count of cases in action. The figures include a small number of cases not actually in receipt of benefit. The data for 1988 are provisional and subject to amendment.

Attendance Allowance

Mr. Home Robertson: To ask the Secretary of State for Social Security what are the average and maximum amounts of time taken to process claims for attendance allowance; how many of such claims go to appeal; and what are the average and maximum amounts of time taken to process such appeals in addition to the initial processing of claims.

Mr. Scott: The average time taken to decide new claims is currently 7·5 weeks. In the 12 months to 31 December 1988, some 56,000 decisions on new claims were reviewed. The average time taken to process a review is currently 13.3 weeks. Information about the maximum times for deciding claims of processing reviews is not available.

Housing Benefit

Mr. Alton: To ask the Secretary of State for Social Security how many residents in Liverpool have received overpayments of housing benefit; how much money is involved; how many appeals have been lodged; and if he will make a statement.

Mr. Peter Lloyd: I regret that the information requested is not available.

Private Retirement Homes

Mr. McCrindle: To ask the Secretary of State for Social Security what is the total amount paid by his Department to support those in private homes for the elderly; and if he will make a statement.

Mr. Peter Lloyd: I regret that the information is not available in the form requested. However, relevant information in respect of independent—that is private and voluntary—homes was provided in my reply to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) on 21 December 1988 at columns *304-06*.

Retirement Age (Statistics)

Mr. McCrindle: To ask the Secretary of State for Social Security if he will estimate the number of people over retirement age in the United Kingdom for the latest available date; and if he will make a statement.

Mr. Peter Lloyd: The latest available estimate (July 1987) is that there are approximately 10·4[1] million people in the United Kingdom over state pension age.

[1] *Source:* Office of Population Censuses and Surveys.

Supplementary Benefit (Transitional Protection)

Mr. Bowis: To ask the Secretary of State for Social Security what steps he is taking to monitor the effects of the social security changes of April 1988; and if he is inviting views from the public.

Mr. Scott: I refer my hon. Friend to my reply to the hon. Member for Livingston (Mr. Cook) on 27 January at columns *802-03*. The views expressed by members of the public are carefully considered as part of the monitoring process.

Retail Prices Index (Error)

Rev. Martin Smyth: To ask the Secretary of State for Social Security if he will publish a list of those

organisations who applied for grants under the retail prices error index fund, the outcome and amounts of any awards; and if he will make a statement about the operation of the fund.

Mr. Scott: I refer the hon. Member to my replies to my hon. Friend the Member for Wells (Mr. Heathcoat-Amory) on 3 May 1988 at columns *422-24* and to my hon. Friend the Member for Broxbourne (Mrs. Roe) on 9 February at column *277*. A list of the latest organisations to receive payments has been placed in the Library.

Family Benefits

Mr. Battle: To ask the Secretary of State for Social Security if he will provide a breakdown by benefit of the 25 per cent. real increase in family benefits since 1978-79.

Mr. Moore: A breakdown by benefit of the 25 per cent. real increase in family support since 1978-79 is provided in the table.

Since I quoted this figure to the House on 18 January 1989 at column *359* I understand that the Inland Revenue has advised DSS officials that its provisional estimate of the value of child tax allowances in 1978-79 has been revised down from £515 million to £460 million. The effect of this change is to reduce family support in real terms in 1978-89 to £6,741 million; this produces a real increase of 27·3 per cent. between 1978-79 and 1988-89.

Family support 1978-79 to 1988-89

£ million

	1978-79 cash	*1978-79 real*	*1988-89 cash/real*
Child benefit	1,776	3,872	4,522
One parent benefit	22	48	174
Child tax allowances	515	1,123	—
Additional personal tax allowance (lone parent)	60	131	165
Family income supplement	24	52	—
Family credit	—	—	422
Maternity grant	16	35	—
Maternity allowance	105	229	27
Statutory maternity pay	—	—	240
Supplementary allowance[1]	569	1,241	—
Income support[1]	—	—	2,009
Housing benefit[1,2]	60	131	971
Social Fund	—	—	49
Total	3,147	6,861	8,579

[1] Supplementary allowance, Income Support and Housing Benefit paid to one parent families and to people looking after elderly persons.
[2] Includes rate rebates.

Cold Weather Payments

Mr. Corbyn: To ask the Secretary of State for Social Security if he will take steps to enable offices of his Department to use the information provided under the income support scheme to identify which claimants are eligible for cold weather payments and to remove the necessity for claimants to make separate claims for such payments; and if he will give an estimate of the likely effect of such action on the level of take-up.

Mr. Peter Lloyd: No. It would not be possible to identify income support beneficiaries eligible for cold weather payments and thereby remove the need for separate claims to be made unless the same capital limit were to be applied for both purposes.

Disabled Child Premium

Mr. Corbyn: To ask the Secretary of State for Social Security (1) how many dependent children and young persons in households in receipt of income support are currently in receipt of the disabled child premium on the grounds of (i) receipt of attendance allowance, (ii) receipt of mobility allowance and (iii) who are or have recently been registered as blind with the local authority;

(2) what percentage of all families in receipt of income support with dependent children and young persons those families in receipt of the disabled child premium form;

(3) how many claimants of income support receive the disabled child premium; how many supplementary benefit claimants received additional requirements in respect of dependent children in 1987-88; and what was the average weekly amount of these additions.

Mr. Scott: The information requested for supplementary benefit is not available and that for income support will not be available until later this year.

Mr. Corbyn: To ask the Secretary of State for Social Security how his Department is monitoring the withdrawal of additional requirements, previously paid under the supplementary benefits system, where these meet the special needs of children with acute and chronic health conditions in families on income support with a view to extending the qualifying conditions for the disabled child premium.

Mr. Scott: Additional requirements ceased from April 1988 when the supplementary benefit scheme was replaced by income support. The impact of the reformed system is being monitored on all groups using information provided by local offices, from the management information system, from expenditure outturn figures and other statistical sources such as the annual statistical inquiry, and the quarterly statistical inquiries. In addition the disabled child premium will be studied in the light of the OPCS reports which deal specifically with disabled children.

Supplementary Benefit

Mr. Corbyn: To ask the Secretary of State for Social Security whether transitional payments to claimants unable to qualify for income support because of the definition of remunerative work will be calculated and withdrawn in accordance with the transitional arrangement regulations 1988.

Mr. Peter Lloyd: Since transitional payments made to people unable to qualify for income support because of the definition of remunerative work are discretionary, they are not subject to any regulations. Such payments are eroded by increases in income, such as earnings and other social security benefits.

Mr. Corbyn: To ask the Secretary of State for Social Security how many *(a)* claimants who work more than 24 hours per week ceased to qualify for supplementary benefit on 6 April 1988, and *(b)* how many of those claimants have applied for and been awarded transitional protection under the new arrangements announced earlier this year.

Mr. Peter Lloyd: Information about the number of claimants who ceased to qualify for benefit because they worked 24 hours or more a week was not collected. A total

of 293 people affected by the new rules applied for payments under the arrangements announced last April, of whom 123 were awarded payments. These figures include those claimants whose partners were working 24 hours or more.

Mr. Corbyn: To ask the Secretary of State for Social Security what action is being taken in his Department's offices to identify claimants who ceased to qualify for supplementary benefit in April 1988 because of the changed definition of remunerative work for the purposes of assessing eligibility for transitional protection.

Mr. Peter Lloyd: Whilst local offices were not required to trawl for cases eligible for transitional protection they have been instructed to refer cases of any former supplementary benefit recipients, which come to their attention, to the transitional protection unit (TPU).

Two campaigns in the national press were initiated in May and July 1988 which publicised TP payments. In addition, stocks of an explanatory leaflet SB22, with attached application form, were issued to local offices, post offices and local authorities. Supplies of an information leaflet (Fig 8) were also issued to local authorities and advisory bodies which outlined the help available from the TPU.

Mr. Corbyn: To ask the Secretary of State for Social Security how many *(a)* claimants in receipt of supplementary benefit for the year 1987-88 were (i) in receipt of housing costs for mortgage interest repayments, (ii) were working 24 hours per week or more or (iii) had a partner who was working 24 hours per week or more, and *(b)* if he will provide this information on the basis of weekly mortgage interest repayments of (1) less than £25, (2) £25 or more but less than £50, (3) £50 or more but less than £75, (4) £75 or more but less than £100 and (5) £100 or more.

Mr. Peter Lloyd: I regret that the information is not available in the form requested.

The latest available data on the amounts included in supplementary benefit assessments for mortgage interest are shown in the table. These are derived from table 7.11 of the May 1987 annual statistical enquiry, a copy of which is in the Library. No information is available on the numbers of supplementary benefit claimants or their partners who were working 24 hours or more a week.

Numbers of owner occupier supplementary benefit claimants with mortgage interest included in their assessments, May 1987

Weekly amount included in Supplementary Benefit assessment for mortgage interest	*Numbers of claimants*
Nil to £25·00	244,633
£25·01 to £50·00	72,520
£50·01 to £75·00	11,080
£75·01 to £100·00	3,773
£100·01 and over	1,801
Total	333,809

Income Support and Housing Benefit

Mr. Corbyn: To ask the Secretary of State for Social Security how many claimants of income support and housing benefit will have no increase in benefit in April due to receipt of transitional protection as a result of the 1988 benefit changes; and how many will receive less than the full increase.

Mr. Peter Lloyd: I regret that precise information for income support and housing benefit is not available. For income support, it is estimated that around 570,000 recipients will have no increase in benefit income in April 1989 and some 530,000 may receive less than the full increase.

Attendance Allowance

Mr. Corbyn: To ask the Secretary of State for Social Security if there are any plans to extend entitlement to attendance allowance to children under the age of two years.

Mr. Scott: We shall look at this feature of the attendance allowance scheme when we consider the future of disability benefits in the light of the results of the OPCS disability surveys.

Retirement Pension

Mr. Battle: To ask the Secretary of State for Social Security if he will publish a table showing the current level of retirement pension for a single pensioner and a pensioner couple if uprated by prices or earnings, whichever was the higher, each year since 1980.

Mr. Peter Lloyd: The information requested is as follows:

Value of Retirement Pension if increased in line with prices or earnings

Uprating date	*Single*	*Couple*
November 1980	27·45	43·95
November 1981	30·75	49·25
November 1982	33·30	53·35
November 1983	35·80	57·35
November 1984	38·15	61·10
November 1985	41·50	66·45
July 1986	43·80	70·15
April 1987	45·75	73·25
April 1988	49·35	79·00

Social Fund

Mr. Burt: To ask the Secretary of State for Social Security what additional information he proposes to place in the Library concerning the social fund budget allocations to local offices for 1989-90.

Mr. Peter Lloyd: I have today placed in the Library details of the 1989-90 social fund allocations in terms of the allocations per head of income support live load in every local office on 30 November 1988, together with a note explaining the basis on which the 1989-90 allocations were made. Details of individual local office activity on the social fund during 1989-90 and a national summary will continue to be placed in the Library at monthly intervals.

ENVIRONMENT

Urban Development Areas

16. **Mr. Allen McKay:** To ask the Secretary of State for the Environment if he will list the governmental expenditure which has taken place in urban development areas since 1981.

Mr. Ridley: By the end of March 1989, the Government will have provided over £8,000 million in grant-in-aid to the English UDCs.

Disabled People (Housing Adaptations)

17. **Mr. Hannam:** To ask the Secretary of State for the Environment what plans he has to introduce a test of resources for improvement grants for house adaptations for disabled people; and if he will make a statement.

Mr. Trippier: Proposals for a test of resources for all improvement grants, including those for adaptations for the disabled, were published in the consultation paper "Renovation Grants: Proposed Test of Resources", issued on 9 January.

No-Fines Houses

18. **Mr. George Howarth:** To ask the Secretary of State for the Environment what is his policy on providing financial assistance to owner occupiers of former local authority properties on a no-fines type of construction; and if he will make a statement.

Mr. Trippier: Owners of houses built before 1961, including those of no-fines construction, may be eligible for discretionary improvements grants from their local authorities. The Local Government and Housing Bill contains our proposals to reform that legislation.

Football Clubs Membership Scheme

19. **Mr. Haynes:** To ask the Secretary of State for the Environment if he has any plans to meet representatives of firms producing computers to discuss the proposed football club identity card scheme.

34. **Mr. Allen Adams:** To ask the Secretary of State for the Environment if he has any plans to meet representatives of firms producing computers to discuss the proposed football club identity card scheme.

Mr. Cohen: To ask the Secretary of State for the Environment if he has any plans to meet representatives of firms producing computers to discuss the proposed football identity card scheme.

77. **Mr. McCartney:** To ask the Secretary of State for the Environment if he has any plans to meet representatives of firms producing computers to discuss the proposed football club identity card scheme.

Mr. Moynihan: I have no further plans to meet computer companies. The football membership authority, in drawing up the scheme for submission to the Secretary of State, will include its preferred choice of technology.

35. **Mr. Wall:** To ask the Secretary of State for the Environment if he has received any response to the letter sent by the Minister for Sport, the hon. Member for Lewisham, East (Mr. Moynihan) to hon. Members on 21 December 1988 about the proposed football identity card scheme.

39. **Mr. Steinberg:** To ask the Secretary of State for the Environment if he has received any response to the letter sent by the Minister for Sport, the hon. Member for Lewisham, East (Mr. Moynihan) to hon. Members on 21 December 1988 about the proposed football identity card scheme.

42. **Mr. Henderson:** To ask the Secretary of State for the Environment if he has received any responses to the letter sent by the Minister for Sport, the hon. Member for Lewisham, East (Mr. Moynihan) to hon. Members on 21 December 1988 about the proposed football identity card scheme.

78. **Mr. Ashton:** To ask the Secretary of State for the Environment if he has received any response to the letter sent by the Minister for Sport, the hon. Member for Lewisham, East (Mr. Moynihan) to hon. Members on 21 December 1988 about the proposed football identity card scheme.

Mr. Moynihan: I have received letters from four hon. Members. Two hon. Members have tabled questions before today.

40. **Mr. Loyden:** To ask the Secretary of State for the Environment if he will make a statement on recent meetings held by the Minister for Sport, the hon. Member for Lewisham, East (Mr. Moynihan) with the chairmen of Football League clubs.

Mr. Moynihan: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Halifax (Mrs. Mahon).

58. **Mr. Martyn Jones:** To ask the Secretary of State for the Environment what representations he has received expressing opposition to part 1 of the Football Spectators Bill.

70. **Mr. Frank Cook:** To ask the Secretary of State for the Environment what representations he has received expressing opposition to part 1 of the Football Spectators Bill.

79. **Mr. Clelland:** To ask the Secretary of State for the Environment what representations he has received expressing opposition to part 1 of the Football Spectators Bill.

91. **Mr. Patchett:** To ask the Secretary of State for the Environment what representations he has received expressing opposition to part 1 of the Football Spectators Bill.

Mr. Moynihan: I have received some 600 representations expressing opposition to the provisions of part 1 of the Football Spectators Bill.

71. **Mr. Canavan:** To ask the Secretary of State for the Environment how many representations he has received to date about the Government's proposals to introduce a membership registration and identification scheme for football fans.

Mr. Moynihan: I have received over 2,500 representations relating to the idea of a scheme.

107. **Mr. Pendry:** To ask the Secretary of State for the Environment when he will next meet the Association of Chief Police Officers to discuss the implications of the Football Spectators Bill.

Mr. Moynihan: I have no plans at present to meet the Association of Chief Police Officers. My officials and colleagues in the Home Office are in regular contact with the Association.

Building Land (Prices)

21. **Mr. Favell:** To ask the Secretary of State for the Environment what information he has on the percentage

of the cost of a new house attributable to the price of the building land for each region of the country, for the years 1958, 1968, 1978 and 1988.

Mr. Trippier: I am pleased to say that according to the latest figures for 1987 land prices in the north-west contributed one of the lowest percentages of the costs of new houses, both in the private sector and those built by local authorities. I am arranging for a table of regional figures to be placed in the Library. Figures for earlier years, back to 1977, are available in the Library.

Reclamation Facilities

22. **Mr. Martlew:** To ask the Secretary of State for the Environment whether the Government will take action to ensure that reclamation facilities, such as bottle banks, are established at new supermarket sites.

Mrs. Virginia Bottomley: The waste watch organisation, which the Department supports, works with retailers to develop recycling opportunities.

Rural Housing

23. **Mr. Hunter:** To ask the Secretary of State for the Environment if he will make a further statement on his policy with regard to the provision of low-cost housing in rural areas.

Mr. Chope: I refer my hon. Friend to the answer given by my right hon. Friend to my hon. Friend the member for Beverley (Mr. Cran) on 8 February (*Official Report*, columns *726-27*). The Government are committed to tackling rural housing need, by enabling housing associations to provide rented accommodation in rural areas and encouraging private landlords and developers to invest in low-cost dwellings.

62. **Mr. Colvin:** To ask the Secretary of State for the Environment if he will issue new guidelines to local planning authorities on the provision of housing in rural areas.

Mr. Chope: New guidance is set out in the reply which my right hon. Friend gave to my hon. Friend the Member for Daventry (Mr. Boswell) on February 3 at columns *433-34*. The local planning authorities have been notified.

67. **Mr. Yeo:** To ask the Secretary of State for the Environment what recent representations he has received regarding the provision of low-cost housing in rural areas.

Mr. Trippier: My right hon. Friend the Secretary of State has received representations from a variety of organisations. The Government's response to these representations is summarised in the answer that he gave my hon. Friend the Member for Beverley (Mr. Cran) on 8 February at columns *726-27*.

Water Privatisation

24. **Mr. Livsey:** To ask the Secretary of State for the Environment whether he has made any decision as to what proportion of water authority stock will be retained by the Government at the proposed flotation of the water industry.

Mr. Ridley: No.

65. **Mr. Andrew Smith:** To ask the Secretary of State for the Environment if he will estimate by how much water prices will rise in the first year after privatisation.

Mr. Moynihan: It is too early to anticipate the values of the price cap ("K") which will govern water charges increases.

95. **Mrs. Clwyd:** To ask the Secretary of State for the Environment whether he has had any recent discussions with the chairpersons of the water authorities on disconnection policy before and after privatisation of the water industry.

Mr. Moynihan: My right hon. Friend the Secretary of State regularly meets chairmen of the water authorities to discuss a number of issues. My hon. and learned Friend the Minister for Water and Planning has welcomed the recent proposals announced by the water industry to revise their disconnections code of practice. These introduce important new customer safeguards and should assist in keeping disconnection to the absolute minimum of those customers who can pay but refuse to do so.

106. **Mr. Grocott:** To ask the Secretary of State for the Environment what recent assessment he has made of the effect of his water privatisation plans on the cost of water to the consumer.

Mr. Moynihan: The Department will carry out an assessment of each water authority's and each water company's future financial requirements in the coming months and I will then be in a position to make proposals for the price cap which will be applicable to each appointed undertaking under the Water Bill.

Chlorofluorocarbons

25. **Mr. McCrindle:** To ask the Secretary of State for the Environment what progress he can report on the reduction of use of chlorofluorocarbons; and if he will estimate the likely effect on the environment.

Mr. Thurnham: To ask the Secretary of State for the Environment if he will make a statement on the outcome to date of the proposals to deal with pollution from chlorofluorocarbons.

Mr. Ridley: All sectors of British industry are being encouraged to reduce their chlorofluorocarbons (CFCs) and halons by at least 85 per cent. by the turn of the century by using alternatives, substitutes or adopting good housekeeping practices. The action of the aerosol industry alone to phase out non-essential uses of CFCs will halve total United Kingdom consumption by the end of the year. Action by the United Kingdom alone is not enough and a major objective of the "Saving the Ozone Layer" London conference, which I shall chair in March, is to persuade more countries to sign up to the Montreal protocol.

83. **Mr. Wallace:** To ask the Secretary of State for the Environment whether his Department proposes to issue advice to owners of domestic appliances which contain chlorofluorocarbons who wish to ensure that chlorofluorocarbons are not released into the atmosphere.

Mrs. Virginia Bottomley: As noted in the Government's reply to the first report from the Environment Committee, Session 1987-88, HC 270-1—Air Pollution—published in

December 1988 (Cm. 552) officials of the Department of the Environment and the Department of Trade and Industry are discussing the question of recovery and recycling/destruction of chlorofluorocarbons (CFCs) in redundant appliances. The Government plan to develop advice in the light of these discussions.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what representations he has received concerning the use of chlorofluorocarbon in the manufacture of plastic forms of building insulation; and whether he has any evidence that manufacturers have developed alternatives to these.

Mrs. Virginia Bottomley: We have recently received a Friends of the Earth report, "Safe as Houses", about the use of chlorofluorocarbons (CFCs) in the insulation of buildings.

The manufacturers of rigid polyurethane foams are developing materials which use less CFCs as blowing agents. They are also implementing measures to reduce wastage of CFCs, and evaluating ozone-friendly alternatives which should become available during the 1990s, subject to satisfactory toxicological testing. United Kingdom manufacturers of extruded polystyrene insulation board have agreed to introduce this year products which do not contain the CFCs controlled by the Montreal protocol, and to phase out products containing these substances by mid-1990.

UK Nirex

26. **Mrs. Margaret Ewing:** To ask the Secretary of State for the Environment when he next expects to meet with representatives of UK Nirex Ltd; and what he expects to discuss.

75. **Mr. Salmond:** To ask the Secretary of State for the Environment when he next expects to meet representatives of UK Nirex Ltd; and what he expects to discuss.

92. **Mr. Sillars:** To ask the Secretary of State for the Environment when he next expects to meet with representatives of UK Nirex Ltd; and what he expects to discuss.

105. **Mr. Andrew Welsh:** To ask the Secretary of State for the Environment when he next expects to meet representatives of UK Nirex Ltd; and what he expects to discuss.

Mrs. Virginia Bottomley: I have no plans to meet representatives of Nirex until I have received its proposals for a radioactive waste disposal facility.

Urban Decay

27. **Mrs. Peacock:** To ask the Secretary of State for the Environment what steps his Department has taken to deal with urban decay in Yorkshire.

Mr. Trippier: The Department has committed some £330 million in Yorkshire and Humberside this financial year, as part of the wider Government effort with the private sector and the public authorities to tackle problems of urban decay.

Housing (Leicester)

28. **Mr. Janner:** To ask the Secretary of State for the Environment if he will make a statement on the housing investment programme allocation awarded to Leicester city council for 1989-90.

Mr. Trippier: Leicester city council's housing investment programme allocation for 1989-90 will be £8,513 million. In addition, it was allocated £0·4 million to tackle run-down housing under the private sector area renewal initiative. Individual authorities have also been invited to apply for additional resources under the estate action programme and in respect of particularly heavy responsibilities under housing defects legislation.

Research

29. **Mr. Michael:** To ask the Secretary of State for the Environment what is his policy towards the stimulation of research into environmental matters by *(a)* his Department, *(b)* the proposed National Rivers Authority and *(c)* the water plcs following privatisation.

Mr. Moynihan: I have today placed copies of a paper in the Libraries of both Houses setting out our proposals for environmental research following privatisation. The paper proposes that it will be for each utility company to decide on its own research needs. The need to fulfil their statutory duties and comply with regulations on water quality and pollution controls will provide the incentives for the water utilities to carry out research. The present statutory duty on the water authorities to make arrangements to carry out research will be replaced by clause 135 of the Water Bill, which places a similar duty on the National Rivers Authority. My Department will continue to manage a substantial programme of research into the water environment.

Air Pollution

30. **Mr. Forman:** To ask the Secretary of State for the Environment what are his plans for the introduction of further legislation to control air pollution.

Mrs. Virginia Bottomley: My right hon. Friend proposes to lay regulations shortly which will give Her Majesty's inspectorate of pollution control over air pollution from a limited number of additonal works, will provide for greater public access to information about the control of air pollution from works scheduled for inspectorate control, and will give statutory force to air quality standards for smoke and sulphur dioxide, lead and nitrogen dioxide.

We intend that the remainder of the proposals in the Government's December 1986 consultation paper on air pollution control should be implemented as soon as a legislative opportunity arises.

Urban Development Corporations

31. **Mr. Anthony Coombs:** To ask the Secretary of State for the Environment what further progress he can report on the setting up and activities of urban development corporations; and if he will make a statement.

Mr. Trippier: Bristol development corporation, the tenth English urban development corporation, was set up

on 19 January. The UDCs are responsible for regenerating more than 40,000 acres, much of which was derelict or underused when they were set up. Although they are at varying stages in their lives, they are all making considerable progress and stimulating major private sector investment interest in their areas.

73. **Mr. Lofthouse:** To ask the Secretary of State for the Environment what is his policy on changing the terms of reference of urban development corporations to provide a more precise definition of regeneration, as recommended by the third report of the Employment Committee.

Mr. Trippier: My right hon. Friend's policy is set out in the Government's response to the Employment Committee. I understand that the Committee will be publishing the response today.

Tree Preservation Orders

32. **Mr. Lord:** To ask the Secretary of State for the Environment what provisions he has made to involve interested and experienced professional bodies in the proposed review of the procedures covering tree preservation orders.

Mrs. Virginia Bottomley: James Batho, who is carrying out the review, is having meetings with relevant organisations, including professional bodies, in order to establish their views.

Association of District Councils

33. **Mr. Oppenheim:** To ask the Secretary of State for the Environment when he last met the officers of the Association of District Councils; and what was discussed.

Mrs. Virginia Bottomley: My right hon. Friend met representatives of the Association of District Councils and the other authority associations on 29 November last year. The matters discussed were the associations' responses to the consultation papers "Capital Expenditure and Finance" and "Local Authorities' Interests in Companies".

Business Rate

36. **Mr. Burt:** To ask the Secretary of State for the Environment what assessment he has made of the effect on businesses in Manchester of the introduction of the unified business rate.

Mr. Gummer: The report of a preliminary survey carried out by the Inland Revenue of the effects of the uniform business rate and the 1990 revaluation of business property, which is available in the Library, suggests that rate bills for businesses in the north west region could fall by some £310 million a year once the transition to the new system is complete. Proposals for the transition were announced by my right hon. Friend on 15 February. Separate figures for Manchester are not available. However, if the uniform business rate were introduced today, the effect would be to reduce the rate poundage paid by businesses in Manchester by 27 per cent.

43. **Mr. Amos:** To ask the Secretary of State for the Environment what will be the effect on business costs in Newcastle upon Tyne of the introduction of the unified business rate.

Mr. Gummer: The report of a preliminary survey carried out by the Inland Revenue of the effects of the uniform business rate and the 1990 revaluation of business property, which is available in the Library, suggests that rate bills for businesses in the northern region could fall by some £50 million a year once the transition to the new system is complete. Proposals for the transition were announced by my right hon. Friend on 15 February. Separate figures for Newcastle upon Tyne are not available. However, if the uniform business rate were introduced today, the effect would be to reduce the rate poundage paid by businesses in Newcastle upon Tyne by 21 per cent.

53. **Mr. Greg Knight:** To ask the Secretary of State for the Environment what will be the effect on business costs in Derbyshire of the introduction of the unified business rate.

Mr. Gummer: The report of a preliminary survey carried out by the Inland Revenue of the effects of the uniform business rate and the 1990 revaluation of business property, which is available in the Library, suggests that rate bills for businesses in the east midlands region could fall by some £130 million a year once the transition to the new system is complete. Proposals for the transition were announced by my right hon. Friend on 15 February. Separate figures for Derbyshire are not available. However, if the uniform business rate were introduced today, the effect would be to reduce the rate poundage paid by businesses in Derbyshire by between 25 and 31 per cent. depending on the district council area concerned.

Empty Properties

37. **Mr. Alton:** To ask the Secretary of State for the Environment how many dwellings are vacant in the public and private sector in Liverpool; and what is the annual estimated rent and rates lost.

Mr. Trippier: The latest available information on vacant dwellings in both the public and private sectors was provided by Liverpool city council in its 1988 housing investment programme return (HIP 1), a copy of which is in the Library.

The provisional figure for rent loss on vacant local authority dwellings in Liverpool in 1987-88 as reported on the authority's housing subsidy claim form was £7·4 million. Figures for rate loss on all empty dwellings in Liverpool are available in "Rent Collection Statistics 1987-88 Actuals" published by the Chartered Institute of Public Finance and Accountancy, a copy of which is in the Library.

Eastbourne Waterworks Company

38. **Mr. Gow:** To ask the Secretary of State for the Environment what communications he has had with the managing director of the Eastbourne Waterworks Company about the increase in its charges which came into effect on 1 January and the further increase in prospect with effect from 1 April; and if he will make a statement about charges for water made by the statutory water companies.

Mr. Howard: I have received a letter from Mr. C. B. G. Turner, chairman of the Eastbourne Waterworks Company indicating that he is unable to reconsider the

charges implemented from 1 January. I understand that these charges run for three months. I have therefore asked him to come and see me before his board fixes charges for the twelve months from 1 April 1989.

Sports Council

41. **Mr. Menzies Campbell:** To ask the Secretary of State for the Environment when he next intends to meet the chairman of the Sports Council; and what matters will be discussed.

Mr. Moynihan: I meet the chairman of the Sports Council on a regular basis to discuss matters relating to the council. I expect to see him again shortly.

Rate Support Grant (Brent)

44. **Mr. Livingstone:** To ask the Secretary of State for the Environment if he will make a statement on the level of rate support grant for the London borough of Brent.

Mrs. Virginia Bottomley: Brent will receive about £86·8 million block grant in 1989-90, £19·5 million (29 per cent.) more than in the current financial year after taking into account the changed arrangements for financing advanced further education.

Planning Law

45. **Mr. Patrick Thompson:** To ask the Secretary of State for the Environment if he has any proposals to alter the law on planning.

Mr. Chope: Proposals to amend planning law are contained in the White Paper on the future of development plans which was published last month. We always keep the need for legislation under review.

Council House Sales

46. **Mr. Knox:** To ask the Secretary of State for the Environment how many council houses have been sold to sitting tenants in England since May 1979.

Mr. Trippier: From April 1979 to December 1988 an estimated 1 million tenants bought their homes from English local authorities and new towns.

50. **Mr. Flannery:** To ask the Secretary of State for the Environment what plans he has for the disbursal of the money from the sale of council houses.

Mr. Trippier: Under the provisions of part IV of the Local Government and Housing Bill a local authority which sells council houses would be required to set aside part of the receipts to reduce its indebtedness. The balance would be available to the authority without restriction for new capital investment.

Nature Conservancy Council

47. **Mr. Hardy:** To ask the Secretary of State for the Environment what action he is taking to ensure that the role of the Nature Conservancy Council is adequately sustained in those activities which have been or are to be transferred from the public to the private sector.

Mrs. Virginia Bottomley: The NCC has statutory responsibilities for nature conservation which, for the most part, are set out in the Nature Conservancy Act 1973, and the Wildlife and Countryside Act 1981. The Government are ready to take such steps as may be necessary to ensure that the NCC is able to fulfil its responsibilities in relation to the activities of others, in both the private and public sectors.

Housing Action Trusts

48. **Mr. Faulds:** To ask the Secretary of State for the Environment if he will indicate when tenants in housing action trust areas will be asked to vote on the establishment of housing action trusts.

Mr. Trippier: I refer the hon. Member to the reply that I gave on 30 January to the hon. Member for Peckham (Ms. Harman) at column *307*.

66. **Mr. Fraser:** To ask the Secretary of State for the Environment which further housing action trusts he proposes to establish.

Mr. Trippier: No housing action trusts have yet been established. When we have considered the consultants' reports on the six areas currently proposed, my right hon. Friend the Secretary of State will announce his conclusions.

Environmental Health Officers

49. **Mr. Litherland:** To ask the Secretary of State for the Environment if he has any plans to increase the number of environmental health officers.

Mrs. Virginia Bottomley: Under section 112 of the Local Government Act 1972, it is for each local authority with responsibilities in this field to decide how many staff it is necessary for them to appoint.

County Rates

51. **Mr. McLoughlin:** To ask the Secretary of State for the Environment which is the highest and lowest precept county rate in England; and what the change has been in the precept of each of these two councils since 1981.

Mrs. Virginia Bottomley: The highest county precept in 1988-89 is 297·5p in Derbyshire and the lowest is 185p in Hereford and Worcester. The change in precept since 1981 is 168 per cent. for Derbyshire and 64 per cent. for Hereford and Worcester.

Football Supporters' Clubs

52. **Mr. Skinner:** To ask the Secretary of State for the Environment when he next plans to meet representatives of football supporters' clubs; and what matters will be discussed.

56. **Mr. Harry Barnes:** To ask the Secretary of State for the Environment if he has any plans to meet representatives of football supporters' clubs; and what matters will be discussed.

Mr. Moynihan: I refer the hon. Members to the answer given on 17 February to the hon. Member for Glasgow, Pollock (Mr. Dunnachie) at column *147*.

Simplified-Planning Zones

54. **Mr. Riddick:** To ask the Secretary of State for the Environment how many simplified-planning zones are now in operation; and if he will make a statement.

Mr. Chope: Last year, simplified planning zones were adopted and brought into operation by Derby and Corby. Five other schemes are in preparation, as noted in the reply to my hon. Friend, the Member for Mid-Staffordshire (Mr. Heddle) at column *304*.

Tyne and Wear UDC

55. **Mr. Trotter:** To ask the Secretary of State for the Environment whether he will report on the progress made by the Tyne and Wear urban development corporation.

Mr. Trippier: I am pleased to report that the Tyne and Wear development corporation is making excellent progress. It has embarked on a number of major projects and has already had considerable success in encouraging the private sector to invest in Tyne and Wear.

Grant assistance from the corporation has already helped to attract inward investment from overseas companies such as Mitsumi, Goldstar and Liebherr, securing some £13 million private sector funding and the initial creation of over 600 jobs with the potential for considerable expansion. Work is also now underway at a number of major flagship sites such as Newcastle business park, St. Peters yard, Byker and The Close, Newcastle Quayside. At the business park a 59 acre site is being developed for over 500,000 ft of high quality industrial/commercial floorspace with the creation of 3,000 permanent jobs. Barratt Newcastle Ltd. is undertaking the development of an imaginative marina village on a 12·5 acre site at St. Peters yard and a prime site at The Close on Newcastle Quayside is being developed for a four-star hotel and offices with the creation of 400-600 permanent jobs. These three projects alone are expected to secure private sector investment of some £78 million..

Total expenditure by Tyne and Wear development corporation since it was established in May 1987 to the end of the current financial year is forecast at £28 million with some £42·5 million private funding having been secured, 1,200 jobs created and over 200,000 sq ft of floorspace provided/refurbished.

These results are very encouraging for the first two years of the corporation's life and when viewed alongside projects now underway there is no doubt that TWDC is playing a major role in bringing about an increase in business confidence and developer interest through its activities and positive promotion of the area.

Further information is available in the annual reports of the corporation.

Heating and Ventilating Contractors Association

Ms. Short: To ask the Secretary of State for the Environment when he last met representatives from the Heating and Ventilating Contractors' Association; and what was discussed.

Mr. Trippier: My right hon. Friend has not met representatives of the Heating and Ventilating Contractors' Association.

Urban Grants

59. **Mr. Barron:** To ask the Secretary of State for the Environment whether independent valuation advice is taken when evaluating schemes for urban development grant, urban regeneration grant and city grant.

Mr. Trippier: The Department has a team of professional appraisers including secondees from private sector firms. Where appropriate they seek the advice of the district valuer.

Housing Revenue Accounts (London)

60. **Mr. Carrington:** To ask the Secretary of State for the Environment if he will identify which London boroughs have a deficit on their housing revenue accounts.

Mr. Trippier: Under the Housing Act 1985, local authorities are required to meet any deficit on their housing revenue accounts by a rate fund contribution (RFC) equal to the deficit. The London boroughs estimating they will make RFCs in 1988-89 are as follows:

City of London
Camden
Greenwich
Hackney
Hammersmith and Fulham
Islington
Kensington and Chelsea
Lambeth
Lewisham
Southwark
Tower Hamlets
Westminster
Barnet
Brent
Ealing
Haringey
Harrow
Newham
Waltham Forest

No data for 1988-89 have yet been received from Hounslow (which made an RFC in 1987-88) or from Merton (which did not make one).

Football League

61. **Mr. Bernie Grant:** To ask the Secretary of State for the Environment what recent discussions he has had with the Football League.

Mr. Moynihan: I refer the hon. Member to the reply that I gave the hon. Member for Liverpool, West Derby (Mr. Wareing) on 20 January.

69. **Mr. Meale:** To ask the Secretary of State for the Environment which Football League grounds he expects to visit in an official capacity in the near future.

93. **Mrs. Dunwoody:** To ask the Secretary of State for the Environment which Football League grounds he expects to visit in an official capacity in the near future.

99. **Mr. Jim Marshall:** To ask the Secretary of State for the Environment which Football League grounds he expects to visit in an official capacity in the near future.

Mr. Moynihan: I refer the hon. Members to the answer given on 17 February to the hon. Member for Carlisle (Mr. Martlew) at column *424*.

Recycling

63. **Mr. Malcolm Bruce:** To ask the Secretary of State for the Environment if he will make a statement concerning his Department's plans for future investment in recycling facilities.

80. **Mr. Kirkwood:** To ask the Secretary of State for the Environment what plans he has to encourage further investment in recycling facilities.

Mrs. Virginia Bottomley: All Government Departments with an interest in recycling, are encouraging local authorities and industry to invest in economic recycling facilities.

Drinking Water

64. **Ms. Quin:** To ask the Secretary of State for the Environment if he will give the cost of full implementation of the European Economic Community directive on drinking water standards; and when he expects this directive to be fully complied with.

Mr. Moynihan: Water authorities are preparing investment programmes for improving water supplies in relation to water quality, pressure and reliability of supply. The full cost and phasing of the required work will be set out in prospectuses when the privatised companies are offered for sale.

We are committed to achieving compliance with the EC drinking water directive as soon as possible. Good progress has been made and will continue to be made towards this end.

104. **Mr. Key:** To ask the Secretary of State for the Environment if he will make a statement on the European Commission directives on drinking water standards.

Mr. Moynihan: The EC drinking water directive (80/778/EEC) sets standards for 44 parameters. These are to be incorporated into regulations to be made by my right hon. Friend the Secretary of State under powers contained in the Water Bill 1988. Publication of the proposed contents of the regulations and draft guidance on maintaining the quality of public water supplies was announced on 10 February. Copies of both documents have been placed in the Library of the House.

Housing (Warrington and Runcorn)

68. **Mr. Butler:** To ask the Secretary of State for the Environment if he will make a statement on the future of housing development within the area covered by the Warrington and Runcorn new town development corporation.

Mr. Trippier: One of the Government's objectives for Warrington and Runcorn development corporation is to promote and cater for the growth of home ownership by releasing serviced sites for housing development. The areas in which I would expect further housing development to occur include Westbrook, Bridgwater and Sandymoor. The release of housing sites for development will be continued by the Commission for the New Towns and for some time beyond the dissolution of the development corporation this September.

Bristol UDC

82. **Mr. David Nicholson:** To ask the Secretary of State for the Environment what new economic activity has resulted from the work of the urban development corporation in Bristol.

Mr. Trippier: The setting up of Bristol development corporation was held back by a petition against it. It came into legal existence on 19 January 1989 and became the development control authority for its area on 20 February 1989. The corporation has stimulated considerable interest in its area and the inquiries it is receiving promise well for the future.

Competitive Tendering

74. **Mr. Waller:** To ask the Secretary of State for the Environment what has been the effect on the cost of providing local government services since 1981 by means of competitive tendering.

Mr. Gummer: No precise figures are available but I refer my hon. Friend to the answer which I gave my hon. Friend the Member for Amber Valley (Mr. Oppenheim) on 15 February at column 278.

Compulsory Competition

76. **Miss Widdecombe:** To ask the Secretary of State for the Environment if he will make a statement on the Audit Commission's findings as detailed in its report entitled "Preparing for Compulsory Competition."

Mr. Gummer: The Audit Commission's report "Preparing for Compulsory Competition" offers much sound guidance to local authorities on how to meet the challenges of competition introduced by the Local Government Act 1988 and achieve the savings of 20 per cent. or more that are available. We commend the report to the House and are making arrangements for a copy to be sent to all hon. Members.

Local Government Finance

81. **Dr. Goodson-Wickes:** To ask the Secretary of State for the Environment what plans he has to exemplify the figures for a system of local government finance based on capital value rates plus local income tax, in the proportions of 80:20, respectively, as they might apply in Merton.

85. **Mr. Mans:** To ask the Secretary of State for the Environment what plans he has to examine alternative forms on local government finance based on capital value rates plus local income tax, in the borough of Wyre.

96. **Mr. Neil Hamilton:** To ask the Secretary of State for the Environment what plans he has to exemplify the figures for a system of local government finance based on capital value rates plus local income tax, in the proportions of 80:20, respectively, as they might apply in Macclesfield borough and Vale Royal borough.

102. **Mr. Robert G. Hughes:** To ask the Secretary of State for the Environment what plans he has to examine alternative forms of local government finance based on capital value rates plus local income tax in the London borough of Harrow.

Mr. Gummer: I refer my hon. Friends to the answer I gave on 21 February to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice).

Boxing

82. **Mr. Cox:** To ask the Secretary of State for the Environment when he last met members of the British Boxing Board of Control and what issues were discussed.

Mr. Moynihan: I have not attended any formal meetings with the British Boxing Board of Control. However, I frequently meet board members informally and at boxing events.

Building (Outer London)

84. **Mr. Dykes:** To ask the Secretary of State for the Environment if he will consider new measures to assist local planning authorities to curb excessive building in the outer London boroughs.

Mr. Chope: My right hon. Friend issued new guidance to local planning authorities on 30 November 1988. Planning policy guidance (PPG) note 12 on local plans advises authorities of the importance of preparing and adopting local plans and that where

"the pressure for development and redevelopment is such as to threaten seriously the character of an established residential area which ought to be protected"

local authorities

"may include density and other policies in their local plans for the areas concerned, while avoiding undue rigidity. The scale and character of new development inrelation to existing development are material considerations which should be taken into account in deciding planning applications, and the decisions of local planning authorities will be the more secure where the adopted local plan includes policies designed to protect the environmental character of particular localities."

Where local plans are up-to-date and consistent with national and regional policies, their provisions will carry considerable weight and the Secretary of State and his inspectors will be guided by them in dealing with planning appeals.

Water Cooling Systems

86. **Mr. Dunnachie:** To ask the Secretary of State for the Environment what plans he has to give environmental research officers increased resources to apply stricter monitoring of water cooling systems.

Mrs. Virginia Bottomley: Decisions on the resources to be devoted to the work on environmental health departments are a matter for local environmental health authorities.

Black Country UDC

87. **Mr. Conway:** To ask the Secretary of State for the Environment what further action has been taken in addressing problems or urban decay by the urban development corporation in the Black Country.

Mr. Trippier: The Black Country development corporation has continued to provide opportunities for new investment and development in its area. In particular, it has given priority to:

1. The assembly and reclamation of land to provide sites for development;
2. The procedures necessary as a preliminary to the construction of the Black Country spine road;
3. Jointly with Sandwell MBC, marketing and securing a developer for the four million square feet retail and leisure proposal on the former Patent Shaft steelworks site in Wednesbury. It has also assisted by grant aid of £2·5 million, including City Grant, 35 businesses who in turn have invested £12·2 million in the area.

For further information, I would refer my hon. Friend to the Corporation's annual report.

Local Authorities (Conduct of Business)

88. **Mr. Hind:** To ask the Secretary of State for the Environment what plans he has to review the conduct of local authority business as set out in the White Paper Cm. 433.

Mrs. Virginia Bottomley: The House has now given a second reading to the Local Government and Housing Bill which will implement most of the proposals in the White Paper that require legislation. I refer the hon. Member to my answer to my hon. Friend, the Member for Harrow, West (Mr. Hughes) on Thursday 2 February at column *357*, which sets out the points on which we have revised our proposals.

Urban Grants

89. **Mr. Madden:** To ask the Secretary of State for the Environment how many firms who have received urban development grants and urban regeneration grants have (i) ceased trading subsequently, and (ii) required further financial assistance.

Mr. Trippier: A total of 350 projects have received or are receiving urban development grant, urban regeneration grant or city grant. None of the developers involved has ceased trading while the grant-aided project was underway. A total of 190 projects have been completed and many of these have been sold or let. It is not therefore possible to say how many firms ceased trading subsequently. However, I am aware of two cases of business projects which received urban development grant and later ceased trading.

Urban development grant, urban regeneration grant and city grant are one-off injections of assistance given at the start of a project. The developer then proceeds at his own risk and cannot get second instalments of grant if the project performs below expectations.

London Docklands Development Corporation

90. **Mr. Andrew MacKay:** To ask the Secretary of State for the Environment what further progress has been made, in addressing problems of urban decay, by the urban development corporation in docklands.

Mr. Trippier: Impressive progress. LDDC continues to breathe new life into docklands. More than £4 billion of private investment commitments have been secured since 1981. Over 1,200 new companies have been attracted to the area. There are new employment opportunities, with over 20,000 jobs created or attracted. Some 15,000 homes have been provided, along with increased housing choice and opportunity. A variety of projects have been funded to provide community support, refurbish public housing, improve education and training and assist the local voluntary sector. Over 30 miles of roads have been built, and more are under construction. The momentum of regeneration achieved by LDDC will continue, with the Government's firm support.

Manchester UDC

94. **Sir Fergus Montgomery:** To ask the Secretary of State for the Environment in what ways Manchester has benefited from the establishment of an urban development corporation.

Mr. Trippier: The Central Manchester development corporation has been in existence for just over six months. This earlier period has been marked by an enormous boost in developer and investor interest, and general confidence, in central Manchester.

Proposed grants by the corporation of about £6½ million have let to major development projects, planned or

underway, involving a total private sector investment of £34 million and giving a gearing ratio of more than 1:4. These schemes are principally residential and commercial developments which will breathe new life into the Whitworth street and Piccadilly areas, and continue the good work done over recent years at Castlefield.

All these developments and many other proposals already in the pipeline, will revitalise the urban development area and bring investment and jobs to the city centre, to the benefit of the people of Manchester, and indeed, the north-west as a whole.

Covent Garden Action Area

97. **Mr. Corbyn:** To ask the Secretary of State for the Environment if he will make a statement on progress by Westminster council in implementing the Covent Garden action area plan.

Mr. Chope: This is a matter for Westminster which has received a report from its consultants who were asked to undertake a review of changes since the adoption of the Covent Garden action area plan in 1978. I am told that Westminster has published draft interim policies for consultation. The public may take this opportunity to make their views known as the policies may have some weight in development control.

Mr. Soley: To ask the Secretary of State for the Environment if he will list those departures to the Covent Garden action area plan made by Westminster city council which have come to him on appeal since 31 March 1986.

Mr. Chope: No departures from the Covent Garden action area plan have been referred to the Secretary of State since 31 March 1986.

Land Markets

98. **Mr. Boyes:** To ask the Secretary of State for the Environment what studies his Department has undertaken into the workings of land markets in the United Kingdom and European Economic Community countries.

Mr. Chope: The Department is participating in an international study of urban land markets under the direction of the OECD. The Department's main contribution is a United Kingdom national report that was submitted in 1987 and published by HMSO last September under the title "Urban Land Markets in the United Kingdom". Other EC countries have produced national reports and a final project report with comparative analyses will be available from the OECD later this year.

Conservation Projects

100. **Mr. Hinchliffe:** To ask the Secretary of State for the Environment if he will make it his policy to make good the financial loss to conservation projects as a result of the withdrawal of Manpower Services Commission support for such conservation projects.

Mrs. Virginia Bottomley: We are monitoring the position closely and will consider whether further action would be appropriate. The Training Agency has set up a working party with the Countryside Commission and representatives of voluntary bodies to consider whether more might be done to ensure that ET is used to the fullest extent possible in the countryside.

Toxic Waste

101. **Mr. Bill Michie:** To ask the Secretary of State for the Environment what representations he has received with regard to Government consultation on toxic waste disposal.

Mrs. Virginia Bottomley: Three consultation papers on waste disposal law have been issued. Two, issued in September 1986 and November 1988, concerned changes to the duties of producers and carriers of waste and the licensing powers of waste disposal authorities. The third, issued last month, concerned the reform of waste disposal authorities themselves. A wide range of interests responded to the first two papers. Consultation on the third is in progress.

Homelessness

103. **Mr. Patnick:** To ask the Secretary of State for the Environment what plans he has to encourage local authorities to implement the recommendations of the Audit Commission Report on "Housing the Homeless"; and if he will make a statement.

Mr. Hinchliffe: To ask the Secretary of State for the Environment what action he is taking following the publication of the Audit Commission report on homelessness.

Mr. Trippier: The report makes a number of constructive recommendations on ways in which local authorities could improve the efficiency and effectiveness of their services to the homeless. We are considering its findings in our current review of the homelessness legislation.

Mr. Corbyn: To ask the Secretary of State for the Environment whether he intends to make any additional moneys available to allow local authorities to implement better practices outlined in the Audit Commission's report on homelessness.

Mr. Trippier: Nearly £50 million additional resources have already been made available in 1988-89 to hard-pressed authorities, specifically for schemes to help the homeless. The implications of the recommendations of the Audit Commission's report are being considered as part of the current review of the homelessness legislation.

Local Authorities (Capital Spending)

108. **Mr. Janman:** To ask the Secretary of State for the Environment what plans he has to review the present methods of controlling local authority capital spending.

Mrs. Virginia Bottomley: Part IV of the Local Government and Housing Bill provides for a new local authority capital finance system. This would replace the present system of direct controls on capital expenditure by a framework based on control of the use of credit to finance such expenditure.

Ombudsman's Report (Coventry Council)

109. **Mr. Nicholas Bennett:** To ask the Secretary of State for the Environment whether he will make further representations to Coventry city council on the case of Mr. and Mrs. Malcolm Quin and Mrs. Hands, née Quin,

regarding the city council's refusal to implement the recommendations contained in the ombudsman's report about compensation.

Mr. Gummer: Following the practice agreed with the local authority associations, my Department has written to Coventry city council to ask for its reasons for not following the recommendation of the Commissioner for Local Adminstration in a case where he has found injustice caused by their maladministration. I am studying its reply.

Hedgerows

Mr. Redmond: To ask the Secretary of State for the Environment if he will list by the three counties of Yorkshire how many miles of hedgerow have been destroyed in the last 20 years; whether surveys are carried out by air, ground or questionnaire to farmers and landowners; and if he will make a statement.

Mrs. Virginia Bottomley: The sample surveys of landscape change so far completed, which used various methods, have not provided information at the level of individual counties.

South West Water

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what sums South West Water received from charges for abstractions in each of the last four years.

Mr. Moynihan: The income of South West Water in respect of abstraction charges in the last four years is as follows:

South West Water Authority abstraction charges income

Financial year	*£ thousand*
1987-88	242
1986-87	230
1985-86	249
1984-85	247

These figures exclude internal accounting within the water authority in respect of the water authority's own abstractions for water supply.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what representations he has received from South West Water on its liability to pay abstraction charges to the NRA when using river water to supply water treatment works; and if he will make a statement.

Mr. Moynihan: None.

Sanitary Towels (Disposal)

Ms. Walley: To ask the Secretary of State for the Environment if he will take steps to ensure that the manufacturers of sanitary towels and tampons bear some of the cost currently incurred by the water authorities in the disposal of their products.

Mr. Howard: No. It is consumers who dispose of these products, and any costs incurred by the water authorities should be met through charges.

Peak Park Planning Board

Mr. McLoughlin: To ask the Secretary of State for the Environment (1) if he has any plans to review the way in which the Peak Park planning board is operating; and whether he will make a statement;

(2) what information he has as to how many people have been appointed by Derbyshire county council to serve on the Peak Park planning board; and how many of them live in the board's area;

(3) how much money has been paid by his Department to the Peak Park planning board over the last six years.

Mrs. Virginia Bottomley: I am writing to the local authority associations urging them to draw the attention of the authorities concerned to the importance of taking proper account of local interests when making their appointments.

Water (EC Directives)

Mr. Gordon Brown: To ask the Secretary of State for the Environment how many letters under article 169 of the Rome treaty the British Government have received regarding the implementation of the European Economic Community directives relating to water in the last six months.

Mr. Moynihan: One.

Grants

Mr. O'Brien: To ask the Secretary of State for the Environment if he will give a breakdown of UDG, URG and city grants approvals in the 57 urban programme areas and elsewhere in the United Kingdom; and if he will make a statement.

Mr. Trippier: The total number of UDG, URG and city grant approvals made in England to date is 345. The breakdown between authorities is shown in the table.

Number of grants approved since 1982 by local authority

	Number of grants approved		
	UDG	*URG*	*City grant*
Authorities currently invited to submit inner area programmes			
Birmingham	23	2	3
Blackburn	4	—	2
Bolton	8	—	2
Bradford	5	—	—
Brent	2	—	—
Bristol	1	—	1
Burnley	1	—	—
Coventry	7	—	1
Derby	—	—	1
Dudley	10	2	1
Gateshead	6	—	—
Greenwich	2	—	—
Hackney	7	—	—
Haringey	1	—	—
Hartlepool	3	—	—
Islington	3	—	—
Kensington and Chelsea	2	—	—
Kingston upon Hull	15	1	—
Kirklees	—	—	1
Knowsley	6	—	—
Lambeth	2	—	—
Langbaurgh	3	—	—
Leeds	16	—	—
Leicester	6	—	—
Lewisham	6	—	1
Liverpool	1	1	—
Manchester	8	—	—
Middlesbrough	5	—	—
Newcastle	7	—	1
Newham	3	—	—
North Tyneside	4	—	1
Nottingham	17	—	5
Oldham	11	—	1

	Number of grants approved		
	UDG	URG	City grant
Preston	1	—	—
Rochdale	4	—	—
Rotherham	2	—	—
Salford	3	—	2
Sandwell	8	—	2
Sefton	2	—	1
Sheffield	7	—	2
South Tyneside	7	—	—
Southwark	2	—	1
Stockton on Tees	2	—	—
Sunderland	7	—	1
Tower Hamlets	5	—	1
Walsall	6	—	—
Wandsworth	5	—	—
Wigan	5	—	—
Wirral	5	—	—
Wolverhampton	7	—	—
Wrekin	3	—	—
Other local authorities (including those previously invited to submit inner area programmes.)			
Calderdale	—	—	1
Ealing	1	—	—
Ellesmere Port & Neston	1	—	—
Greater London Council	3	—	—
Greater Manchester MCC	1	—	—
Gravesham	1	—	—
Hyndburn	3	—	—
Merseyside MCC	5	—	—
Pendle	1	—	—
Rossendale	1	—	—
Scunthorpe	1	—	—
Trafford	2	—	—
Tyne & Wear MCC	1	—	—
Wakefield	9	—	—
West Yorkshire MCC	1	—	—
TOTALS	307	6	32

Mr. O'Brien: To ask the Secretary of State for the Environment if he will list schemes which have attracted UDG, URG and city grant which have been used for private industry and office developments since 1982; what percentage of approvals these represent; and if he will make a statement.

Mr. Trippier: There have been 161 projects approved under the UDG, URG and city grant schemes where the end use has been industrial or office development. These projects represent 47 per cent. of the total approvals to date, and are listed by authority. A copy of the list has been placed in the Library of the House today.

Land

Mr. O'Brien: To ask the Secretary of State for the Environment if he will list the land holding by hectares which was owned by water authorities and electricity boards in each UDC area at designation; what the total value of this land was; and if he will make a statement.

Mr. Trippier: My Department does not have this information.

Mr. O'Brien: To ask the Secretary of State for the Environment how much land has been sold by water authorities and electricity boards in each UDC area since designation; and if he will make a statement.

Mr. Trippier: My Department does not have this information.

Urban Development Corporations

Mr. O'Brien: To ask the Secretary of State for the Environment if he will list all past or present appointees to Urban Development Corporation boards who have business interests in the metropolitan area in which the Urban Development Corporation is located, or in other Urban Development Corporation areas; and if he will make a statement.

Mr. Trippier: My right hon. Friend the Secretary of State considers it desirable to appoint to Urban Development Corporation boards those with relevant experience. This means that members are likely to have connections, whether business or otherwise, in and around the area in which their Urban Development Corporation is located.

The Department advises Urban Development Corporations how to handle potential conflicts of interest. Chairmen are required to sign undertakings which reflect their particular circumstances. If they are involved with companies that might otherwise operate in the urban development area they will normally be required to confirm that the companies will not so operate during the term of their appointment.

Other board members must declare to the board their private interests which might give rise to a conflict. If a particular case gives rise to a possible conflict of interest, the member is required to write in advance to the chairman and it is for the other board members to decide what action to take. Unless the interest is trivial, the member would normally withdraw from the discussion and not vote on it.

If a board member of one Urban Development Corporation has business interests in or near the area of another, no question of conflict of interest arises.

Mr. O'Brien: To ask the Secretary of State for the Environment if he will list the response to his request that Urban Development Corporation's pass on examples of good practice to each other; and if he will make a statement.

Mr. Trippier: The Department's guidance to Urban Development Corporations asks them to pass on experience which may be useful to other Urban Development Corporations. They are developing their own informal networks. In addition, my Department organises regular seminars for Urban Development Corporation chief executives which provide a forum for exchanging relevant experience and information.

Landlords

Mr. Corbyn: To ask the Secretary of State for the Environment how many landlords have sought approved status from the Housing Corporation since 15 January.

Mr. Trippier: I have asked the Housing Corporation to reply to the hon. Member.

Home Improvement Grants

Mr. Corbyn: To ask the Secretary of State for the Environment what amount was spent by English local authorities on *(a)* mandatory home improvement grants and *(b)* discretionary home improvement grants in the financial years 1978-79 to 1988-89.

Mr. Trippier: The information is as follows:

Local authority capital expenditure on home improvement grants

	England mandatory	£ million discretionary	Total
1978-79	[1]..	[1]..	90
1979-80	[1]..	[1]..	120
1980-81	[1]..	[1]..	129
1981-82	49	148	197
1982-83	72	353	425
1983-84	99	812	911
1984-85	126	608	734
1985-86	117	342	459
1986-87	98	297	395
1987-88	81	290	[2]371
1988-89	97	286	[3]383

[1].. Not available.
[2] Provisional.
[3] Estimated by local authorities in April 1988 for HIP2 returns.

Housing Repair Schemes

Mr. Corbyn: To ask the Secretary of State for the Environment whether he will list, on an authority by authority basis, the total expenditure on capitalised housing repair schemes in England in the current financial year; and what percentage of all local authority housing repairs expenditure is accounted for by these schemes in *(a)* inner London, *(b)* outer London, *(c)* London as a whole, *(d)* the south-east and *(e)* England.

Mr. Trippier: Authority by authority information from the 1988 HIP2 return will be placed in the House of Commons Library in the next few days.

Capitalised housing repairs account for the following estimated proportions of all local authority housing repairs expenditure both current and capital in 1988-89.

	Per cent.
(a) Inner London	30·6
(b) Outer London	31·5
(c) All London	30·9
(d) South East	27·7
(e) England	23·1

Fly-tipping

Mr. Simon Hughes: To ask the Secretary of State for the Environment what steps he is taking to deal with fly-tipping.

Mrs. Virginia Bottomley: Plans to legislate for the registration of waste carriers were announced in June last year. Further proposals for legislation to make the registered keepers of vehicles used in fly-tipping liable to prosecution in certain circumstances are being considered following public consultation.

Water Pollution

Dr. John Cunningham: To ask the Secretary of State for the Environment what are the levels of arsenic detected by the South-West water authority in the river Tamar on a regular sampling basis in the vicinity of Gunnislake, Devon, over the last 10 years.

Mr. Ridley: The South West water authority has taken frequent samples from the river Tamar at Gunnislake bridge since mid-1984. All 113 samples meeet the "imperative" values for arsenic in the EC directives on the quality of surface water abstracted for drinking water (75/440/EEC). Indeed, all but one were below the limit of detection.

Mr. Burt: To ask the Secretary of State for the Environment what preparations are being made for the introduction of the scheme, as provided for in the Water Bill, which will enable the new National Rivers Authority to make charges in respect of discharges into rivers.

Mr. Howard: I have today issued a consultation paper which sets out the basis for a new charging scheme for consents for discharges into rivers, estuaries and other controlled waters. Our proposals for the scheme have been widely accepted as marking an important extension of the principle that polluters should pay for the costs of their activities.

In future, costs incurred by the proposed National Rivers Authority in granting discharge consents and in monitoring effluent quality and its impact on receiving waters will be met by the dischargers themselves, rather than by water consumers or taxpayers. The dischargers are for the most part water and sewerage undertakings and industrial dischargers of waste water.

The scheme will come into effect following the establishment of the proposed National Rivers Authority later in the year under the Water Bill currently being considered in Parliament. Details will be finalised by the Department, in conjunction with the National Rivers Authority Advisory Committee, and in the light of the views expressed by interested bodies in response to this consultation paper.

The Government envisage that a substantial proportion of the NRA's total costs for water quality regulation and pollution control will be recovered through the charging scheme, with charges likely to be set according to the size and type of the discharge.

Separate provisions already exist to ensure that the cost of cleaning up pollution incidents are recovered from those responsible for them. Similarly, discharges of trade effluents into sewers will continue to be subject to charges by water undertakings under separate provisions.

A copy of the consultation paper has been placed in the Library.

Ozone Layer

Miss Lestor: To ask the Secretary of State for the Environment if he will list the organisations that have been invited to the saving the ozone layer conference on 5 to 7 March 1989; and if he will make a statement.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply that I gave on 20 February to the hon. Member for Newport, West (Mr. Flynn), *Official Report*, column *493*.

Mr. Dalyell: To ask the Secretary of State for the Environment if, pursuant to his answer of 25 January, *Official Report*, column *1010*, on the identification of the hole in the ozone layer by the British Antarctic scientific expedition, he will report on progress in ending the use of chlorofluorocarbons in aerosols.

Mr. Ridley: My right hon. Friend the Prime Minister and I will be hosting an international conference on 5-7 March in London in order to persuade the world to phase out the use of CFCs for all purposes as soon as practicable, taking account of the availability of safe substitutes.

Lead-free Fuel

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment what advice is given by his Department to garages to ensure that the correct advice is given to motorists concerning the use of lead-free fuel in different types and makes of vehicles.

Mrs. Virginia Bottomley: This Department has produced, and is currently updating, the "E" list of cars that can use unleaded petrol without adjustment. This is freely available in booklet and wall chart form.

The Department of Transport also provides advisory information on the use of unleaded petrol in the "New Car Fuel Consumption" guide.

We have asked SMMT and MAA to take steps to ensure that their members readily provide necessary information.

In addition, we also welcome information provided by motoring organisations, oil companies and motor manufacturers.

Defective Housing

Mr. Andrew F. Bennett: To ask the Secretary of State for the Environment if he has any plans to give additional assistance to owners and tenants in defective precast reinforced concrete housing.

Mr. Trippier: Eligible owners of designated defective properties are entitled to assistance from their local authority under the housing defects legislation. Owners or tenants could also benefit from our proposed reform of the home improvement grant system, as provided in the Local Government and Housing Bill.

Radon

Miss Emma Nicholson: To ask the Secretary of State for the Environment whether he has any plans to allow local authorities to give home improvement grants to owners of houses for the installation of remedial measures where radon levels are high.

Mr. Trippier: The Department has today written to 21 local housing authorities in Cornwall, Devon, Derbyshire and Somerset advising them in what circumstances the Secretary of State is prepared to contribute towards the expense incurred by them in making an improvement grant for radon remedial measures. I am sending a copy of the letter to my hon. Friend.

Retired People

Mr. Roy Hughes: To ask the Secretary of State for the Environment if he will consider creating a standing committee of representatives of the pensioners' movement together with the Minister and senior civil servants dealing with the areas mainly affecting the retired in housing and environmental matters.

Mr. Ridley: *[holding answer 21 February 1989]:* I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on Friday 17 February 1989, *Official Report*, column *404*.

Written Answers to Questions

Thursday 23 February 1989

ATTORNEY-GENERAL

Macdonald-Wheeler Fund Management

Mr. Hardy: To ask the Attorney-General for how long investigations into Macdonald-Wheeler Fund Management Ltd. have been proceeding.

The Attorney-General: An inquiry under section 447 of the Companies Act 1985 was commenced by the Department of Trade and Industry on 28 July 1986 and concluded on 6 August 1986 when upon the Secretary of State's petition to the court the Official Receiver was appointed provisional liquidator. Police inquiries into the management of Macdonald-Wheeler Fund Management Ltd. commenced in August 1986, one month after the company ceased trading. In April 1988 the newly formed serious fraud office adopted the inquiry and continued the investigation in conjunction with the police. Criminal proceedings were commenced against one person in June 1988.

PRIME MINISTER

Merchant Shipping

Q23. **Dr. Godman:** To ask the Prime Minister if Her Majesty's Government have any proposals to amend the Merchant Shipping Act 1988.

The Prime Minister: No.

Kenilworth

Q27. **Mr. Pawsey:** To ask the Prime Minister if she has any plans to make an official visit to Kenilworth.

The Prime Minister: I have at present no plans to do so.

Wales

Q36. **Mr. Ieuan Wyn Jones:** To ask the Prime Minister when she next expects to visit Wales.

The Prime Minister: I make official visits to Wales from time to time.

"Death on the Rock"

Q63. **Mr. Dalyell:** To ask the Prime Minister what representations she has had about the tone of Her Majesty's Government's response to the Windlesham report on the "Death on the Rock" programme.

The Prime Minister: None, as far as I am aware.

Mr. Yitzhak Shamir

Q155. **Mr. Latham:** To ask the Prime Minister whether she is now in a position to announce a date for the forthcoming visit to Britain by Mr. Yitzhak Shamir, Prime Minister of the state of Israel.

The Prime Minister: Professor Arens told me on 15 February that Mr. Shamir hopes to visit soon. No dates have yet been fixed.

Mr. Yeo: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

Mr. Favell: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

Mr. Holt: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

Mr. Jack: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

Mr. Nicholas Bennett: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

Mr. McLoughlin: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Thursday 23 February.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with Ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Abortion

Mr. Cryer: To ask the Prime Minister whether she has any plans to establish a Royal Commission on the operation of the Abortion Law Reform Act 1967.

The Prime Minister: We have no plans to do so.

AGRICULTURE, FISHERIES AND FOOD

Set-Aside

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table in the *Official Report* showing in each of the three counties of Yorkshire, how many applications and registrations he has received under the set-aside scheme *(a)* within and *(b)* outside less favoured areas; and within each category how many applications he has received for (i) permanent fallow, (ii) rotational fallow, (iii) farm woodland and (iv) non-agricultural use.

Mr. Ryder: The available information is as follows:

	Applications: less favoured areas	Applications: other areas	Registrations: all areas[1]
North Yorkshire			
Permanent Fallow	7	42	
Rotational Fallow	3	20	
Woodland	1	8	
Non-agricultural Use	1	12	
Totals[2]	8	62	1,039
West Yorkshire			
Permanent Fallow	Nil	3	
Rotational Fallow	Nil	Nil	
Woodland	Nil	1	
Non-agricultural Use	Nil	2	
Totals[2]	Nil	5	118
South Yorkshire			
Permanent Fallow	Nil	11	
Rotational Fallow	Nil	3	
Woodland	Nil	Nil	
Non-agricultural Use	Nil	1	
Totals[2]	Nil	12	178

Notes:
[1] Breakdown between less favoured and other areas not available.
[2] Some applications are for more than one land use.

Food Surveillance

Mr. Sayeed: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 13 February, *Official Report*, column *94*, what factors were taken into consideration by the Government in taking the decision not to publish details of individual brands sampled under the food surveillance programme.

Mr. Ryder: The purpose of the sampling undertaken under the programme of the steering group of food surveillance is to carry out scientific surveys of particular issues; it is not an enforcement programme. Sampling programmes are necessarily selective and do not cover every item on the market. It would therefore be inequitable to report data on those brands included when others of equal quality are excluded.

Woodland

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 16 February, *Official Report*, column *357*, under which grant scheme the regeneration of older woodland is taking place; and if he will provide figures to illustrate the extent to which this has happened over the past five years.

Mr. Macgregor: Regeneration of older woodland is taking place under all the Forestry Commission grant schemes, including the woodland grant scheme.

The area of woodland regenerated in England over the last five years, both by the Forestry Commission and the private sector, is given in the table.

Year ended 31 March	*1984*	*1985*	*1986*	*1987*	*1988*
Area restocked (hectares)					
with conifers	3,375	2,966	3,060	3,532	3,259
with broadleaves	1,127	972	1,442	1,896	2,068
Area of broadleaves as percentage of total area	25%	25%	32%	35%	39%

Wool

Mr. McLoughlin: To ask the Minister of Agriculture, Fisheries and Food if he is able to announce the guaranteed price for wool for the 1989 clip; and if he will make a statement.

Mr. MacGregor: Together with the Secretaries of State for Scotland, Wales and Northern Ireland, I have reviewed the state of the wool market and prospects for the 1989 clip.

The British Wool Marketing board has achieved good prices for United Kingdom wool in 1988. Average market prices for the 1988 clip rose above the prevailing guarantee, enabling the board to make further repayments to the stabilisation fund. Stocks are low and demand continues to be good; the wool board is confident of market prospects for 1989.

We have given careful consideration to an appropriate guarantee level for 1989 in the light of these market circumstances. We have also noted the deficit on the stabilisation fund, currently around £14·5 million and my announcement in October last year of our plans to abolish the wool guarantee. We have decided in the light of these considerations to set the price guarantee for the 1989 clip at an unchanged level, 129p/kg.

Following the sale of the 1989 clip any remaining deficit falls to be written off under the terms of the financial agreement with the board, During the following period leading up to the termination of the guarantees for wool we would not expect to raise the price guarantee above its present level.

Milk

Mr. Hunter: To ask the Minister of Agriculture, Fisheries and Food when he will issue the consultation paper dealing with the proposed ban on the sale of untreated milk.

Mr. MacGregor: The consultation paper is being issued today and seeks views on the proposal to prohibit the sale

of untreated milk for liquid consumption in England and Wales. It also seeks views on untreated cream (which poses risks similar to those arising from untreated milk) and on cheese made from unpasteurised milk. There is no proposal to introduce any prohibition on the use of unpasteurised milk in the manufacture of cheese. I am placing a copy in the Library of the House. Copies will also be made available in the Vote Office.

White Mineral Oil

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what were the reported effects on animals of white mineral oil in the report to his Department by Shell.

Mr. Ryder *[holding answer 22 February 1989]:* The major effect in rats at all dose levels was a moderate to severe granulomatous inflammation associated with oil droplets in the mesenteric lymph nodes in both sexes and in the livers of females only.

Listeria

Mr. Kennedy: To ask the Minister of Agriculture, Fisheries and Food what notifications have been issued to the National Farmers Union over the past 12 months concerning the possible incidence of listeria infection in United Kingdom cheese production; and if he will make a statement.

Mr. Ryder: Action over individual instances of listeria in cheese has been taken with the individual producers concerned. The NFU has been made aware of the general problem through the series of meetings of all the organisations concerned that led to the production of the code of practice for cheese producers that was issued in August 1988.

Mr. Kennedy: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the Food and Drink Federation concerning possible listeria infection in United Kingdom produced cheese; and if he will make a statement.

Mr. Ryder: I have received no such representations from the Food and Drink Federation.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) what research his Department is currently funding into the causes and incidence of listeria contamination in dairy products other than liquid milk;

(2) what research his Department is currently funding into the causes and incidence of listeria contamination in fresh milk.

Mr. MacGregor: A considerable programme of research into the micrological safety of food is being undertaken and funded by my Department. This programme includes work on factors which cause the listeria organisms to multiply and methods of inhibiting such growth.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what evidence he has that milk infected with listeria became infected *(a)* from listeria endemic or internal to the cow or *(b)* through contamination from listeria in the environment.

Mr. Ryder: Listeria infections in cattle udders are unusual. If contamination of milk occurs, it is more likely to be due to environmental contamination. The presence of listeria in milk is minimised by ensuring that milk is produced and processed under hygienic conditions—and the Milk and Dairies Regulations aim to achieve this.

Cheese

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the current number of United Kingdom producers of soft cheese who use unpasteurised milk.

Mr. Ryder: Precise figures are not available but it is estimated that there are about 50 United Kingdom producers of soft cheese who use unpasteurised milk.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the volume of United Kingdom production for each of the last three years of soft cheese using unpasteurised milk.

Mr. Ryder: The latest information available to me indicates that soft cheese production during the last three years was as follows:

Year	*Tonnes*[1]
1985	900
1986	600
1987	700

[1]To the nearest 100 tonnes.

I have no information as to the volume of this cheese that was produced from unpasteurised milk.

Food Quality

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list those measures he has enacted in each of the last three years to improve the quality and wholesomeness of *(a)* home produced and *(b)* imported food.

Mr. Ryder: One of the major objectives of my Department is to maintain the quality and wholesomeness of the food supply and this is taken into account in all measures which we enact most of which apply to imported as well as home-produced food. In 1986, 20 measures were enacted including The Milk and Dairies (Heat Treatment of Cream) (Amendment) Regulations 1986, The Milk-Based Drinks (Hygiene and Heat Treatment) (Amendment) Regulations 1986 and The Horticultural Produce Act. In 1987, 15 measues were enacted including The Coffee and Coffee Products (Amendment) Regulations 1987, The Colouring Matter in Food (Amendment) Regulations 1987, The Materials and Articles in Contact with Food Regulations 1987. In 1988, 14 measures were enacted including The Animals and Fresh Meat (Examination for Residues) Regulations 1988, The Animals and Fresh Meat (Hormonal Substances) Regulations 1988, The Pesticides (Maximum Residue Levels in Food) Regulations, The Importation of Milk Regulations 1988, The Sweeteners in Food (Amendment) Regulations 1988, The Milk (Special Designation) Regulations 1988, The Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) Regulations 1988.

Proposals have been issued for consultation on the following draft regulations:—

Tetrachloroethylene in Olive Oil Regulations
Caseins and Caseinates (Amendment) Regulations
Preserved Milk (Amendment) Regulations
Soft Drinks Regulations
Fish Product Regulations
Fat Spread Products Regulations
Amendments to Food Labelling Regulations to introduce alcoholic strength marking and restrictions on the use of the term "low alcohol"
Regulations to ban the use of mineral hydrocarbons in food and food processing
Preservatives in Food Regulations

In addition I am considering proposals to limit the quantities of colouring matter in food; a number of important reviews, affecting the quality and wholesomeness of our food, are currently being undertaken by the Food Advisory Committee and, as part of the single market programme, nine Community directives were adopted, or a common position agreed, last year and these will all be implemented into United Kingdom legislation. They cover jams, fruit juices, quick-frozen food, additives, labelling, materials and articles in contact with food, foods for particular nutritional uses, batch marking and the official inspection of foodstuffs.

ENERGY

Conservation Systems

Mr. Jack: To ask the Secretary of State for Energy what steps his Department has taken to promote British-produced energy conservation systems outside the United Kingdom.

Mr. Peter Morrison: We continue to promote energy efficiency both at home and abroad.

Research and Development Investment

Mr. Flynn: To ask the Secretary of State for Energy if he will publish a table of comparable annual research and development investment in renewables by Organisation of Economic, Co-operation and Development countries and a table showing the number of renewable energy research projects undertaken annually in each EEC member state since 1979.

Mr. Michael Spicer: The table gives the expenditure on renewable energy research projects by OECD countries in 1987.

Country	*£ million*
Canada	6·94
United States	77·33
Australia	0·49
Japan	57·33
New Zealand	0·22
Austria	2·11
Belgium	2·56
Denmark	2·44
Germany	38·89
Greece	4·22
Ireland	0·27
Italy	18·06
Netherlands	11·33
Norway	1·39
Portugal	0·89
Spain	7·80
Sweden	8·39
Switzerland	6·33
Turkey	0·27
United Kingdom	15·05

Notes:
1. This information was derived from the IEA 1987 Review, Energy Policies and Programmes of IEA Countries, published in 1988.
2. For the United Kingdom the table includes expenditure on renewable energy R and D by Department of Energy, Department of Trade and Industry, Natural Environmental Research Council and the Science and Engineering Research Council.

No information is available on the number of renewable energy research projects undertaken annually in each EEC member state since 1979. This information has not been collected in the past by the Commission but it is currently considering setting up a database of information on member states R and D programmes. In the case of the Department's programme, over 250 projects are currently underway with 70 to 80 new projects being initiated each year.

Nuclear Power

Mr. Flynn: To ask the Secretary of State for Energy if he will list all occasions over the past year when he has discussed with Government representatives or industrialists from abroad the prospects of their purchasing United Kingdom-designed nuclear power plants or nuclear fuel services.

Mr. Michael Spicer: The Government fully support the efforts of British industry in pursuing suitable export opportunities which would comply with our international non-proliferation obligations.

EMPLOYMENT

Tourism

Mr. Butterfill: To ask the Secretary of State for Employment what steps his Department is taking to promote British tourism abroad; and if he will make a statement.

Mr. Lee: My Department promotes British tourism abroad through its sponsorship of the British Tourist Authority which undertakes a wide range of promotional and marketing activities to encourage visits to Britain from abroad.

Prosecutions (Social Security)

Mr. Clay: To ask the Secretary of State for Employment how many companies have been *(a)* prosecuted and *(b)* successfully prosecuted for offences under section 55 of the Social Security Act 1986 and its predecessors, region by region, each year since 1979.

Mr. Lee: This information is not collated centrally and is not available for any years between 1979 and 1987. Since 1988, two companies, in Wales and Kent, have been prosecuted, both successfully, for offences under section 55 of the Social Security Act 1986.

Labour Force Survey

Mr. Frank Field: To ask the Secretary of State for Employment when he expects to publish the next labour force survey.

Mr. Lee: The preliminary results of the 1988 labour force survey, together with revised employment estimates incorporating those results, will be published in the next month.

A copy of the information being published will be placed in the Library.

Employment Training

Mr. Frank Field: To ask the Secretary of State for Employment what is the number of people who have so far registered for an ET course; what are the number and proportion which have ceased attending; and what are the main reasons for withdrawal.

Mr. Nicholls: By 10 February 1989, 174,500 people had started on employment training. By the end of December, the latest date for which information is available, it is estimated that about 20,000 of these people had left the programme. People leave the programme for a number of reasons such as completing their training or getting a job. Information on the numbers leaving for particular reasons is not yet available.

Mr. Frank Field: To ask the Secretary of State for Employment what is the cost of each ET placement; if this sum has changed since *(a)* the announcement and *(b)* commencement of the scheme; and if he will give his reasons for any change.

Mr. Nicholls: The Government expect to spend about £2,300 on average on each trainee on employment training. There has been no change in the grants and allowances for ET since the announcement and start of the programme.

Horseracing (Safety)

Mr. Strang: To ask the Secretary of State for Employment how many horseracing and equestrian establishments have been prosecuted for breaches of health and safety regulations in each of the last 10 years.

Mr. Nicholls *[holding answer 22 February 1989]:* During the period 1 April 1978 to 31 March 1988 two prosecutions under the Health and Safety at Work etc Act were brought against horseracing and equestrian establishments—one in 1986 and one in 1987.

TRADE AND INDUSTRY

Trading Standards Officers

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster what information he has on the number of trading standards officers in post in each year from 1978.

Mr. Forth: Trading standards officers (TSOs) are employed by local weights and measures authorities. Records indicate that some 1,323 TSOs were in post in 1978. Information from 1979 is held in the House of Commons Library and contained in "Trading Standards Statistics' published jointly by the Societies of County Trading Standards Officers and County Treasurers until 1987 and subsequently by CIPFA.

Import Penetration

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster if he will publish a table showing *(a)* the current degree of import penetration and *(b)* that in December 1978 for (1) radios, (2) black and white televisions, (3) video recorders, (4) colour televisions, (5) telephone receivers, (6) refrigerators, (7) passenger motor vehicles, (8) microwave ovens, (9) calculators, (10) desk top computers, (11) computer printers, (12) word processors, (13) microchips, (14) irons, (15) commercial vehicles, (16) x-ray machines, (17) dental instruments and appliances, (18) shoes, (19) sewing machines, (20) excavators, (21) lawn mowers, (22) public transport type passenger motor vehicles, (23) burglar alarms, (24) built-in ovens, (25) hovercraft, (26) lasers, (27) vending machines, (28) dishwashers, (29) medical instruments and appliances, (30) paper, (31) wallpaper, (32) printed matter and (33) furniture, respectively.

Mr. Forth: The information available is shown in the table.

Import penetration by product

Product	*Import penetration[1] per cent.*	
	1978	*January to September 1988*
Black and white televisions	[2]48	104
Video recorders	n/a	81
Colour televisions	18	40
Telephone receivers	2	[6]41
Refrigerators	46	51
Cars[3]	49	[4]56
Microwave ovens	n/a	60
Irons	15	65
Commercial vehicles[3]	22	[4]40
X-ray machinery	n/a	33
Dental instruments and appliances	n/a	30
Footwear	30	[5]47
Domestic sewing machines	37	n/a
Excavators	102	64
Lawn mowers	10	n/a
Buses and coaches[3]	3	[4]38
Burglar alarms (including fire alarms)	6	33
Vending machines and parts	44	54
Dishwashers	n/a	78
Medical instruments and appliances	47	57
Pulp, paper and board	53	[5]63
Wallcoverings	6	[5]11
Printed matter	10	[5]11
Wooden furniture and upholstery	11	20

[1] Unless otherwise stated, import penetration is defined as imports divided by home demand where home demand is estimated as United Kingdom manufacturers' sales plus imports minus exports. The figures are evaluated in value terms and may exceed 100 per cent. in products subject to a substantial degree of entrepot trading.
[2] Fourth quarter only.
[3] Based on vehicle registration data. Import penetration is defined as numbers of imported vehicles registered divided by total registrations.
[4] 1988 data.
[5] 1987 data.
[6] Subscribers' telephone apparatus.

Chemicals (Manufacture)

Mr. Gareth Wardell: To ask the Chancellor of the Duchy of Lancaster (1) if he will publish in the *Official Report*, the site locations in the United Kingdom where trichloroethylene is produced;

(2) if he will publish in the *Official Report* the site location of the five plants in the United Kingdom producing ethylene dichloride;

(3) if he will publish in the *Official Report* the site locations in the United Kingdom where perchloroethylene is produced.

Mr. Maude: Within the United Kingdom, both trichloroethylene and perchloroethylene are produced at one site in Runcorn. I am aware of only four United Kingdom plants for the production of ethylene dichloride; these are at Runcorn, Wilton (Teeside), Fleetwood and Ellesmere port.

Barlow Clowes

Mr. Austin Mitchell: To ask the Chancellor of the Duchy of Lancaster whether he will make a statement on the implications for his Department's investigation of the Barlow Clowes affair of the refusal of Singer and Friedlander to hand over the proceeds of the sale of shares in Buckleys to Harp to the liquidators of Barlow Clowes.

Mr. Maude: It has no implications for my Department's investigation. It is a matter for the liquidator.

Ozone Layer

Mr. David Young: To ask the Chancellor of the Duchy of Lancaster if he will indicate what action his Department is taking to encourage British industry to stop emissions that affect the ozone layer; and if he will make a statement.

Mr. Maude *[holding answer 21 February 1989]:* Officials from my Department are in regular contact with producers and users of ozone-depleting chlorofluorocarbons (CFCs) to consider what measures industry can take to meet the targets for CFC reductions set by the Montreal protocol on substances that deplete the ozone layer. Before emissions can be stopped completely, practicable and safe alternative substances, products and processes need to be developed. It is open to companies to make full use of the assistance available under schemes operated by my Department, against the relevant criteria.

WALES

Empty Properties

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what information he has as to the number of empty properties owned by each Welsh district council and the average time they have been empty.

Mr. Grist: The number of local authority dwellings vacant on 1 April 1988 is given in the following table. Data are not held centrally on the average length of time that properties have been empty but the number of these local authority dwellings that had been vacant for more than six months is given.

Local authority vacant dwellings

Welsh districts	*At 1 April 1988*	*Vacant for more than 6 months*
Aberconwy	30	0
Alyn and Deeside	49	4
Arfon	43	0
Blaenau Gwent	96	5
Brecknock	0	0
Cardiff	399	27
Carmarthen	11	0
Ceredigion	46	0
Colwyn	20	0
Cynon Valley	159	76
Delyn	50	7
Dinefwr	0	0
Dwyfor	14	1
Glyndwr	154	0
Islwyn	146	22
Llanelli	100	5
Lliw Valley	42	22
Meirionnydd	19	13
Merthyr Tydfil	166	0
Monmouth	64	1
Montgomeryshire	46	4
Neath	58	0
Newport	178	41
Ogwr	166	0
Port Talbot/Afan	199	0
Preseli	56	6
Radnor	1	1
Rhondda	59	1
Rhuddlan	15	0
Rhymney Valley	146	0
South Pembrokeshire	11	2
Swansea	118	0
Taff-Ely	70	7
Torfaen	211	40
Vale of Glamorgan	20	1
Wrexham Maelor	328	96
Ynys Mon	75	7
Wales Total (LA)	3,365	389

Source: WHO4 Relets Enquiry.

Pembrokeshire National Park Committee

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list the names and main place of residence of each member of the Pembrokeshire national park committee together with the nominating authority for each member.

Mr. Wyn Roberts: The information is as follows:

Name	*Place of residence*	*Appointing authority*
Asby, Mrs. J. (Chairman)	Narbeth, Dyfed	Dyfed County Council
Douglas W. R. (Vice-Chairman)	Tenby, Dyfed	South Pembrokeshire District Council
Barton, Mrs. C. P.	Lampeter, Dyfed	Secretary of State for Wales
Cawood, J. G.	Berea, Haverfordwest	Dyfed County Council
Evans, M.	Ammanford, Dyfed	Dyfed County Council
Evans, W. G.	Haverfordwest, Dyfed	Secretary of State for Wales
Evans, W. L.	Fishguard, Dyfed	Dyfed County Council
Herbert Prof. D. T.	Swansea, West Glamorgan	Secretary of State for Wales
Jones, H.	St. Dogmaels, Cardigan	Dyfed County Council
Luke, A. C.	Goodwick, Dyfed	Dyfed County Council
Martin, T. R. L.	Broad Haven, Haverfordwest	Dyfed County Council
Mould, P.	Pontfaen, Fishguard	Secretary of State for Wales
Parry, C.	Freystrop, Haverfordwest, Dyfed	Secretary of State for Wales
Parry, N. R.	Manorbier, Tenby, Dyfed	Dyfed County Council
Pratt, R. C.	Fishguard, Pembrokeshire, Dyfed	Secretary of State for Wales

Name	Place of residence	Appointing authority
Pullin, Rev. J.	Tenby, Dyfed	Dyfed County Council
Thomas, D. J.	Llandissilio, Clynderwen	Dyfed County Council
Woodruff, B. R.	Milford Haven, Dyfed	Dyfed County Council

School Buildings

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list by Welsh county the total capital allocation for improvements to and the construction of school buildings in each of the last 15 years.

Mr. Wyn Roberts: This information is not available. Prior to 1981-82 formal capital allocations were not issued, and since 1985-86 capital allocations have not been hypothecated to particular services. In the intervening years capital allocations for education did not differentiate between expenditure on schools and on other educational provision.

Hospitals

Mr. Robin Cook: To ask the Secretary of State for Wales if he will list the hospitals in each district health authority.

Mr. Grist: The position at 30 September 1988 is given in the following table:

Clwyd District Health Authority
- Abergele
- Broughton
- Catherine Gladstone
- Coed Du
- Colwyn Bay Community
- Denbighshire Infirmary
- Dobshill
- Flint
- Gwynfa
- HM Stanley
- Holywell
- Llangollen
- Lluesty
- Meadowslea
- Mold
- North Wales
- Penley
- Pool Park
- Prestatyn Community
- Royal Alexandra
- Ruthin
- Trevalyn
- Ysbyty Glan Clwyd
- Ysbyty Maelor

East Dyfed District Health Authority
- Aberaeron
- Amman Valley
- Bronglais
- Bryntirion
- Cardigan
- Cartrefle Unit
- Llandovery
- Llanelli
- Mynydd Mawr
- St. Davids
- Tregaron
- West Wales General

Gwent District Health Authority
- Abertillery
- Allt-yr-Yn
- Blaenavon Health Care Unit
- Blaina
- County, Griffithstown
- Ebbw Vale
- Llanfrechfa Grange
- Monmouth
- Mount Pleasant
- Nevill Hall
- Oakdale
- Pen-y-Fal
- Pontypool
- Royal Gwent
- St. Cadoc's
- St. Lawrence
- St. Woolos
- Tredegar

Gwynedd Distict Health Authority
- Bronygarth
- Bryn Beryl
- Brynseiont
- Bryn-y-Neuadd
- Caernarvonshire Eye and Cottage
- Cefni
- Conway
- Dolgellau and Barmouth
- Druid
- Eryri
- Ffestiniog memorial
- Garth Angharad
- Groesynyd
- Llandudno
- Llwyn View
- Madoc Memorial
- Minffordd
- Stanley Sailors
- St. David's
- Towyn
- Valley
- Ysbyty Gwynedd

Mid Glamorgan District Health Authority
- Aberbargoed
- Aberdare
- Bridgend General
- Caerphilly District Miners
- Dewi Sant
- East Glamorgan
- Energlyn
- Fedw Hir
- Glanrhyd
- Hensol
- Llwynypia
- Llynfi
- Maesgwyn
- Maesteg
- Mardy
- Merthyr
- Mountain Ash
- Parc
- Pentwyn
- Penyfai
- Pontypridd
- Porth
- Prince Charles
- Princess of Wales
- Redwood
- Rhiwfelin
- St. Tydfils
- Talygarn
- Tonteg
- Treherbert
- Tyntyla
- Ystrad Mynach

Pembrokeshire District Health Authority
- South Pembrokeshire
- Tenby

Withybush

Powys District Health Authority
Breconshire War Memorial
Bronllys
Brynhyfryd
Builth
Knighton
Llandrindod Wells
Llanidloes
Llys Maldwyn
Machynlleth and district
Machynlleth Chest
Mid Wales
Montgomery County Infirmary
St. David's
Victoria Memorial
Ystradgynlais Community

South Glamorgan District Health Authority
Barry Community
Cardiff Royal Infirmary
Children's ENT
Ely
Glan Ely
Lansdowne
Llandough
Neale Kent
Prince of Wales
Rookwood
Royal Hamadryad
St. David's
Sully
University Hospital of Wales
Velindre
Whitchurch

West Glamorgan District Health Authority
Cefn Coed
Clydach
Cymla
Fairwood
Garngoch
Gellinudd
Gorseinon
Groswen
Hill House
Llwyneryr
Morriston
Mount Pleasant
Neath General
Port Talbot
Singleton
Tonna

CADW

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will set out in table form *(a)* the total expenditure on CADW maintained sites, *(b)* the total income from sales and admissions at CADW maintained sites, *(c)* the total expenditure on non-CADW maintained sites by CADW, *(d)* other income to CADW and *(e)* other expenditure by CADW in each of the past four years.

Mr. Wyn Roberts *[holding answer 16 February 1989]:* The total direct expenditure by CADW on each of the categories identified by my hon. Friend is shown in the following table:

£'000

	1984-85	*1985-86*	*1986-87*	*1987-88*
A. Total expenditure on CADW maintained sites	2,187	1,940	1,893	2,575
B. Total income from sales and admissions at CADW maintained sites	[1]937	1,158	1,182	1,415
C. Total expenditure on non-CADW sites	1,517	2,215	2,084	2,202
D. Other income	[1]n/a	107	35	382
E. Other expenditure	1,003	1,669	1,614	2,018

[1] No breakdown of income sources B and D is available for 1984-85.

OVERSEAS DEVELOPMENT

Field Workers (Exchange)

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to create an exchange of technical field workers employed in the health field between the United Kingdom and the Commonwealth.

Mr. Chris Patten: Under the overseas aid programme we actively encourage and support the exchange of information and experience between health workers in this country and in developing countries and between developing country workers. The exchanges take many forms. In 1987, 907 person years of training were funded in health and health-related subjects in Britain. Staff are exchanged under link arrangements which many United Kingdom institutions have with counterpart organisations in the developing world. Study tours are also arranged to enable individuals and groups from developing countries to visit this country and third countries.

Calorie Supply

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list, for each of those countries that are actual or potential recipients of British overseas aid, the latest estimate available to his Department of *(a)* daily per capita calorie supply and *(b)* the percentage it represents of daily calorie requirements.

Mr. Chris Patten: Information on food supply (calories per capita per day) is included in the FAO production yearbook 1987. Information on daily per capita calorie supply as a percentage of the requirement needed to maintain health is based on figures from FAO and World Bank sources. The estimates for all developing countries taken from those sources are given in the following table.

Country	*Calories per caput supply per day 1984-86*	*Daily per capita calorie supply as percentage of requirements: 198*
Europe		
Cyprus	—	—
Gibraltar	—	—
Greece	3,688	145
Malta	2,878	—
Portugal	3,134	124
Turkey	3,146	125

Country	Calories per caput supply per day 1984-86	Daily per capita calorie supply as percentage of requirements: 1985
Yugoslavia	3,542	134
Africa—North of the Sahara		
Algeria	—	121
Egypt	—	127
Liberia	—	103
Morocco	—	108
Tunisia	—	119
Africa—South of the Sahara		
Angola	—	86
Benin	2,188	94
Botswana	2,231	95
Burkina Faso	2,047	87
Burundi	2,268	99
Cameroon	2,040	89
Cape Verde	2,729	—
Central African Republic	1,940	92
Chad	—	79
Comoros	2,110	—
Congo	2,598	108
Djibouti	—	—
Equatorial Guinea	—	—
Ethiopia	—	94
Gabon	—	124
Gambia	2,365	—
Ghana	1,733	78
Guinea	1,782	85
Guinea-Bissau	—	105
Ivory Coast	—	102
Kenya	2,140	87
Lesotho	2,296	100
Liberia	2,357	103
Madagascar	2,413	111
Malawi	2,373	95
Mali	2,020	69
Mauretania	2,283	97
Mauritius	2,736	—
Mayotte	—	—
Mozambique	1,608	68
Namibia	—	—
Niger	2,347	97
Nigeria	2,114	92
Reunion	3,010	—
Rwanda	1,881	87
St. Helena	—	—
Sao Tome and Principe	2,386	—
Senegal	2,336	109
Seychelles	2,261	—
Sierra Leone	1,868	85
Somalia	2,088	91
Sudan	2,074	93
Swaziland	2,550	—
Tanzania	2,214	99
Togo	2,224	97
Uganda	2,221	109
Zaire	2,159	96
Zambia	2,126	85
Zimbabwe	2,119	84
America North and Central		
Anguilla	—	—
Antigua	2,089	—
Bahamas	2,699	—
Barbados	3,181	—
Belize	2,585	—
Bermuda	2,545	—
Cayman Islands	—	—
Costa Rica	—	118
Cuba	3,107	127
Dominica	2,649	—
Dominican Republic	2,464	110
El Salvador	—	91
Grenada	2,408	—
Guadeloupe	2,674	—
Guatemala	2,296	99
Haiti	1,902	79
Honduras	2,078	95
Jamaica	2,581	112
Martinique	2,780	—
Mexico	3,148	126
Montserrat	—	—
Netherlands Antilles	2,925	—
Nicaragua	—	105
Panama	2,439	98
St. Kitts—Nevis	2,349	—
St. Lucia	2,499	—
St. Pierre et Miquelon	2,776	—
St. Vincent	—	—
Trinidad and Tobago	3,058	126
Turks and Caicos Islands	—	—
Virgin Islands	—	—
America South		
Argentina	3,191	122
Bolivia	—	88
Brazil	2,643	107
Chile	2,574	102
Colombia	2,550	111
Ecuador	2,058	88
Falkland Islands	—	—
French Guyana	2,747	—
Guyana	2,455	—
Paraguay	2,843	127
Peru	2,192	84
Surinam	2,713	—
Uruguay	2,676	103
Venezuela	2,532	95
Asia-Middle East		
Bahrain	—	—
Iran	—	118
Iraq	—	118
Israel	3,038	119
Jordan	—	117
Kuwait	3,078	—
Lebanon	—	101
Oman	—	—
Qatar	—	—
Saudi Arabia	3,032	132
Syria	3,259	129
United Arab Emirates	3,713	—
Yemen	2,274	93
Yemen (Democratic)	2,331	93
Asia-South		
Afghanistan	—	92
Bangladesh	1,922	78
Bhutan	—	—
Burma	—	117
India	2,204	94
Maldives	—	—
Nepal	2,050	88
Pakistan	2,244	93
Sri Lanka	2,436	114
Asia—Far East		
Brunei	2,850	—
China	2,628	111
Hong Kong	2,778	119
Indonesia	2,513	109
Kampuchea	—	85
Korea (DPR)	3,199	126
Korea Republic	2,875	117
Laos	—	96
Macao	2,205	—
Malaysia	2,723	110
Mongolia	2,829	117
Philippines	2,353	101
Singapore	2,854	114

Country	Calories per caput supply per day 1984-86	Daily per capita calorie supply as percentage of requirements: 1985
Taiwan	—	—
Thailand	2,328	102
Timor	—	—
Vietnam	—	97
Oceania		
Cook Islands	—	—
Fiji	2,901	—
Kiribati	2,939	—
Nauru	—	—
New Caledonia	2,984	—
Niue Islands	—	—
Pacific Islands (United States)	—	—
Papua New Guinea	—	99
Pitcairn Islands	—	—
Polynesia French	—	—
Soloman Islands	2,163	—
Tokelau Islands	—	—
Tonga	2,942	—
Tuvalu	—	—
Vanuatu	2,344	—
Wallis and Futuna	—	—
Western Samoa	—	—

Notes:
Data not available is shown as '—'.
The countries in the list are those classified as developing countries by the Development Assistance Committee of the OECD.

TRANSPORT

Lockerbie Air Disaster

Mr. Redmond: To ask the Secretary of State for Transport if he yet has any knowledge of the type and country of origin of the explosive that brought down the Boeing 747 aircraft, flight 103 over Lockerbie; and if he will make a statement.

Mr. Peter Bottomley: At the moment nothing can be added to what my right hon. Friend the Secretary of State said in his statement to the House on 10 January at column 696.

Surface Transport (Europe)

Mr. Redmond: To ask the Secretary of State for Transport what are the post, ranks and responsibilities of the United Kingdom representatives due to attend the meeting of the Northern Europe Sub-Committee of the North Atlantic Treaty Organisation's Planning Board for European Inland Surface Transport at the Civil Defence College in the spring.

Mr. Portillo: One officer at grade 7 level from the Department of Transport and a major from the Ministry of Defence. Further details are confidential.

London Airports

Mr. Gerald Howarth: To ask the Secretary of State for Transport if he has considered the Civil Aviation Authority consultative paper (CAP548); and if he will respond by initiating plans for the construction of an extra runway in the London area as soon as possible.

Mr. Peter Bottomley: CAP 548 canvasses views on what advice the CAA should offer my right hon. Friend in July on United Kingdom airport capacity and traffic distribution policy for airports serving the London area. It would be inappropriate for him to respond before the authority makes formal recommendations, in the summer.

Talking Pelican Crossings

Mr. Graham: To ask the Secretary of State for Transport how many talking pelican crossings for the blind have been installed in Britain; if he will name the local authorities where they exist; and how many more are planned.

Mr. Peter Bottomley: My right hon. Friend has not approved the installation of any crossings of this type, nor has he plans to approve any, in England.

We understand that one such crossing has been installed by Oxfordshire county council without approval.

Information about crossings in Wales and Scotland is a matter for my right hon. Friends the Secretaries of State for Wales and Scotland, respectively.

Blind People (Fares)

Mr. Graham: To ask the Secretary of State for Transport how many local authorities in Britain provide concessionary fares for blind people; and if he will name them.

Mr. Portillo: Voluntary surveys carried out in 1986 by the Department of Transport, the Scottish Office and the Welsh Office showed that in November that year there were concessionary fares schemes for the blind in 326 English and Welsh districts, some run by the districts themselves and some by the county council or passenger transport authority; and that schemes were also operated by nine regional councils and two island councils in Scotland. Further details of the schemes are given in Transport and Road Research Laboratory research report 165 on "Concessionary Fares Schemes in Great Britain 1986", a copy of which has been deposited in the library of the House. The London boroughs also operate a joint scheme for the blind covering the London area.

Settle-Carlisle Railway

Mr. Cryer: To ask the Secretary of State for Transport when he expects to make a statement on the application by British Rail to withdraw services from the Settle-Carlisle section of British Railways.

Mr. Portillo: My right hon. Friend will make a statement when he has fully considered all the evidence before him.

Second Severn Crossing

Mr. Alan Williams: To ask the Secretary of State for Transport if he will outline the envisaged timetable for *(a)* completion of planning and *(b)* length of construction of a second Severn crossing.

Mr. Peter Bottomley: We hope to be in a position to select the successful tenderer by the end of the year. The shortlist of tenderers for the second Severn crossing project will be announced very soon. The length of construction will depend in part on the bids received. We expect that construction might take between three and four years.

We remain on course to provide the crossing by the mid-1990s, if traffic levels show it was needed by then.

River Thames

Mr. Bowis: To ask the Secretary of State for Transport what plans he has to encourage public transport on the River Thames in London.

Mr. Portillo: The Government believe that riverbus services in London can contribute to the relief of road congestion and encourage the development of riverside areas in need of regeneration, particularly docklands. My right hon. Friend the Secretary of State for the Environment has accordingly joined with me in offering to make a grant of up to £500,000 as part of a £2·5 million public/private sector initiative to promote and improve the service provided by Thamesline. The grant will be paid under section 17 of the Ministry of Transport Act 1919.

Concrete Bridges

Mr. Simon Coombs: To ask the Secretary of State for Transport if he will publish the report of the study carried out by G. Maunsell and Partners to determine the state of the concrete bridges for which his Department is responsible.

Mr. Peter Bottomley: Yes. The report will be published by HMSO in March. The report provides valuable information on the performance of concrete bridges in service and how greater durability and better performance in the future may be achieved. The report has not revealed new problems. It has indicated that the known problems are more widespread than anticipated.

Some provision for extra spending on the maintenance of concrete bridges has already been allowed for in the 15-year bridge rehabilitation programme announced in November 1987. This programme will be modified to take account of the extra work revealed by the study. The report confirms that our trunk road bridges are safe, despite the signs of deterioration.

The Department's structures are regularly inspected and priority given to repairs where structural integrity or the safety of the public is in question. An increased effort is needed over the next 15 years to ensure that our bridges will continue to give useful service for their intended lives.

ENVIRONMENT

Green Belt

Mr. Redmond: To ask the Secretary of State for the Environment whether he has any proposals to release land from the green belt around Doncaster; and what was the last application to do so.

Mr Chope: My right hon. Friend has no such proposals before him at present. A proposal to site a mobile home in the green belt at Bentley was rejected by my right hon. Friend, on appeal, in August 1988.

Toxic Discharges

Ms. Walley: To ask the Secretary of State for the Environment whether he will take steps to control or modify such processes in the paper industry that create toxic discharge, in the light of scientific evidence about environmental damage.

Mrs. Virginia Bottomley: Major processes in the paper making industry would be subject to integrated pollution control. Proposals were made by my right hon. Friend the Secretary of State for the Environment on 28 July 1988.

Cambridge

Sir Eldon Griffiths: To ask the Secretary of State for the Environment if he has considered the implications for planning policy of the study made by the department of land economy of Cambridge university of dispersal opportunities arising from the recent growth of the Cambridge sub-region; and if it is his policy to seek to relieve the pressures on the City of Cambridge by dispersing Government offices away from Cambridge to Newmarket.

Mr. Chope: The Department is aware of the study in question but it is too soon for the Secretary of State to consider any implications for planning policy. The study is only at draft stage and its preliminary findings have still to be accepted by the local authorities concerned. It will then be for the standing conference of East Anglian local authorities (SCEALA) to consider incorporating the report recommendations in its draft regional strategy document before submitting it to the Secretary of State for his consideration.

There is no present policy to relocate Government offices from Cambridge to Newmarket.

Nuclear Waste

Mr. Cohen: To ask the Secretary of State for the Environment how many litres equivalent of *(a)* intermediate and *(b)* low-level nuclear waste is currently awaiting permanent disposal in the United Kingdom.

Mrs.Virginia Bottomley: The latest estimates of waste accumulations in terms of volumes to be disposed are:

	Litres
Intermediate-level waste	59,400,000
Low-level waste	2,340,000

Chloroflurocarbons

Mr. Butler: To ask the Secretary of State for the Environment what information his Department has on the level of the release of chloroflurocarbons from landfill sites in landfill gas.

Mrs. Virginia Bottomley: Trace quantities of chloroflurocarbons have been detected in landfill gas. They are one of many substances to be found in low concentrations in landfill gas.

Greenhouse Gases

Mr. Butler: To ask the Secretary of State for the Environment (1) what information his Department has on the level of the release of methane from landfill sites; and what assessment he has made of the impact of this release as a greenhouse gas;

(2) what assessment his Department has made of the overall level of release of greenhouse gases from landfill sites in England.

Mrs. Virginia Bottomley: The Department is currently developing an assessment of the release from landfill sites

of methane and of carbon dioxide, the other major greenhouse gas from this source. Although the figures will not be available in time for this year's digest of environmental and water statistics, due to be published later this week, we hope to include them in next year's issue.

Insulation Materials

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he will set out the procedure for approving the thermal conductivity of insulation materials as satisfying the requirements of the building regulations, and the respective roles of CIBSE, the BBA and the BSI in such a procedure.

Mr. Trippier: Part L of the Building Regulations 1984 (in its current form) requires the calculated rate of heat loss from various parts of the exposed fabric of a new building to be within certain prescribed limits. The enforcement of these requirements is a matter for the building control authority. Practical guidance is provided in approved document L "Conservation of Fuel and Power", but the advice given in this document is not mandatory.

The approved document advises that information about the thermal conductivity of a product should be obtained from the supplier or manufacturer, or that a value should be obtained from table A3.22 of the Chartered Institution of Building Services Engineers guide. In the case of certain products, the approved document also advises that a test certificate should be obtained. The use of materials which comply with an appropriate British Standard or which are certified by the British Board of Agrement is another way of demonstrating that the requirements of the regulations have been met.

Clinical Waste

Mr. Butler: To ask the Secretary of State for the Environment what measures he proposes to improve the monitoring and usage of landfill sites receiving clinical waste.

Mrs. Virginia Bottomley: Waste disposal authorities are responsible for licensing and monitoring disposal facilities.

Guidance on best practice for the treatment and disposal of clinical waste is contained in waste management paper No. 25 published in 1983.

A review of current practice is planned for 1989-90 and waste management paper No. 25 will be revised if necessary.

Bats

Mr. Allen: To ask the Secretary of State for the Environment if his Department will analyse the study by the Institute of Terrestrial Ecology on the effect of Lindane and PCP on bats.

Mrs. Virginia Bottomley: The Department of the Environment is represented on a working group on bats organised by the advisory committee on pesticides which is a group of independent experts who advise Government on pesticides. The working group will consider the report of the Institute of Terrestrial Ecology on lindane and bats amongst other evidence and report its findings to the advisory committee.

Rating Reform

Mr. Cohen: To ask the Secretary of State for the Environment (1) whether he will introduce regulations that prevent personal data contained within the community charge registers being used or disclosed for purposes not connected with the community charge by the community charge registration officer or charging authority; and whether he will make a statement;

(2) whether he will introduce regulations that prevent personal data being disclosed from community charge registers by the community charge registration officer or charging authority *(a)* to any Departments of State under the conditions specified in section 34(5)(a) of the Data Protection Act, if the disclosure is not for purposes connected with the community charge, *(b)* to the police, immigration and tax officials for the purposes specified in section 28 of the Data Protection Act, and *(c)* to the security services for the purposes specified in section 27 of the Data Protection Act, 1984; and whether he will make a statement;

(3) whether he will introduce regulations that prevent personal data being disclosed from community charge registers by the community charge registration officer or charging authority to public utilities; and whether he will make a statement.

Mr. Gummer: No. There is no need for such regulations. Community charges registration officers and charging authorities have no power to disclose data contained in registers to any third party other than those specified in the Local Government Finance Act 1988 and regulations to be made under it.

Mr. Strang: To ask the Secretary of State for the Environment whether he has made any estimate of the average change in the disposable income of equestrian and agricultural workers which will result from the implementation of the poll tax in England and Wales.

Mr. Gummer *[holding answer 22 February 1989]:* There are no plans for the introduction of a poll tax. In respect of the community charge, no such estimates can usefully be made because of the widely differing circumstances of individuals.

Mr. Simon Burns: To ask the Secretary of State for the Environment what estimates have been made to calculate how much it will cost Chelmsford borough council to introduce the community charge.

Mr. Gummer: The Government have made no estimates of the cost of introducing the community charge in Chelmsford borough council area. We commissioned Price Waterhouse to undertake an independent study of the total costs of preparation and collection for England and Wales and have allocated resources to authorities on the basis of those national forecasts.

Common Land

Mr. David Nicholson: To ask the Secretary of State for the Environment when he proposes to introduce legislation on common land, on the lines recommended by the Common land forum; and if he will make a statement.

Mrs. Virginia Bottomley: We intend to introduce legislation based broadly on the report of the Common land forum at a suitable opportunity when parliamentary time permits.

Nitrogenous Fertilisers

Mrs. Clwyd: To ask the Secretary of State for the Environment what discussions he has had with representatives of the farming industry concerning the use of nitrogenous fertilisers and their effect on water supplies.

Mr. Moynihan: Officials from my Department met representatives of the National Farmers Union, the Fertiliser Manufacturers Association and the Country Landowners Association on 15 December 1988 prior to the publication on 16 December of the report "The Nitrate Issue". Officials from MAFF and DTI were also present.

Rates

Mrs. Margaret Ewing: To ask the Secretary of State for the Environment what was the average unrebated domestic rates bill in England in each year since 1985-86

Mrs. Virginia Bottomley: The figures for average unrebated domestic rates bills in England are:

	£
1985-86	351
1986-87	400
1987-88	429
1988-89	468

Water Charges

Mr. Madel: To ask the Secretary of State for the Environment if he will list the chairmen of the private water companies whom he has called in to see him as a result of them announcing increases in water charges of more than 10 per cent. for the year 1989-90; what response they gave to him; and if he will make a statement.

Mr. Howard: I asked the chairmen of any company which was proposing an increase of more than 10 per cent. to come and see me. As of today I have seen 18 chairmen. One company has so far indicated to me that it proposes an increase of under 10 per cent. Discussions with a number of other companies are continuing.

Sports Council

Mr. Pendry: To ask the Secretary of State for the Environment what steps he will take regarding the financial management and control of the Sports Council following the publication of the report of the National Audit Office.

Mr. Moynihan: The Public Accounts Committee is to take evidence on the National Audit Office's report on the Sports Council (HC 196) on 1 March. It would not be appropriate for me to comment on the report before then.

Mr. Pendry: To ask the Secretary of State for the Environment if any staff from his Department were seconded to the Sports Council during the period covered by the National Audit Office report into the Sports Council.

Mr. Moynihan: A grade 5 and his personal secretary from this Department were on secondment to the Sports Council between January 1987 to February 1988.

Cowes National Sailing Centre

Mr. Pendry: To ask the Secretary of State for the Environment if he is satisfied that full consultation took place before the Cowes national sailing centre was sold.

Mr. Moynihan: The National Audit Office has reported on the sale of the national sailing centre at Cowes in its recent publication, HC 196. The Public Accounts Committee will be taking evidence on this report on 1 March. It would not be appropriate for me to comment in advance of the hearing.

Hospital Waste

Mr. Thurnham: To ask the Secretary of State for the Environment what proportion of hospital waste is incinerated; what controls exist to ensure its proper disposal, together with the disposal of non high-risk waste matter; and if he will make a statement.

Mrs. Virginia Bottomley: There are no centrally collected figures for hospital waste. Disposal outside hospital premises including mixture with other wastes must be to sites suitably licensed under the Control of Pollution Act 1974. Incineration is subject to appropriate controls over emissions from combustion processes. For disposal within hospital premises the Government expect health authorities to seek to confirm with the same controls despite the existence of Crown immunity.

Engagements

Mr. Redmond: To ask the Secretary of State for the Environment if he will list all his official engagements for 4 January.

Mr. Ridley: I had no official engagements that day.

Derbyshire and Staffordshire County Councils

Mr. Oppenheim: To ask the Secretary of State for the Environment how many people were employed in total, both full-time and part-time *(a)* by Derbyshire county council and *(b)* by Staffordshire county council in 1981.

Mrs. Virginia Bottomley: Derbyshire county council employed 38,408 people and Staffordshire county council employed 42,023 people in all services in June 1981.

This compares with 47,650 for Derbyshire and 43,337 for Staffordshire in June 1988.

Rent Levels

Mr. Corbyn: To ask the Secretary of State for the Environment what information he has about the growth of private sector rent levels in the London boroughs over the last 18 months; and if he will make a statement.

Mr. Trippier *[holding answer 22 February 1989]:* Information on rents in London boroughs regulated under the Rent Act 1977, as amended by the 1980 Housing Act, is published in Housing and Construction Statistics 1977-1987, table 11.6, and in notes supplied to rent officers; both of these are available in the Library.

Local Authority Services

Mr. French: To ask the Secretary of State for the Environment (1) if he will give in tabular form *(a)*

Carrick, *(b)* Adur, *(c)* Alnwick, *(d)* Berwick-upon-Tweed and *(e)* Cheltenham district councils (i) which councils have declared themselves nuclear-free zones (ii) what is the estimated number of homeless people in the district for the most recent month for which figures are available, (iii) what is the number of empty council homes at the end of the most recent month for which figures are available and (iv) whether they have a declared policy of providing the funding for law centres;

(2) if he will give in tabular form for *(a)* Southend-on-Sea, *(b)* Three Rivers, *(c)* West Lindsey, *(d)* Wyre Forest, *(e)* South Somerset and *(f)* Chelmsford district councils (i) which councils have declared themselves nuclear-free zones, (ii) what is the estimated number of homeless people in the district for the most recent month for which figures are available, (iii) what is the number of empty council homes at the end of the most recent month for which figures are available and (iv) whether they have a declared policy of providing the funding for law centres;

(3) if he will give in tabular form for *(a)* Eastleigh, *(b)* Hastings, *(c)* Hereford, *(d)* Kerrier, *(e)* Maidstone, *(f)* Mendip, *(g)* Milton Keynes, *(h)* Pendle, and *(i)* Peterborough district councils (i) which councils have declared themselves nuclear-free zones, (ii) what is the estimated number of homeless people in the district for the most recent month for which figures are available, (iii) what is the number of empty council homes at the end of the most recent month for which figures are available and (iv) whether they have a declared policy of providing the funding for law centres.

Mr. Trippier *[holding answer 22 February 1989]:* The information is as follows:

The information available on homelessness relates to the number of households for which authorities have accepted responsibility to secure accommodation under the homelessness provision of the 1985 Housing Act. This information is as follows:

	Number of households accepted	*In quarter ending*
Carrick	21	September 1988
Adur	52	March 1988
Alnwick	3	June 1988
Berwick-upon-Tweed	3	September 1988
Cheltenham	18	September 1988
Southend-on-Sea	65	September 1988
Three Rivers	34	June 1988
West Lindsey	40	September 1988
Wyre Forest	92	September 1988
South Somerset	31	September 1988
Chelmsford	63	September 1988
Eastleigh	35	September 1988
Hastings	60	September 1988
Hereford	32	September 1988
Kerrier	43	September 1988
Maidstone	63	September 1988
Mendip	37	September 1988
Milton Keynes	103	September 1988
Pendle	64	September 1988
Peterborough	110	September 1988

The numbers of empty council dwellings (wherever situated) at 1 April 1988 are as follows:

	Number of dwellings
Carrick	19
Adur	44
Alnwick	2
Berwick-upon-Tweed	9
Cheltenham	98
Southend-on-Sea	153
Three Rivers	90
West Lindsey	49
Wyre Forest	151
South Somerset	64
Chelmsford	139
Eastleigh	99
Hastings	30
Hereford	71
Kerrier	35
Maidstone	84
Mendip	52
Milton Keynes	57
Pendle	83
Peterborough	159

Information is not held centrally on authorities which have declared themselves to be nuclear free zones or which have a declared policy of providing funding for law centres.

Local Authority Expenditure

Mr. Douglas French: To ask the Secretary of State for the Environment (1) if he will give in tabular form for *(a)* Carrick, *(b)* Adur, *(c)* Alnwick, *(d)* Berwick-upon-Tweed and *(e)* Cheltenham district councils (i) which political party or groups of parties control the councils, (ii) what has been the percentage change in spending by the councils in each financial year since 1986-87, (iii) what has been the change in staffing levels, in whole-time equivalents, for each year since 1985, and (iv) what has been the change in the rate poundage expressed as a percentage for each financial year since 1986 and 1987;

(2) if he will give in tabular form for *(a)* Southend-on-Sea, *(b)* Three Rivers, *(c)* West Lindsey, *(d)* Wyre Forest, *(e)* South Somerset and *(f)* Chelmsford district councils (i) which political party or groups of parties control the councils, (ii) what has been the percentage change in spending by the council in each financial year since 1986 and 1987, (iii) what has been the change in staffing levels, in whole-time equivalent, for each year since 1985 and (iv) what has been the change in the rate poundage expressed as a percentage for each financial year since 1986 and 1987;

(3) if he will give in tabular form for *(a)* Eastleigh, *(b)* Hastings, *(c)* Hereford, *(d)* Kerrier, *(e)* Maidstone, *(f)* Mendip, *(g)* Milton Keynes, *(h)* Pendle and *(i)* Peterborough district councils (i) which political party or groups of parties control the councils, (ii) what has been the percentage change in spending by the council in each financial year since 1986-87 (iii) what has been the change in staffing levels, in whole-time equivalents, for each year since 1985, and (iv) what has been the change in the rate poundage expressed as a percentage for each financial year since 1986 and 1988.

Mr. Gummer *[holding answer 22 February 1989]:* The information for the authorities listed is as follows:

Table A
Percentage change in net current expenditure and local rate poundage

	Percentage change in net current expenditure		Percentage change in local rate poundages	
	1986-87 to 1987-88	*1987-88 to 1988-89*[1]	*1986-87 to 1987-88*	*1987-88 to 1988-89*
Adur	4·9	11·8	34·0	7·6
Alnwick	14·9	23·0	−5·9	22·0
Berwick-upon-Tweed	6·3	11·6	0·0	16·9
Carrick	17·3	9·4	5·0	14·7
Chelmsford	32·5	16·3	−11·7	35·9
Cheltenham	12·0	5·4	15·2	5·0
Eastleigh	6·4	53·0	0·1	5·9
Hastings	17·4	16·6	7·4	4·8
Hereford	11·4	4·2	0·0	−33·6
Kerrier	11·5	24·0	2·6	17·2
Maidstone	27·6	3·5	6·4	1·3
Mendip	20·8	10·5	4·0	11·5
Milton Keynes	20·7	47·7	0·0	3·9
Pendle	10·6	14·7	9·3	9·6
Peterborough	19·7	10·6	0·0	8·8
South Somerset	11·7	22·6	3·6	31·2
Southend-on-Sea	9·0	12·1	−4·5	0·0
Three Rivers	5·2	17·4	6·5	0·8
West Lindsey	60·6	13·9	4·4	7·1
Wyre Forest	3·8	23·5	−0·6	13·6

[1] Using local authority budgets.

Table B
Changes in staffing levels[1] since 1985

Authority	*Total staff (FT plus PT)*[2] *at June 1985*	*Changes at June, compared with a year earlier* *1986*	*1987*	*1988*
Adur	431	+3	−4	[3]—
Alnwick	203	+1	+10	−6
Berwick-upon-Tweed	193	−8	−6	−1
Carrick	504	+12	+11	+41
Chelmsford	876	+13	+20	+29
Cheltenham	813	+19	+36	[3]—
Eastleigh	554	−9	−1	+20
Hastings	831	+17	+33	+39
Hereford	514	+6	+15	+26
Kerrier	545	+14	+15	+24
Maidstone	1,027	−18	−95	+15
Mendip	317	+11	+5	−2
Milton Keynes	869	+20	−10	+1
Pendle	814	+47	[3]—	[3]—
Peterborough	[3]—	[3]—	[3]—	[3]—
South Somerset	725	+4	+26	+3
Southend-on-Sea	1,737	+45	−350	+23
Three Rivers	500	−17	+10	+10
West Lindsey	412	+2	+2	+8
Wyre Forest	906	+60	+66	+2

[1] Figures are for general services (i.e. excluding law and order services).
[2] Full-time equivalent figures are not available at individual authority level.
[3] Data not available.

Seven authorities of those listed, namely adur, Carrick, Chelmsford, Eastleigh, Hereford, South Somerset and Three Rivers, are currently controlled by a single party. In each case SLD has overall control.

Local Authorities (Expenditure Assessments)

Mr. Fatchett: To ask the Secretary of State for the Environment whether he will list those local authorities which in the financial years 1987-88, and 1988-89, have used their financial reserves to support spending levels above their grant-related expenditure assessments.

Mr. Gummer: *[holding answer 20 February 1989]:* The authorities which have used their financial reserves (1) to support spending levels (2) above their grant related expenditure assessments in 1987-88 are given in list A and in 1988-89 are given in list B.

Note:

(1) Defined as use of balances and/or unallocated contributions from special and capital funds.

(2) Defined as the latest available "total expenditure" returned by authorities.

1987-88—List A

Avon
Buckinghamshire
Cheshire
Cleveland
Derbyshire
Durham
Gloucestershire
Humberside
Isle of Wight
Lancashire
Leicestershire
Northamptonshire
Northumberland
Somerset

Bury
Manchester
Oldham
Salford
Tameside
Wigan

Liverpool
Sheffield

Gateshead
Newcastle-upon-Tyne
North Tyneside
South Tyneside
Sunderland

Walsall
Wolverhampton

Bradford
Calderdale
Kirklees
Wakefield

I.L.E.A.

Camden
Greenwich
Hackney
Lambeth
Lewisham
Southwark
Tower Hamlets
Wandsworth

Barnet
Bexley
Brent
Haringey
Hounslow
Newham
Richmond-upon-Thames

Bristol
Northavon

Luton

Reading

Chiltern

Crewe and Nantwich
Ellesmere and Neston
Warrington

Hartlepool
Middlesbrough
Stockton on Tees

Kerrier

South Lakeland

Erewash

Exeter
Torbay
Torridge

Weymouth and Portland

Darlington
Derwentside
Durham
Teesdale

Brighton
Eastbourne

Basildon
Castle Point
Rochford
Thurrock

Gloucester
Stroud

East Hampshire
Southampton

Dacorum
East Hertfordshire
Hertsmere
North Hertfordshire
Stevenage

Holderness
East Yorkshire

Medina
South Wight

Canterbury
Tunbridge Wells

Lancaster
Preston
West Lancashire

Leicester
North West Leicester

Boston

Norwich

Corby
Daventry
Kettering
Northampton

Blyth Valley
Wansbeck

Harrogate
Scarborough

Ashfield
Bassetlaw
Gedling
Newark and Sherwood
Nottingham

Oxford

Oswestry
Shrewsbury and Atcham

Ipswich

Elmbridge
Epsom and Ewell

North Warwickshire

North Wiltshire

Metropolitan Police Authority

Greater Manchester Police Authority
West Midlands Police Authority

Merseyside Fire Authority
West Midlands Fire Authority
West Yorkshire Fire Authority

Greater Manchester Transport Authority
Merseyside Transport Authority

1988-89—List B
Avon
Bedfordshire
Buckinghamshire
Cambridgeshire
Cheshire
Cleveland
Cumbria
Essex
Gloucestershire
Hertfordshire
Lancashire
Leicestershire
Northamptonshire
Northumberland
North Yorkshire
Nottinghamshire
Oxfordshire
Somerset
Staffordshire
Surrey
Warwickshire
Wiltshire
Bolton
Bury
Manchester

Rochdale
Salford
Stockport
Tameside
Wigan

Knowsley
Liverpool
St. Helens
Sefton
Wirral

Doncaster
Rotherham

Gateshead
Newcastle-upon-Tyne
North Tyneside
South Tyneside
Sunderland

Birmingham
Coventry
Dudley
Sandwell
Walsall
Wolverhampton

Bradford
Calderdale
Kirklees
Leeds
Wakefield

I.L.E.A.

Camden
Greenwich
Islington
Lambeth
Lewisham
Southwark

Barking and Dagenham
Ealing
Harrow
Hillingdon
Kingston-upon-Thames
Newham
Richmond-upon-Thames
Sutton
Waltham Forest

Northavon
Woodspring

North Bedfordshire
Mid Bedfordshire
South Bedfordshire

Reading
Windsor and Maidenhead
Wokingham

South Bucks
Chiltern
Milton Keynes
Wycombe

Peterborough
Chester
Congleton
Crewe and Nantwich
Halton
Macclesfield
Vale Royal
Warrington

Hartlepool
Langbaurgh
Middlesbrough
Stockton on Tees

Caradon
Carrick
Kerrier

Allerdale
Carlisle
Copeland
South Lakeland

Amber Valley
Bolsover
Chesterfield
Derby
Erewash
High Peak
North East Derbyshire
South Derbyshire
Derbyshire Dales

Mid Devon
Torbay

Bournemouth

Chester le Street
Darlington
Derwentside
Durham
Easington
Sedgefield
Teesdale
Wear Valley

Eastbourne
Hastings
Lewes
Rother

Basildon
Brentwood
Castle Point
Chelmsford
Epping Forest
Harlow
Maldon
Rochford
Southend on Sea
Tendring
Uttlesford

Gloucester
Stroud

East Hampshire
Eastleigh
Hart
New Forest
Portsmouth
Rushmoor
Southampton
Winchester

Leominster
Malvern Hills
Redditch
Worcester
Wychavon
Wyre Forest

Dacorum
East Hertfordshire
North Hertfordshire
St. Albans
Stevenage
Three Rivers
Watford

Beverley
Boothferry
Cleethorpes

Glanford
Great Grimsby
Holderness
Scunthorpe

Medina
South Wight

Ashford
Canterbury
Dover
Gravesham
Maidstone
Sevenoaks
Shepway
Swale
Thanet
Tonbridge and Malling
Tunbridge Wells

Blackburn
Blackpool
Burnley
Chorley
Fylde
Hyndburn
Lancaster
Pendle
Preston
Ribble Valley
Rossendale
South Ribble
West Lancashire
Wyre

Harborough
Leicester
Melton
North West Leicester
Oadby and Wigston

Boston
East Lindsey
Lincoln
North Kesteven
South Kesteven
West Lindsey
Great Yarmouth
Norwich

Corby
Daventry
Northampton

Alnwick
Blyth Valley
Tynedale
Wansbeck

Craven
Hambleton
Harrogate
Richmondshire
Scarborough
Selby

Ashfield
Bassetlaw
Broxtowe
Gedling
Mansfield
Newark and Sherwood
Nottingham
Rushcliffe

Oxford
North Shropshire
Shrewsbury and Atcham
The Wrekin

Sedgemoor

Cannock Chase
Newcastle Under Lyme
Stafford
Staffs. Moorlands
Stoke-on-Trent

Babergh
Forest Heath
Ipswich
Mid Suffolk
Suffolk coastal

Epsom and Ewell
Guildford
Reigate and Banstead
Spelthorne
Tandridge
Waverley

North Warwickshire
Rugby
Stratford-on-Avon
Warwick

Adur
Arun
Crawley
Worthing

North Wiltshire
Thamesdown
West Wiltshire

Greater Manchester Police Authority
South Yorkshire Police Authority
West Midlands Police Authority
West Yorkshire Police Authority

Greater Manchester Fire Authority
Merseyside Fire Authority
South Yorkshire Fire Authority
Tyne and Wear Fire Authority
West Midlands Fire Authority
West Yorkshire Fire Authority

Greater Manchester Transport Authority
Tyne and Wear Transport Authority

Local Councils (Statistics)

Mr. French: To ask the Secretary of State for the Environment if he will give in tabular form for *(a)* the London borough of Tower Hamlets, *(b)* the London borough of Richmond-upon-Thames, *(c)* the London borough of Sutton, *(d)* Calderdale Metropolitan district council and *(e)* Stockport Metropolitan district council (i) which councils are nuclear-free zones, (ii) which councils, acting as a local education authority, employ staff to teach peace studies as part of the curriculum, (iii) what is the estimated number of homeless people in the district for the most recent month for which figures are available, (iv) what is the number of empty council homes at the end of the most recent month for which figures are available and (vi) whether they have a declared policy of providing the funding for law centres.

Mr. Gummer *[holding answer 13 February 1989]:* The information available on homelessness relates to the number of households for which authorities have accepted

responsibility to secure accommodation under the homelessness provision of the 1985 Housing Act. This information is as follows:

	Number of households accepted	*in quarter ending*
Tower Hamlets	332	March 1988
Richmond	89	September 1988
Sutton	105	September 1988
Calderdale	56	September 1988
Stockport	120	September 1988

The numbers of empty council dwellings at the first of April 1988 are as follows:

	Number of dwellings
Tower Hamlets	2,526
Richmond	154
Sutton	110
Calderdale	448
Stockport	452

Information is not held centrally on authorities which have declared themselves to be nuclear free zones, or which employ staff to teach peace studies as part of the curriculum, or which have a declared policy of providing funding for law centres.

Homeless Families

Mr. Battle: To ask the Secretary of State for the Environment what is his latest estimate of the comparative public sector revenue costs of housing homeless families in *(a)* Greater London and *(b)* in English non-metropolitan areas by (i) providing them with newly built council dwellings, (ii) providing them with council dwellings newly acquired from the private sector and improved for letting, and (iii) providing them with bed and breakfast accommodation; and if he will publish these figures on a comparable basis with those published in his replies to the hon. Member for Islington, South and Finsbury (Mr. Smith) on 16 January, *Official Report*, columns 331-32 and on 4 March 1987, *Official Report*, column *639*.

Mr. Trippier *[holding answer 16 February 1989]:* Estimates for 1987-88 are as follows:

	Greater London	*English metropolitan areas*
	£	£
New build	8,200	5,000
Acquisition and renovation	8,200	5,500
Bed and breakfast	40	15

Notes:

1. The estimates for new build and for acquisition and renovation show the total first year costs to local authorities of the accommodation shown;
2. Estimates of average new build and renovation costs were derived from information provided by local authorities in housing subsidy and can show significant variation from authority to authority and year to year reflecting differences in the mix of work undertaken;
3. The bed and breakfast figures are gross costs per household day and are based on returns to CIPFA from those local authorities providing information on both gross expenditure on bed and breakfast and the number of household days of bed and breakfast provided.

EDUCATION AND SCIENCE

Schools (Surplus Places)

Mr. Baldry: To ask the Secretary of State for Education and Science what he estimates to be the number of surplus places in Oxfordshire for (i) primary and (ii) secondary schools; and the cost of such places.

Mr. Butcher: Information about the number of surplus places in individual local education authorities is not held centrally.

Parental Rights

Mr. Hunter: To ask the Secretary of State for Education and Science if he will make a further statement detailing existing parental rights with regard to out of catchment area exceptional admissions to primary and secondary schools.

Mr. Butcher: Under section 6 of the Education Act 1980, parents have the right to express a preference as to the school at which they want their child to be educated, and that preference has to be met if the child is eligible and there is a place available at the school of the parents' choice. These rights exist irrespective of whether the parents live in a defined area, although pupils living near the school are sometimes given priority if there are more applicants than available places.

Special Boarding Schools

Mr. Cartwright: To ask the Secretary of State for Education and Science what advice he has received from the working party considering the future of Inner London education authority special boarding schools; and what steps he proposes to take to consult the parents concerned before reaching a final decision.

Mrs. Rumbold: I refer the hon. Member to the reply I gave on 22 February 1989 to my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey).

GCSE

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science what appeal procedure exists for teachers whose school-based examination syllabus is rejected by the GCSE board; and if he will make a statement.

Mrs. Rumbold: It is entirely a matter for individual Examining Groups to determine which syllabuses they offer. All GCSE syllabuses must conform to national criteria. Syllabuses in subjects for which there are specific criteria must also be approved by the School Examinations and Assessment Council. SEAC will always indicate necessary modifications in cases where it withholds approval.

ILEA Dwellings

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what information he has about the total number of dwellings in Greater London owned by the Inner London education authority which are unlawfully occupied.

Mrs. Rumbold: Information on this subject is not held by my Department.

SCOTLAND

Rural Areas (Jobs)

Mr. Dewar: To ask the Secretary of State for Scotland how many public sector jobs there were in rural areas in Scotland at the latest date for which figures are available; and how many there were in 1979.

Mr. Rifkind: The information requested is not available.

Job Creation

Mr. Dewar: To ask the Secretary of State for Scotland how many jobs have been created in Scotland since 1983, how many of them are self-employed, how many are part-time; and how many he estimates are in rural areas.

Mr. Rifkind: It is estimated that between September 1983 and September 1988 the civilian work force in employment in Scotland increased by 41,000. In this period the number of self-employed increased by 22,000 and the number of female part-time employees in employment increased by 52,000. These estimates may be revised when the results of the 1987 census of employment and the 1988 labour force survey become available. Comparable figures are not available for the self-employed working part-time and for male part-time employees in employment. It is not possible to provide comparable information for rural areas in Scotland.

Constituency Registers

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list in the *Official Report* the total number of people in each parliamentary constituency in Scotland listed on *(a)* the electoral registers for 1988-89, *(b)* the electoral registers for 1989-90 and *(c)* the poll tax registers for 1989-90

Lord James Douglas-Hamilton: The following table compares the numbers on the electoral registers published in February 1988 and February 1989. Information about the numbers on the community charges register in each constituency is not held centrally.

Constituency	*Number of electors*	
	1988 electoral register	*1989 electoral register*
Aberdeen North	62,075	60,604
Aberdeen South	60,323	58,947
Angus East	61,643	61,899
Argyll and Bute	48,912	48,695
Ayr	67,063	66,545
Banff and Buchan	63,054	62,830
Caithness and Sutherland	30,978	31,031
Carrick, Cumnock and Doon Valley	56,708	56,338
Central Fife	56,440	56,183
Clackmannan	49,127	48,757
Clydebank and Milngavie	50,128	49,075
Clydesdale	62,602	62,456
Cumbernauld and Kilsyth	46,392	46,345
Cunninghame North	55,566	55,262
Cunninghame South	50,414	49,931
Dumbarton	59,369	58,328
Dumfries	59,972	59,962
Dundee East	61,221	60,394
Dundee West	61,445	60,246
Dunfermline East	51,008	50,894
Dunfermline West	51,384	51,413
East Kilbride	63,956	63,715
East Lothian	65,542	66,108
Eastwood	62,839	63,483
Edinburgh Central	58,975	57,069
Edinburgh East	48,745	47,802
Edinburgh Leith	60,031	58,984
Edinburgh Pentlands	58,884	58,538
Edinburgh South	64,026	62,452
Edinburgh West	62,652	61,172
Falkirk East	52,737	52,679
Falkirk West	50,606	50,506
Galloway and Upper Nithsdale	53,621	53,481
Glasgow Cathcart	48,767	47,702
Glasgow Central	50,867	50,535
Glasgow Garscadden	46,916	44,931
Glasgow Govan	50,190	48,908
Glasgow Hillhead	57,704	56,718
Glasgow Maryhill	52,039	50,589
Glasgow Pollok	50,829	49,497
Glasgow Provan	42,908	41,086
Glasgow Rutherglen	56,929	55,695
Glasgow Shettleston	53,883	53,254
Glasgow Springburn	50,489	48,785
Gordon	75,228	75,537
Greenock and Port Glasgow	57,339	55,812
Hamilton	63,167	62,688
Inverness, Nairn and Lochaber	66,695	67,262
Kilmarnock and Loudoun	63,325	62,834
Kincardine and Deeside	64,398	64,432
Kirkcaldy	53,823	53,626
Linlithgow	60,584	61,135
Livingston	58,008	59,533
Midlothian	61,139	61,089
Monklands East	50,271	49,533
Monklands West	51,300	50,450
Moray	63,206	62,840
Motherwell North	58,331	57,971
Motherwell South	52,599	51,704
North East Fife	52,442	52,313
North Tayside	54,582	54,367
Orkney and Shetland	31,180	31,115
Paisley North	48,973	48,213
Paisley South	50,403	49,595
Perth and Kinross	63,957	64,505
Renfrew West and Inverclyde	57,025	57,234
Ross, Cromarty and Skye	52,278	53,062
Roxburgh and Berwickshire	43,631	43,484
Stirling	58,715	58,387
Strathkelvin and Bearsden	63,296	62,706
Tweeddale, Ettrick and Lauderdale	38,438	38,773
Western Isles	23,085	23,097
Total	3,967,377	3,932,921

Rating Reform

Mr. Cohen: To ask the Secretary of State for Scotland whether he will introduce regulations to restrict the sale, copying or inspection of the electoral register when the electoral registrar obtains information from the poll tax registers.

Lord James Douglas-Hamilton: No. The considerations governing the sale, copying and inspection of the electoral register have not altered since the present policy was reviewed in 1985-86. The Representation of the People (Scotland) Regulations 1986 already forbid the supply of data which is not required to be published in the register itself.

Local Government and Housing Bill

Mr. McTaggart: To ask the Secretary of State for Scotland if he has any information on the number of people who will be affected by the provisions of the Local Government and Housing Bill relating to political officers who are currently serving councillors.

Lord James Douglas-Hamilton: This information is not held centrally.

New Towns

Mr. Ingram: To ask the Secretary of State for Scotland whether, pursuant to his answer of 1 February, *Official Report*, column *317*, to the hon. Member for East Kilbride, he will give the updated list of bodies and organisations which have responded to the consultation document "The Scottish New Towns—Maintaining the Momentum."

Mr. Lang: I am pleased to note that over 100 bodies and organisations have responded to the consultation document. The comprehensive list requested by the hon. Member for East Kilbride is as follows:

Abronhill Community Council (Cumbernauld)
Ardrossan, Saltcoats, Stevenston Enterprise Trust
Ayrshire and Arran Health Board
Ayrshire Chamber of Industries
Barclay and Cameron Way Residents Association (Livingston)
Bathgate Area Support for Enterprise Ltd (BASE)
Beckman Industrial Ltd
Bellsquarry Community Council (Livingston)
Broomlands and Bourtreehill Residents Association
Busby East Church
Calderwood Community Council
Church of Scotland Department of Ministry and Mission
City of Glasgow
Coleman Ballantine Architects, Glasgow
Collydean Residents/Tenants Association (Glenrothes)
Condorrat Community Council (Cumbernauld)
Craigshill Initiative (Livingston)
Crofthead Farm Community Centre
Cumbernauld Business Associations
Cumbernauld Citizens Advice Bureau
Cumbernauld Development Corporation
Cumbernauld and District Trades Council
Cumbernauld and Kilsyth Constituency Association Scottish National Party
Cumbernauld and Kilsyth Constituency Labour Party
Cumbernauld and Kilsyth District Council
Cumbernauld and Kilsyth Enterprise Trust
Cumbernauld Ministers' Fraternal
Cumbernauld Theatre Trust Ltd
Cunninghame District Council
Deans Community High School (Livingston)
Deans and District Labour Party (Livingston)
Deans Senior Citizens' Club (Livingston)
Dedridge Community Council (Livingston)
Donaldsons
Dundee and Tayside Chamber of Commerce and Industry, Fife Branch
East Kilbride Central Branch, Scottish National Party
East Kilbride Chamber of Commerce
East Kilbride Christian Council
East Kilbride Citizens Advice Bureau
East Kilbride Development Corporation
East Kilbride District Council
East Kilbride Fabian Society
East Kilbride Old Parish Church
East Kilbride Residents Federation
East Kilbride Voluntary Organisation's Council
Fife Regional Council
Fraser and Partner, Business Managers, Glenrothes
Girdle Toll and Bourtreehill Community Council (Cumbernauld)
Glenrothes Development Corporation
Glenrothes Enterprise Trust Ltd.
Glenrothes Residents Council
Hamilton District Council
Housing Architects Group Irvine Development Corporation
Institute of Housing in Scotland
Irvine Development Corporation
Kildrum Parish Church
King and Co.
Kirkcaldy District Council
Knightsridge Community Council (Livingston)
Knightsridge West Residents Association (Livingston)
Labour Party Scottish Council
Landscape Institute Scotland
Livingston Constituency Labour Party
Livingston Development Corporation
Livingston East Branch, Scottish National Party
Livingston Ecumenical Parish
Livingston Federation of Residents and Tenants Association
Livingston Industrial and Commercial Association
Livingston Justice and Peace Group
Livingston Voluntary Organisations Council
Lothian Regional Council
Motherwell District Council
Murieston Residents' Association (Livingston)
National and Local Government Officers Association (NALGO)
Neighbourhood Care Networks (Livingston)
Scottish Building Employers' Federation
Scottish Church's Industrial Mission
Scottish Community Woods Campaign
Scottish Consumer Council
Scottish Council for Single Homeless
Scottish Democrats
Scottish Development Agency
Scottish Engineering Employers' Association
Scottish Federation of Housing Associations
Scottish Homes
Scottish Local Authorities with New Towns (SLANT)
Scottish National Party
Scottish New Towns Housing Association
Scottish Old Age Pensions Association
Scottish Society of Directors of Planning
Scottish Special Housing Association
Scottish Wildlife Trust
Sealand Industries PLC Cumbernauld
Sixth Year Cumbernauld High School
Strathclyde Regional Council
The Building Societies Association
The Royal Town Planning Institute
Town and Country Planning Association
West Lothian College of Further Education
West Lothian District Council
Whinneyknowe and Balgeddie Meadows Residents Association (Glenrothes)

Rates

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what was the level of domestic rates relief in each year since 1985-86.

Mr. Lang: The information requested is set out in the table.

	Total domestic element £ million
1985-86	102·9
1986-87	91·3
1987-88	90·8
1988-89	91·9

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what was the average unrebated domestic rates bill in each year since 1985-86.

Mr. Lang: The information requested is set out in the table.

	Scotland average unrebated domestic rate bill £
1985-86	392
1986-87	417
1987-88	474
1988-89	495

Rating Valuation and Practice

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what progress has been made in the talks between the rating assessors in Scotland and the Inland Revenue with regard to harmonisation of rating valuation and practice north and south of the border; and if he will make a statement.

Mr. Lang: The talks between the Scottish Assessors' Association and the Inland Revenue valuation office have made significant progress. The major areas of cross-border difference have been identified and the underlying causes analysed. The discussions have concentrated on identifying areas where progress could be made in the 1990 revaluation, broadly within the present statutory and case law framework, and on identifying where subsequent changes in the law will be necessary. Powers to allow the Secretary of State to prescribe methods of valuation for particular subjects were taken in the Local Government Finance Act 1988 specifically to promote harmonisation.

In the case of the majority of subjects valued on the basis of rental evidence, the outcome of the harmonisation discussions will be to ensure that the handling and interpretation of the evidence north and south of the border is in line.

The discussions have identified certain classes of subjects where there have been more fundamental differences of practice north and south of the border. There will now be moves towards a more common approach, within the constraints of statute and case law, and the result of this is expected to be the closing of many of the major gaps which have existed between valuations under the two systems. We are giving serious consideration along with my right hon. Friend the Secretary of State for the Environment to the use of powers taken in the 1988 Act to allow prescription of common decapitalisation rates north and south of the border for properties valued on the contractor's basis. One area of difficulty relates to the valuation of plant and machinery, which is carried out in accordance with different statutory rules in Scotland and in England and Wales. Analysis of the differences in terms of the effect on valuation is complex. The harmonisation discussions have concluded that it would be impracticable to seek to make changes before the 1990 revaluation but, as we have already announced, we are to set up a committee to advise on this matter with a view to achieving harmonisation as soon as possible thereafter.

Mr. Manouchehr Tehrani

Dr. Godman: To ask the Secretary of State for Scotland what recent representations he has received regarding the dismissal of Mr. Manouchehr Tehrani from his employment as a consultant surgeon at the Inverclyde royal hospital, by the Argyll and Clyde Health Board; and if he will make a statement.

Mr. Michael Forsyth: My right hon. and learned Friend has received a number of representations. Solicitors acting for Mr. Tehrani have lodged notices of appeal to the Secretary of State against his summary dismissal by the Argyll and Clyde health board in accordance with NHS terms and conditions of service. On Mr. Tehrani's application the health board's decision to dismiss him summarily is subject to proceedings for judicial review, and my right hon. and learned Friend has deferred consideration of the applications for appeal meantime.

Hospitals

Mr. Cook: To ask the Secretary of State for Scotland if he will list the hospitals in each health board.

Mr. Michael Forsyth: This information is included in the annual publication "Scottish Health Service Costs", copies of which are available in the Library.

Assisted Places Scheme

Mr. Allan Stewart: To ask the Secretary of State for Scotland if he has decided the amount of fee remission grant to allocate to schools participating in the assisted places scheme in respect of session 1989-90.

Mr. Michael Forsyth: The allocations of fee remission grant for 1988-89 are shown in the table. I have decided to admit two additional schools to the scheme, Hamilton college, and Oxenfoord Castle school, Midlothian, which are included in the table and I am also currently looking at an extension of the scheme to cover pupils in the later stages of preparatory schools in the 1989-90 session. Overall, these allocations and the extension of the scheme to the preparatory sector should result in a significant increase in the number of pupils being assisted from the current level of about 2,670 to about 2,830 and there will be further expansion to bring the total benefiting to about 3,000 by the 1991-92 academic session. The scheme will continue to concentrate assistance on less well-off families, increasing their opportunities to exercise real choice in the education of their children.

School	*£*
Albyn School for Girls, Aberdeen	34,00
Belmont House School, Newton Mearns	38,000
Craigholme School for Girls, Glasgow	56,000

School	£
Dollar Academy	126,000
Edinburgh Academy	122,000
Fernhill School, Glasgow	75,000
Fettes College, Edinburgh	115,000
Fort Augustus Abbey School	120,000
George Heriot's School, Edinburgh	465,000
Glasgow Academy	85,000
Glenalmond College, Perthshire	162,00
Gordonstoun School, Morayshire	100,000
Hamilton College	16,000
The High School of Dundee	364,000
The High School of Glasgow	119,000
Hutchesons' Grammar School, Glasgow	247,000
Keil School, Dumbarton	143,000
Kelvinside Academy, Glasgow	136,000
Kilgraston (Convent of the Sacred Heart), Perthshire	116,000
Kilquhanity House School, Castle Douglas	35,000
Lomond School, Helensburgh	113,00
Loretto School, Musselburgh	100,000
Merchant Company Schools, Edinburgh	1,250,000
Merchiston Castle School, Edinburgh	199,000
Morrison's Academy, Crieff	320,000
Oxenfoord Castle School, Midlothian	12,000
Rannoch School, Perthshire	88,000
Robert Gordon's College, Aberdeen	100,000
Rudolf Steiner School of Edinburgh	120,000
St. Aloysius' College, Glasgow	260,000
St. Denis and Cranley School, Edinburgh	57,000
St. George's School for Girls, Edinburgh	41,000
St. Leonard's School, St. Andrews	71,000
St. Margaret's School for Girls, Aberdeen	29,000
St. Margret's School for Girls, Edinburgh	131,000
Strathallan School, Forgandenny, Perthshire	151,000
Wellington School, Ayr	93,000
West of Scotland School Company	571,000
Total	6,380,000

Mr. Allan Stewart: To ask the Secretary of State for Scotland if he will announce the statistics for the assisted places scheme in Scotland in the 1988-89 school session and the income scale which will apply to the scheme in school session 1989-90.

Mr. Michael Forsyth: At the beginning of the current school session there were 2,543 pupils receiving assistance under the assisted places scheme. Additional pupils will be admitted to assisted places throughout the 1988-89 school session and I expect that the final total will be broadly in line with that for the 1987-88 session, when 2,670 pupils benefited.

The scheme continues to concentrate assistance on lower income families. In 1988-89 1,108 pupils (44 per cent. of those in the scheme) will be receiving full fee remission because they have a family income of £7,258 per annum or less. A further 121 pupils (4 per cent.) have family incomes between £7,259 and £8,000 per annum and 86 (3 per cent.) between £8,001 and £8,500.

For school session 1989-90 I propose to lay regulations before the House in due course providing for progressive parental contributions for one assisted pupil in relation to family income as follows:

Part of relevant income to which the specified percentage applies	Parental contribution (percentage)
That part (if any) which exceeds £7,418 but does not exceed £8,066	9
That part (if any) which exceeds £8,066 but does not exceed £8,725	12
That part (if any) which exceeds £8,725 but does not exceed £10,032	15
That part (if any) which exceeds £10,032 but does not exceed £12,043	21
That part (if any) which exceeds £12,043 but does not exceed £14,668	24
That part (if any) which exceeds £14,668	33

The relevant income scale is open ended, but the remission can of course be given only where the parental contribution is less than the school tuition fee.

Forestry

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland how many applications for forestry grants in Scotland were made in the year to March 1988; how many were referred to regional advisory committees; how many were completely rejected; and how many were accepted in modified form.

Lord James Douglas-Hamilton: The Forestry Commission received 1,530 applications for grant in Scotland in the year to 31 March 1988. Of these, 34 were referred to regional advisory committees, of which six were refused and 20 were approved after modifications.

FOREIGN AND COMMONWEALTH AFFAIRS

Palestinian Uprising

Mr. Latham: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's consul general in Jerusalem has conveyed to local Palestinian leaders the views of Her Majesty's Government on call number 34, issued by the unified national leadership of the uprising, describing 23 and 25 February as days of Palestinian Molotovs.

Mr. Waldegrave: We share the hon. Member's concern over the use of violence in the occupied territories. The membership of the "unified national leadership of the uprising" is anonymous, but Her Majesty's consul general in Jerusalem has repeated our concern in his contacts with leading Palestinians.

Mr. Latham: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Foreign and Commonwealth Office has communicated to the Palestine Liberation Organisation its views on the proposal contained in call number 34 that 23 and 25 February should be days of Palestinian Molotovs.

Mr. Waldegrave: We share the hon. Member's concern over the use of violence in the occupied territories, and have made our views clear to representatives of the PLO.

Mr. Charles Bester

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will specify the criteria on which his decisions to make representations to the South African Government on behalf of the Sharpeville Six and Nelson Mandela, but not in the case of Mr. Charles Bester, were based.

Mrs. Chalker: Each case is considered on its individual merits.

Prisoners of Conscience

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will make a statement of the criteria he applies when deciding whether or not to intervene with national governments on behalf of prisoners of conscience.

Mrs. Chalker: Each case is considered on its individual merits.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries to which he has made representations on behalf of prisoners of conscience during the past 10 years.

Mrs. Chalker: This information is not readily available and could be provided only at disproportionate cost.

South Africa (Prisoners)

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the names of those in custody in the Republic of South Africa on whose behalf representations have been made by Her Majesty's Government to the Government of South Africa, together with the offence under which the prisoners were charged, and the number of occasions on which representations have been made since 1979 to the present.

Mrs. Chalker: This information is not readily available and could only be provided at disproportionate cost.

Vietnamese Refugees

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs if in the light of the agreement by the United States of America, Canada and Australia to admit more Vietnamese refugees, he will now confirm the agreement to increase the United Kingdom quota announced on 22 December 1988; what the arrangements will be for the increased numbers; and if he will make a statement.

Mr. Waldegrave: Pursuant to the answer my hon. Friend the Parliamentary Under-Secretary of State gave to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 21 February at column 539, we announced on 22 December 1988 that we were prepared in principle to contribute to a major international effort to tackle the problem of Vietnamese boat people in Hong Kong by taking a further 1,000 Vietnamese refugees from Hong Kong over two to three years, provided that others were prepared to contribute commensurately. We have conducted a vigorous diplomatic campaign to urge other resettlement countries to match what we intend to do by accepting substantial additional numbers of Vietnamese refugees from Hong Kong. The response to our call has been very good and amounts to a significantly increased international effort.

Accordingly, we have decided to proceed with our new resettlement plans. The refugees will be resettled in ways which minimise the pressure on housing resources in certain urban areas of the country.

NORTHERN IRELAND

Housing Executive

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many homes the Housing Executive has constructed in each of the past 10 years.

Mr. Needham: This is a matter for the chief executive of the Northern Ireland Housng Executive, who has advised that the information requested is as follows:

	Number
1978-79	5,134
1979-80	2,962
1980-81	2,710
1981-82	2,342
1982-83	3,628
1983-84	3,872
1984-85	3,386
1985-86	3,158
1986-87	2,216
1987-88	1,810

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many homes have been sold by the Housing Executive in each of the past 10 years.

Mr. Needham: This is a matter for the chief executive of the Northern Ireland Housing Executive who has advised that the information requested is as follows:

	Number
1978-79	485
1979-80	517
1980-81	2,039
1981-82	7,042
1982-83	5,583
1983-84	5,471
1984-85	5,469
1985-86	4,213
1986-87	3,261
1987-88	2,915

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many homes have been owned by the Housing Executive in each of the past 10 years.

Mr. Needham: This is a matter for the chief executive of the Northern Ireland Housing Executive, who has advised that the information requested is as follows:

	Number
31 March 1978	186,388
31 March 1979	192,000
31 March 1980	196,787
31 March 1981	196,435
31 March 1982	189,640
31 March 1983	189,257
31 March 1984	183,761
31 March 1985	183,439
31 March 1986	181,717
31 March 1987	179,910
31 March 1988	176,832

RUC and Army Raids

Mr. Mullin: To ask the Secretary of State for Northern Ireland (1) how much has been paid out in compensation, and in how many cases, in respect of damage resulting from raids on homes by the Royal Ulster Constabulary and the Army during the last 12 months;

(2) how many claims for compensation have been received from people claiming damage in respect of Royal Ulster Constabulary and Army raids on their homes during the last 12 months.

Mr. Ian Stewart: The information is not readily available and could be obtained only at disproportionate cost.

Gerard Hanratty

Mr. Charles Wardle: To ask the Secretary of State for Northern Ireland if he will make a statement on Gerard Hanratty, currently in custody in the Federal Republic of Germany.

Mr. Tom King: I understand that a police investigation with a view to possible charges in respect of Hanratty in the Federal Republic of Germany is continuing.

Her Majesty's Government have submitted a request for the return of Hanratty to face charges for firearms offences arising from an incident in Northern Ireland in 1984 once German proceedings have been completed.

Income Support

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many applicants for income support have not had a final decision made because of delays caused by waiting lists for sight examinations.

Mr. Needham: Decisions on claims for income support are made on the basis of the circumstances at the date the claim is received. Information is not available about the number of claimants awaiting sight examinations.

Water Pollution

Dr. John Cunningham: To ask the Secretary of State for Northern Ireland if he will give details of recorded water pollution incidents in the Omagh district between September and November 1988.

Mr. Needham *[holding answer 22 February 1989]:* Water pollution incidents in the Omagh district for the period in question were as follows:

	Number
September	32
October	23
November	19
Total	74

SOCIAL SECURITY

Social Fund

Mr. Anderson: To ask the Secretary of State for Social Security what steps he is taking to ensure that the sums allocated for the social fund budget, both grants and loans, will be fully spent in 1988-89.

Mr. Peter Lloyd: I refer the hon. Member to my replies to the hon. Member for Nottingham, North (Mr. Allen) on 20 February at column *474*.

Claimants (Waiting Time)

Mr. Fraser: To ask the Secretary of State for Social Security what is the average waiting time for claimants calling personally at social security offices at Crown Dale, Stockwell road and Camberwell New road in Lambeth.

Mr. Peter Lloyd: The average waiting times for callers to two of the offices in question are set out as follows:

	Income support (Minutes)	*Contributory benefits (Minutes)*
Camberwell New road (Oval office)	55	5
Crown Dale (Crystal Palace office)	39·5	11·5

This information was obtained as a result of sampling at the end of 1988.

The information for Stockwell road (Brixton office) will not be available until the beginning of April.

Old Age Pension

Mr. Winnick: To ask the Secretary of State for Social Security at what level the basic old age pension would now stand if it had been uprated in line with earnings since 1979.

Mr. Peter Lloyd: Based on annual upratings in line with earnings since 1979, the current weekly value of basic retirement pension would be £49·10 for a single pensioner, and £78·65 for a pensioner couple.

DEFENCE

Low-level Flights (East Linton)

Mr. Home Robertson: To ask the Secretary of State for Defence if he will make a statement on the speed, height and purpose of the low-level flight by a jet aircraft over East Linton, East Lothian, at 1 pm on Monday 23 January.

Mr. Neubert: Two Tornado aircraft from RAF Cottesmore flying out of RAF Leuchars were authorised to carry out a terrain following low-level training sortie in the area at a height of 700 ft. and under the normal speed restrictions for the aircraft and type of sortie.

United States Forces

Mr. Cohen: To ask the Secretary of State for Defence when Menwith hill was first made available for use by United States forces.

Mr. Neubert: The Menwith hill site was first made available to United States forces in June 1955.

Research Agreements

Ms. Gordon: To ask the Secretary of State for Defence how many contracts or agreements for research and development have currently been placed with United Kingdom universities and other institutions of higher education by the atomic weapons research establishment; what is their total value; and with which United Kingdom and other institutions of higher education they were placed.

Mr. Sainsbury: The atomic weapons establishment has currently 39 contracts or agreements placed with United Kingdom universities or institutions of higher education; their total value is £2·2 million. It is not our policy to give further details of these arrangements.

Ms. Gordon: To ask the Secretary of State for Defence how many research contracts or agreements the scientific research and development branch has currently placed with United Kingdom universities and other institutions of higher education; what is their total value; and if he will list them.

Mr. Sainsbury: The Ministry of Defence has currently 757 research agreements and 96 contracts with United Kingdom universities and other institutions of higher education; the total value is £55 million. It is not our policy to give details of these arrangements; it is for the universities themselves to confirm their involvement.

Pension Scheme

Mr. Conway: To ask the Secretary of State for Defence if he will make a statement on the opportunities available to members of the armed forces for making additional voluntary contributions in order to enhance the benefits payable under the armed forces pension scheme.

Mr. Neubert: The armed forces pension scheme (AFPS) provides an excellent range of benefits which are already mainly at the limits allowed by the Inland Revenue for occupational pension schemes. Nevertheless where scope does exist for additional voluntary contributions (AVCs), in-scheme facilities have been introduced so that service men can, so far as is possible, bring their benefits up to Inland Revenue limits. Under these arrangements all service men can enhance the widow's/widower's pension and the death in service lump sum; service men with military salaries in excess of those upon which pension rates are based can enhance all their AFPS benefits; and late entrants to the services can buy added years. MOD is prepared to issue certificates where appropriate to those wishing to make free standing AVCs (FSAVCs) for the same range of benefits.

I am pleased to say that it is now also possible for some service men to make FSAVCs in respect of additional pay which they might be receiving.

Additional pay in the armed forces does not readily lend itself to AVC purposes because most of it is unpredictable in incidence and discontinuous or short term. There are also wide variations in the amount of money involved. Provided certain criteria are fulfilled, however, some service men could benefit and in these circumstances MOD is now prepared to certify applications for FSAVCs.

I believe that these facilities provide opportunities for members of the AFPS which are as far as possible in line with those envisaged for other occupational pension schemes in keeping with the spirit of this Government's recent legislation.

Service Personnel (Shootings)

Mr. Sean Hughes: To ask the Secretary of State for Defence when was the last time that service personnel fired shots on the British mainland in the course of their duty when they were not involved in training exercises.

Mr. Archie Hamilton: As the hon. Gentleman will be aware, a sentry on duty at Clive barracks, Tern hill, fired three shots at terrorist intruders shortly after 3 am on Monday, 20 February.

Police

Mr. Sean Hughes: To ask the Secretary of State for Defence if he has any plans to reduce the complement of the Ministry of Defence police.

Mr. Sainsbury: Like all other forms of MOD manpower, the requirements for MOD police are reviewed regularly, in the light of current policing and security requirements. It is not MOD policy to reveal details of future manning levels in the force.

Security Firms

Mr. Sean Hughes: To ask the Secretary of State for Defence if he has any plans to increase the use of private security firms in guarding establishments of his Department.

Mr. Sainsbury: The use of private security firms in guarding establishments is an option open to MOD in those cases where their use can satisfy certain security criteria. Any change in the present scale of such arrangements will result from the assessment of the level of security protection required at specific establishments and an appraisal of the performance of those private security firms currently employed.

Defence Police Federation

Mr. Sean Hughes: To ask the Secretary of State for Defence what consultations have been held with the Defence Police Federation regarding the complementing criteria exercise.

Mr. Sainsbury: The Defence Police Federation has been regularly consulted, both orally and in writing, about each stage of the complementing criteria since its inception in 1986.

Security Arrangements

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the annual expenditure on fencing and other physical security arrangements for establishments of his Department in 1988.

Mr. Archie Hamilton: It would require disproportionate cost and effort to establish a comprehensive figure for all MOD and service establishments.

Mr. Sean Hughes: To ask the Secretary of State for Defence what changes to security arrangements for his Department's establishments on the British mainland have been initiated in the light of evidence of terrorist access to Semtex and similar explosives.

Mr. Archie Hamilton: Our security arrangements are constantly reviewed in the light of our assessment of the terrorist threat.

Low Flying

Mr. Alan Williams: To ask the Secretary of State for Defence when he expects to let the right hon. Member for

Swansea, West have a full reply about the low-flying incidents which he reported to his Department a month ago; and why the reply has taken so long to prepare.

Mr. Neubert: As I explained in my letter of 1 February to the right hon. Member, investigations by the RAF police into low-flying incidents are always very thorough and may take some months to complete. I shall, however, write to the right hon. Member with a full response as soon as possible.

Mr. Alan Williams: To ask the Secretary of State for Defence if he will extend the very low-flying prohibition zone further from the built-up areas of the city of Swansea; if he will include upper Trillay within that area; and if he will make a statement.

Mr. Neubert: As the right hon. Member is aware, pilots are already instructed to avoid overflying the centres of major conurbations and built-up areas such as Swansea at low level, although we cannot guarantee to avoid overflying the outskirts of major towns and smaller communities. Pilots will however make every effort to avoid populated areas wherever possible.

Tern Hill Barracks

Mr. Sean Hughes: To ask the Secretary of State for Defence when the explosives used in the attack on Tern hill barracks on Monday 20 February were planted; and when the challenge was issued by security personnel to two suspected intruders.

Mr. Archie Hamilton: The soldiers challenged the terrorists on seeing them inside the barrack area at just after 0300 hrs. When the explosives were planted is a matter for the police investigation to establish.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the exact period of time between the issuing of a challenge to the intruders at the Tern hill barracks on Monday 20 February and the detonation of explosives inside the barracks.

Mr. Archie Hamilton: The first explosion occurred some 20 minutes after the soldiers first challenged the terrorists on seeing them inside the barrack area. There were two subsequent explosions. The precise timing and sequence of events is a matter for the police investigation.

Mr. Sean Hughes: To ask the Secretary of State for Defence when were security personnel at Tern hill barracks informed about the theft of the car suspected of being used in connection with the attack.

Mr. Archie Hamilton: I assume that the hon. Gentleman is referring to the Austin Montego car hijacked from the Simpsons. Information was received at Clive barracks that the terrorists had made off in a hijacked car at about 0415 hrs on Monday, 20 February.

Mr. Sean Hughes: To ask the Secretary of State for Defence how many complaints have been received from local residents near the Tern hill barracks about unauthorised access to the site of the barracks in each of the last three years.

Mr. Archie Hamilton: There is no record of any complaints having been received from local residents about unauthorised access to Clive barracks, Tern hill during the last three years.

Mr. Sean Hughes: To ask the Secretary of State for Defence when was the last time security at the Tern hill barracks was *(a)* tested and *(b)* evaluated.

Mr. Archie Hamilton: Within the United Kingdom land forces command, all units are required to carry out regular security exercises. A co-ordinated test and evaluation of security at Tern hill barracks was last carried out on 18 December 1988.

Mr. Sean Hughes: To ask the Secretary of State for Defence what was the expenditure on perimeter fencing at the Tern hill barracks in each of the last five years.

Mr. Archie Hamilton: Tern hill barracks was rebuilt in 1981 as an open-plan barracks. During the past year, a number of improvements to the fencing at the barracks have been carried out. However, the cost of these improvements is not readily identifiable.

Royal Ordnance, Bishopton

Mr. Graham: To ask the Secretary of State for Defence (1) if he will provide details of expenditure incurred by his Department in the procurement of raw materials for use by Royal Ordnance, Bishopton for the financial year 1986-87 expended in *(a)* Scotland and *(b)* Strathclyde region;

(2) if he will provide details of expenditure incurred by his Department in the procurement of general administrative goods and services for use by Royal Ordnance, Bishopton for the financial year 1986-87 expended in *(a)* Scotland and *(b)* Strathclyde region;

(3) if he will provide details of expenditure incurred by his Department in the procurement of the services of contractors and sub-contractors for use by Royal Ordnance, Bishopton for the financial year 1986-87 expended in *(a)* Scotland and *(b)* Strathclyde region;

(4) if he will provide details of expenditure incurred by his Department in the procurement of plant for use by Royal Ordnance, Bishopton for the financial year 1986-87 expended in *(a)* Scotland and *(b)* Strathclyde region;

(5) if he will provide details of expenditure incurred by his Department in the procurement of goods and services for the purpose of maintenance and general upkeep of plant and premises at Royal Ordnance, Bishopton for the financial year 1986-87 expended in *(a)* Scotland and *(b)* Strathclyde region;

(6) if he will provide details of expenditure incurred by his Department in the procurement of non-product raw materials for use by Royal Ordnance, Bishopton for the financial year 1986-87 expended in *(a)* Scotland and *(b)* Strathclyde region.

Mr. Sainsbury: None. Royal Ordnance was an incorporated company in 1986-87, which was the financial year immediately preceding privatisation. The Department made no purchases on behalf of Royal Ordnance, Bishopton, and the purchasing of raw materials and plant, and the cost of sub-contractors, maintenance, administration and services in order to carry out its operations, were all matters for the company.

A90

Sir Michael McNair-Wilson: To ask the Secretary of State for Defence whether the contractual problems with the A90 complex at AWE Aldermaston have been

overcome; and what assessment has been made of whether the ventilation and ducting system will fully meet the health and saftey requirements of the contract.

Mr. Sainsbury: The contract in question is the responsibility of the Property Services Agency which, I understand is currently investigating the claims made in the programme. Assessments of the installation of certain elements of the A90 ducting system against contractual requirements and in relation to safety are being conducted.

Sir Michael McNair-Wilson: To ask the Secretary of State for Defence whether the A90 complex at AWE Aldermaston is on schedule to meet the heads of the Trident programme; and if he will make a statement.

Mr. Sainsbury: I refer the hon. Member to the report on Trident produced for the Select Committee on Defence, a copy of which was placed in the Library of the House on 17 January. The Trident project remains on programme to enter service as planned in the mid-1990s.

Ordnance Depot, Donnington

Mr. Conway: To ask the Secretary of State for Defence if he will make a statement about the findings of the board of inquiry into the fire at Central Ordnance depot, Donnington, on 25 April 1988 and the action which he is taking on them.

Mr. Neubert: I have now considered the findings of the Army board of inquiry which was set up to investigate the major fire at the central ordanance depot, Donnington on 25 April 1988 and to make recommendations on the action to be taken to prevent a recurrence. I have placed in the Library of the House a summary of the board of inquiry's report, with its findings and recommendations set out in full.

The board of inquiry concluded that the fire must have been caused deliberately, but was unable to establish who was responsible. The fire destroyed two-thirds of one large storage building (B1) and its contents. Those stocks were due to be transferred in September 1988 to a new fully fire-protected building at Donnington which it was decided to build following the fire at the depot in 1983. The board found that the recommendations of the board of inquiry into that fire had, with minor exceptions, been implemented. It observed, however, that stocks in the B1 building lacked effective fire-protection during the period when the new building to which they were to be transferred was being built.

The board found no evidence of a significant pollution hazard during or after the fire, although the contents and fabric of the B1 building represented a potential hazard. It took the view that insufficient information was given to the public to allay concern about possible health hazards. It also found some weaknesses in emergency procedures and occupational health arrangements for those employed at the depot and considered that, while the arrangements for ensuring its security were generally satisfactory, they did not cater sufficiently for the high risk of building B1.

Subject to two qualifications, the Ministry of Defence accepts the board's findings. The Ministry considers that the board's observation on the lack of protection for the stocks in building B1, pending their transfer to the new building, does not take sufficient account of the steps which were taken after the 1983 fire to reduce the level of stocks in the building and to improve the fire protection arrangements. The Ministry also considers that the board's view that insufficient information was given to allay public concern about possible health hazards disregards both the assurances given in public statements at the time of the fire and its aftermath and the steps taken to keep the local authorities informed.

The board of inquiry made 25 recommendations to deal with these aspects. They cover changes in policy and practice for the control of hazardous stores, handling of emergencies, public information, health and safety responsibilities, security and training. Its main recommendation is that funds should be made available as a matter of urgency to provide storage buildings with the proper level of fire-protection appropriate to the risk and that there should be an examination of the most practical way of protecting stocks while this work is being carried out.

In general the Ministry of Defence accepts the board's recommendations and is taking the necessary follow-up action. Some of the recommendations have already been or are being put into effect. Others require further consideration before final conclusions can be reached about how they should be implemented and this is proceeding as quickly as possible. As regards the board's main recommendation, all storage buildings need to be surveyed in order to assess what fire-protection measures are needed and to determine priorities. In view of the large number of buildings and the scale of work involved, the whole programme will need to be phased over several years, but the aim will be to complete it as soon as practical. Ways of providing protection against fire during this period are being considered.

HOME DEPARTMENT

Forensic Science Service

Ms. Gordon: To ask the Secretary of State for the Home Department how many research contracts or agreements the forensic science service has currently placed with United Kingdom universities and other institutions of higher education; what is their total worth; and if he will list them.

Mr. Douglas Hogg: The forensic science service has nine research contracts outstanding with United Kingdom universities and institutions of higher education, as follows:

Research Organisation	*Nature of Research*	*Contract (£)*
Loughborough University	High performance liquid chromatography	23,300
Hull University	High sensitivity detection of drugs by chemiluminescence	10,710
Manchester University	ABO grouping of bloodstains by an automated process	19,785
Aston University	Expert systems to assess forensic evidence	14,025
Swansea University	Flake powders for fingerprint applications	74,650
Scottish College of Textiles	Colour coding of individual textile fibres	20,122
Keele University	Motor vehicle paint sample collections	13,986
Queen's University Belfast	Improved reagents for detecting fingerprints	45,522
St. George's Hospital Medical School	Tablet and capsule identification system	12,000

Research Organisation	Nature of Research	Contract (£)
		234,100

Naturalisation Applications

Mrs. Wise: To ask the Secretary of State for the Home Department (1) what is the approximate date of application of the naturalisation applications which are currently being processed;

(2) how long it will take to process the naturalisation applications which have been outstanding for more than one year.

Mr. Renton: Applications for naturalisation currently being processed span a wide spread of dates but the average time taken to complete such applications in January 1989 was 21 months. It is not possible to give a reliable forecast of how long naturalisation applications which have been outstanding for more than one year will take to complete.

Mrs. Wise: To ask the Secretary of State for the Home Department how many of his staff are engaged on processing naturalisation applications.

Mr. Renton: On 31 January 1989 171 staff in the nationality division were engaged on processing naturalisation applications.

Rating Reform

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will introduce regulations to restrict the sale, copying or inspection of the electoral register when the electoral registrar obtains information from the poll tax registers.

Mr. Douglas Hogg: No. The considerations governing the sale, copying and inspection of the electoral register have not changed since the present policy was comprehensively reviewed in 1985-86. The Representation of the People Regulations 1986 already forbid the supply of data which is not required to be published in the register itself.

Police Cells

Mr. Sheerman: To ask the Secretary of State for the Home Department what new measures he is taking to reduce the number of prisoners held in police cells.

Mr. Douglas Hogg: The measures initiated last year, which are continuing to deliver more prison accommodation, are being supplemented by a programme of vigorous management action to obtain the maximum capacity from the accommodation currently available.

Pornography (Imports)

Mr. Gerald Howarth: To ask the Secretary of State for the Home Department if he will ensure that following 1992 there will remain sufficient safeguards to prevent the import of pornographic material into the United Kingdom from Europe.

Mr. Renton: We intend to maintain tough controls on such material. The scope for exercising control at the point of importation is among the matters we shall be discussing with our European Community partners in the general context of 1992.

Airport Security

Mr. George: To ask the Secretary of State for the Home Department how much is spent by his Department on private security firms performing services at immigration detention centres at Heathrow, Gatwick, Birmingham and Manchester airports, for each year since 1985; and how many firms are involved.

Mr. Renton: Group 4 Total Security Ltd. holds the sole contract for the provision of orderly and escort services for persons detained under the Immigration Act 1971 in the immigration detention centres at Heathrow, Gatwick and Manchester. There is no longer a detention centre at Birmingham airport.

The contract was let to Group 4 Total Security Ltd. with effect from 31 December 1988 following competitive tenders. Between 1 July 1970 and 30 December 1988 the contract was held by Securicor Ltd. The cost of the services is a matter of commercial and contractual confidentiality which it would not be right to disclose.

Carriers Liability

Mr. David Shaw: To ask the Secretary of State for the Home Department what are the receipts to date under the Carriers Liability Act; and what are the arrears.

Mr. Renton: Payments totalling £3·888 million had been received up to 31 January 1989, and £4·349 million was outstanding.

Special Constables

Mr. Sumberg: To ask the Secretary of State for the Home Department how many special constables there are at present in England and Wales; and what plans he has to encourage further recruitment.

Mr. Douglas Hogg: The strength of the special constabulary in England and Wales at the end of 1987 (the latest available figure) was 16,209.

Recruitment is a matter for individual chief constables. My right hon. Friend convened a conference in December 1987 in order to enable chief officers to discuss all aspects of the special constabulary, particularly how to increase its strength and improve its deployment. A report has been circulated to all forces.

The Government are also reviewing the allowances paid to special constables, in consultation with the Police Advisory Board for England and Wales.

Confiscation Orders

Mr. David Evans: To ask the Secretary of State for the Home Department what plans he has to seek to extend the power of courts to issue confiscation orders.

Mr. John Patten: We have no present plans to extend the powers of courts to make confiscation orders, but the Prevention of Terrorism Bill would give courts additional powers to order forfeiture of funds destined for use in connection with terrorism.

"Broadcasting in the '90s"

Mr. Adley: To ask the Secretary of State for the Home Department what further representations he has received from the British Broadcasting Corporation on the implications for its existing levels of service of the proposals in his White Paper; and if he will make a statement.

Mr. Renton: The British Broadcasting Corporation's response to the White Paper was published on Monday 6 February. We keep in close touch with the BBC about broadcasting policy issues.

Mr. Fisher: To ask the Secretary of State for the Home Department how many responses he has received to his White Paper on broadcasting.

Mr. McTaggart: To ask the Secretary of State for the Home Department how many representations he has now received on the broadcasting White Paper.

Mr. Renton: Just over 1,200 written responses so far. We would welcome any further representations before the consultation period ends on 28 February.

Mr. Fisher: To ask the Secretary of State for the Home Department how he defines night hours in his White Paper on broadcasting.

Mr. Renton: The White Paper refers to the definition given by the Peacock committee, namely the period between 1 am and 6 am (paragraph 3.12). It will be for the ITC to determine the boundaries between the different licence periods on Channels 3 and 5.

Penal System (Privatisation)

Mr. Bermingham: To ask the Secretary of State for the Home Department (1) what representations he has received from private companies about privatisation within the penal system; and if he will make a statement;

(2) if he will list those companies which have tendered for private remand prisons; and if he will make a statement.

Mr. Douglas Hogg: No such tenders have been either invited or received. A number of private companies have submitted comments in response to the Green Paper "Private Sector Involvement in the Remand System" (Cm. 434, July 1988), and expressed interest in becoming involved in the areas of work which the Green Paper considers. My right hon. Friend expects to make an announcement shortly on the results of the Green Paper consultation and of the associated management consultancy study into the practicality of the options described in the Green Paper.

Prisoners (Transfers)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many special category A Irish prisoners have been transferred from a jail in England and Wales to a jail in Northern Ireland during the last 12 months; and if he will make a statement.

Mr. Douglas Hogg: None, but one is awaiting transfer.

Mr. Bermingham: To ask the Secretary of State for the Home Department how many requests for transfers to jails in Northern Ireland are currently outstanding from prisoners who are serving their sentences in England and Wales; and if he will make a statement.

Mr. Douglas Hogg: Nineteen requests for permanent transfer and nine for temporary transfer to Northern Ireland are awaiting a final decision.

Mr. Bermingham: To ask the Secretary of State for the Home Department what is the average length of time taken to process a request for transfer to a jail in Northern Ireland from a prisoner who is currently serving his or her sentence in England or Wales; and if he will make a statement.

Mr. Douglas Hogg: Approximately 13 weeks.

Mr. Bermingham: To ask the Secretary of State for the Home Department whether a decision has yet been made about the application for transfer to a jail in Northern Ireland from prisoner 463799 (McCartney); and if he will make a statement.

Mr. Douglas Hogg: No. A decision will be reached as soon as possible.

Broadcasting

Mr. Fisher: To ask the Secretary of State for the Home Department (1) what information he has on the number of broadcasting transmitter faults reported and repaired in 1988;

(2) what information he has on the cost in each of the last five years of maintenance on the broadcasting transmitter networks.

Mr. Renton: We do not have the information requested. Broadcasting transmission is the responsibility of the IBA and the BBC.

Mr. Fisher: To ask the Secretary of State for the Home Department what information he has on the number of broadcast hours on *(a)* BBC-1, *(b)* BBC-2, *(c)* independent television and *(d)* Channel 4 made by United Kingdom independent producers in 1988; and at what cost.

Mr. Renton: The information requested is not currently available. I will write to the hon. Gentleman when it is.

Mr. Fisher: To ask the Secretary of State for the Home Department whether he will publish a table showing the cost of transmission for each independent television company and for Channel 4 *(a)* in cash terms and *(b)* per capita in catchment areas.

Mr. Renton: No. Broadcasting transmission costs are the responsibility of the BBC and the IBA.

Broadcasting Companies (Training)

Mr. Fisher: To ask the Secretary of State for the Home Department what percentage of training presently conducted by *(a)* the British Broadcasting Corporation, *(b)* the Independent Broadcasting Authority, *(c)* the Independent Television companies and *(d)* Channel 4, independent producers will be required to undertake.

Mr. Renton: The White Paper "Broadcasting in the '90s" does not propose any requirement for independent producers to undertake training.

Mr. Fisher: To ask the Secretary of State for the Home Department whether the Independent Television Commission will be required to undertake the training for transmission presently conducted by the Independent Broadcasting Authority.

Mr. Renton: We shall not make detailed decisions on the responsibilities of the ITC in relation to transmission until we have received and considered the study which we have commissioned from Price Waterhouse. In a fully privatised transmission system the presumption is that any training necessary would be carried out by the private transmission operators.

Mr. Fisher: To ask the Secretary of State for the Home Department (1) what information he has on the investment by *(a)* the Independent Broadcasting Authority, *(b)* each independent television company and *(c)* Channel 4 in training in each of the past five years;

(2) what information he has on the investment by the BBC in training in each of the last five years.

Mr. Renton: I refer the hon. Member to the reply that I gave to questions from him on 14 February 1989 at column *115*.

Broadcasting Companies (Disabled Employees)

Mr. Fisher: To ask the Secretary of State for the Home Department (1) whether he will publish a table showing what proportion of the total work force *(a)* the British Broadcasting Corporation, *(b)* each Independent Television company and *(c)* Channel 4 were registered disabled in each of the past five years;

(2) whether he will publish a table showing how many registered disabled persons were employed by *(a)* the BBC, *(b)* ITV companies and *(c)* Channel 4 in each of the past five years.

Mr. Renton: The information requested is not held centrally.

Police Expenditure

Mr. Cryer: To ask the Secretary of State for the Home Department whether any guidelines are issued to police forces regarding the cost of pursuing prosecutions so as to place a limit on expenditure in relation to petty offences; and if he will make a statement.

Mr. Douglas Hogg: No. The decision whether to initiate a prosecution in a particular case is an operational matter for the chief officer of the police force concerned.

Police Searches

Mr. Cryer: To ask the Secretary of State for the Home Department what guidance he issues on the conduct of inquiries carried out by a police force on behalf of another force as to whether officers may be authorised to carry out searches without being accompanied by officers from the originating force; and if he will make a statement.

Mr Hogg: None. Police constables in England and Wales have full constabulary powers throughout England and Wales. It is not therefore necessary for a police officer carrying out a search to be accompanied by an officer from the force that initiated the inquiry. Guidance to the police on the conduct of searching persons and premises generally is contained in the codes of practice issued in accordance with the Police and Criminal Evidence Act 1984.

Rape

Mr. Speller: To ask the Secretary of State for the Home Department if he will introduce legislation to ensure a specific minimum sentence for those convicted of rape; and if he will make a statement.

Mr. John Patten: Our criminal justice system does not provide for minimum sentences, except for the offence of murder. It is for the courts to consider the circumstances of each case and decide on a sentence which reflects the gravity of the individual offence, within the maximum penalties determined by Parliament. Following guidance given by the Court of Appeal, the proportion of convicted rapists receiving sentences of five years' imprisonment or longer increased from 42 per cent. in 1985 to 79 per cent. in 1987.

Police Cars

Mr. Harry Greenway: To ask the Secretary of State for the Home Department what is his policy on the use of unmarked police cars; and if he will make a statement.

Mr. Douglas Hogg: The use of unmarked police vehicles is an operational matter for individual chief officers of police.

Mr. Charles Pitts

Mr. Simon Hughes: To ask the Secretary of State for the Home Department when the letters to the Parliamentary Under-Secretary of State from the hon. Member for Southwark and Bermondsey dated 12 December, 1988, 28 December 1988 and 6 January, on a matter relating to his constituent, Mr. Charles Pitts, who is a prisoner at Her Majesty's Prison Wandsworth will be answered; and if he will give the reasons why the hon. Member for Southwark and Bermondsey has not received replies to these letters before now.

Mr. Douglas Hogg: I have written to the hon. Member. The correspondence raised a number of issues on which detailed inquiries needed to be made.

Metropolitan Police (Properties)

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many properties owned by the Metropolitan police are unlawfully occupied.

Mr. Douglas Hogg: I understand from the Commissioner of Police of the Metropolis that none of these properties is unlawfully occupied.

Police (Assaults)

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department if he will make a statement outlining any plans which he has to introduce legislation to increase penalties available for assaults upon police officers.

Mr. John Patten *[holding answer 21 February 1989]:* We have no plans to increase the present maximum

penalties (six months' imprisonment or a fine of £2,000 or both), which are the maxima for offences tried in magistrates courts. More serious assaults would normally be dealt with as offences against the person, with higher maximum penalties, including life imprisonment for wounding with intent to do grievous bodily harm and attempted murder.

NATIONAL FINANCE

Inflation

5. **Mr. Ronnie Campbell:** To ask the Chancellor of the Exchequer what is his latest forecast for inflation for 1989-90.

Mr. Major: My right hon. Friend the Chancellor will be giving a forecast in his Budget statement next month.

35. **Mr. Cummings:** To ask the Chancellor of the Exchequer how many members of the European Community have inflation rates lower than that in Britain.

Mr. Lilley: Nine.

66. **Mr. Jack Thompson:** To ask the Chancellor of the Exchequer what is his latest target for inflation.

Mr. Lilley: The ultimate objective of this Government is price stability.

Interest (Taxation)

17. **Mr. Sedgemore:** To ask the Chancellor of the Exchequer if he has any plans to change the arrangements for taxing interest on building society and bank deposits.

Mr. Brooke: I cannot anticipate my right hon. Friend's Budget statement.

Scotch Whisky

19. **Mr. Bill Walker:** To ask the Chancellor of the Exchequer what was the revenue obtained from excise duty and value-added tax from the sales of Scotch whisky in the latest year for which figures are available.

Mr. Brooke: Figures are not directly available for Scotch whisky. The revenue yield for excise duty and value added tax on Scotch whisky was about 95 per cent. of that from those taxes on all whiskies.

Employee Shareholders

20. **Mr. David Shaw:** To ask the Chancellor of the Exchequer what is his latest estimate of the number of employee shareholders in the United Kingdom.

48. **Mr. Greg Knight:** To ask the Chancellor of the Exchequer what is his latest estimate of the number of employee shareholders in the United Kingdom.

64. **Mr. Andrew Mitchell:** To ask the Chancellor of the Exchequer what is his latest estimate of the number of employee shareholders in the United Kingdom.

Mr. Norman Lamont: About 1¼ million employees have received shares, or options over shares, through the approved share schemes, open to all employees.

Indirect Taxation

21. **Mr. Henderson:** To ask the Chancellor of the Exchequer what percentage of total tax revenue arose from indirect taxes in 1988; and what figures he has for the United States of American, Japan and West Germany.

Mr. Major: The latest directly comparable OECD figures are for 1986. They show that the share of indirect taxes in the total was 43 per cent. for the United Kingdom, 29 per cent. for the United States of America, 27 per cent. for Japan and 30 per cent. for West Germany.

Self-employment

22. **Mr. Norris:** To ask the Chancellor of the Exchequer what has been the total growth in self-employment since 1979.

61. **Mr. Lord:** To ask the Chancellor of the Exchequer what has been the total growth in self-employment since 1979.

80. **Mr. Kirkhope:** To ask the Chancellor of the Exchequer what has been the total growth in self-employment since 1979.

102. **Mr. Michael Brown:** To ask the Chancellor of the Exchequer what has been the total growth in self-employment since 1979.

Mr. Major: Between June 1979 and September 1988 the number of self-employed people in Great Britain rose by 60 per cent. to nearly 3 million.

Bank of England (Governor)

23. **Mr. Oppenheim:** To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England; and what was discussed.

58. **Mr. Thurnham:** To ask the Chancellor of the Exchequer when he will next be meeting the Governor of the Bank of England; and what matters will be raised.

62. **Mr. Cousins:** To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England; and what was discussed.

88. **Mr. Skinner:** To ask the Chancellor of the Exchequer what recent meetings he has had with the Governor of the Bank of England; and if he will make a statement.

Mr. Norman Lamont: My right hon. Friend meets the governor from time to time to discuss a variety of matters.

Public Sector Price Increases

24. **Mr. Beith:** To ask the Chancellor of the Exchequer if he will make a statement on the effect of public sector price increases on the inflation rate.

Mr. Norman Lamont: A change of 1 per cent. in the nationalised industries component of the retail prices index will at present lead to a change of approximately 0·054 per cent. in the RPI. The Autumn Statement (table 2·7) forecast an increase of 6¼ per cent. in the nationalised industries component of the RPI in the year to the fourth quarter of 1989.

New Businesses

25. **Mr. David Nicholson:** To ask the Chancellor of the Exchequer what are the latest official figures on the number of business start-ups over the latest year for which figures are available.

45. **Mr. Patrick Thompson:** To ask the Chancellor of the Exchequer what was the number of business start-ups over the latest year for which figures are available.

63. **Mr. Quentin Davies:** To ask the Chancellor of the Exchequer what are the latest official figures on the number of business start-ups over the latest year for which figures are available.

76. **Sir Michael Shaw:** To ask the Chancellor of the Exchequer what are the latest official figures on the number of business start-ups over the latest year for which figures are available.

Mr. Major: In 1987, the latest year for which figures have been published by the Department of Employment, the net increase in the number of businesses registered for VAT was 45,000, comprising 205,000 registrations and 160,000 deregistrations. Department of Employment figures for 1988 will be available in the summer.

Economic Growth

26. **Mr. Andrew MacKay:** To ask the Chancellor of the Exchequer what is his latest estimate of economic growth in the most recent one-year period for which figures are available.

57. **Mr. Neil Hamilton:** To ask the Chancellor of the Exchequer what is his latest estimate of economic growth in the most recent one-year period for which figures are available.

82. **Mr. Boswell:** To ask the Chancellor of the Exchequer what is the current rate of economic growth.

Mr. Major: The output measure of gross domestic product grew by 4½ per cent. in real terms in 1988. This has been the fourth consecutive year of growth in excess of 3 per cent., a performance unmatched since the war.

Group of Seven

27. **Mr. Andy Stewart:** To ask the Chancellor of the Exchequer if he will make a statement on his last meeting with his counterparts in the Group of Seven.

36. **Mr. Brazier:** To ask the Chancellor of the Exchequer if he will make a statement on his last meeting with his counterparts in the Group of Seven.

65. **Mr. Patnick:** To ask the Chancellor of the Exchequer if he will make a statement on his last meeting with his counterparts in the Group of Seven.

103. **Mrs. Roe:** To ask the Chancellor of the Exchequer if he will make a statement on his last meeting with his counterparts in the Group of Seven.

Mr. Lilley: I refer my hon. Friends to the reply I gave to my hon. Friend the Member for Colne Valley (Mr. Riddick) on 15 February 1989 at column *204*.

Retail Sales and Credit

28. **Mr. Menzies Campbell:** To ask the Chancellor of the Exchequer if he will make a statement regarding the December and January figures for retail sales and consumer credit.

Mr. Lilley: Between December and January the volume of retail sales fell 1½ per cent. in real terms.

The amount of consumer credit outstanding to finance houses and other specialist credit grantors, building societies, retailers and on bank credit cards increased by about £0·3 billion in December. The amount outstanding on all consumer credit agreements (published quarterly) increased by £1·3 billion in the fourth quarter of 1988, the lowest rise since the fourth quarter of 1987. Figures for January are not published yet.

These figures provide further evidence that growth of consumer spending and borrowing has slowed significantly since last summer, and that tighter monetary policy is proving effective.

Manufactured Goods

29. **Mr. Butterfill:** To ask the Chancellor of the Exchequer what information he has on the value of exports of manufactured goods for the United Kingdom for each of the last two years; and if he will make a statement.

Mr. Major: United Kingdom exports of manufactured goods rose in value from £60,656 million in 1987 to £65,454 million in 1988. This is another indicator reflecting the strong performance of our manufacturing sector.

Investment and Consumption

30. **Mr. Redwood:** To ask the Chancellor of the Exchequer what was the growth of *(a)* total investment and *(b)* total consumption in 1988.

41. **Mrs. Gorman:** To ask the Chancellor of the Exchequer what was the growth of *(a)* total investment and *(b)* total consumption in 1988.

60. **Mr. Carrington:** To ask the Chancellor of the Exchequer what was the growth of *(a)* total investment and *(b)* total consumption in 1988.

75. **Mr. Wood:** To ask the Chancellor of the Exchequer what was the growth of *(a)* total investment and *(b)* total consumption in 1988.

Mr. Major: Figures for total investment and total consumption for the whole of 1988 are not yet available. In the first three quarters of 1988 total investment and total consumtion were 9·1 per cent. and 5 per cent. higher respectively than in the same period a year earlier.

Balance of Payments

31. **Mr. Radice:** To ask the Chancellor of the Exchequer what is his latest forecast for the balance of payments in 1989 and 1990.

104. **Mr. Hardy:** To ask the Chancellor of the Exchequer what is his estimate of the balance of payments deficit in 1988-89 and 1989-90.

Mr. Major: The Autumn Statement provided forecasts of the current account for calendar years 1988 and 1989 only. A new forecast will be published on Budget day.

Tax Cuts

32. **Mr. McCartney:** To ask the Chancellor of the Exchequer if he will estimate the different impact of his tax cuts in the last Budget on the median earner in *(a)* the south-east and *(b)* other regions.

Mr. Cohen: To ask the Chancellor of the Exchequer if he will estimate the differential impact of his tax cuts in the last Budget on the median earner in *(a)* the south-east and *(b)* other regions.

Mr. Norman Lamont: I refer the hon. Members to the reply that my right hon. Friend the Paymaster General gave to the hon. Member for Bradford, West (Mr. Madden) earlier today.

Employment

33. **Mr. Tim Smith:** To ask the Chancellor of the Exchequer what has been the growth of total employment since 1983.

67. **Mr. Cash:** To ask the Chancellor of the Exchequer what has been the growth of total employment since 1983.

99. **Mr. William Powell:** To ask the Chancellor of the Exchequer what has been the growth of total employment since 1983.

100. **Dr. Twinn:** To ask the Chancellor of the Exchequer what has been the growth of total employment since 1983.

Mr. Major: The work force in employment has increased by over 2¼ million since March 1983 to over 25¼ million, its highest ever level.

Companies (Rate of Return)

34. **Mr. Evennett:** To ask the Chancellor of the Exchequer if he will give an estimate of the net real rate of return on non-North sea industrial and commercial companies in 1987.

49. **Mr. Ian Taylor:** To ask the Chancellor of the Exchequer if he will give an estimate of the net real rate of return on non-North sea industrial and commercial companies in 1987.

89. **Mr. Mans:** To ask the Chancellor of the Exchequer if he will give an estimate of the net real rate of return of non-North sea industrial and commercial companies in 1987.

Mr. Major: The net rate of return for non-North sea industrial and commercial companies rose for the sixth successive year to reach 10·2 per cent. in 1987. For 1988 it was forecast to be about 12 per cent. in the Autumn Statement, its highest level for 24 years.

Overseas Assets

37. **Mr. Jacques Arnold:** To ask the Chancellor of the Exchequer what is his estimate of the stock of United Kingdom net overseas assets at the end of 1987; and what earnings were generated by these assets in 1987.

70. **Mr. Watts:** To ask the Chancellor of the Exchequer what is his estimate of the stock of United Kingdom net overseas assets at the end of 1987; and what earnings were generated by these assets in 1987.

72. **Mr. Hayward:** To ask the Chancellor of the Exchequer what is his estimate of the stock of United Kingdom net overseas assets at the end of 1987; and what earnings were generated by those assets in 1987.

Mr. Paice: To ask the Chancellor of the Exchequer what is his estimate of the stock of United Kingdom net overseas assets at the end of 1987; and what earnings were generated by these assets in 1987.

Mr. Moss: To ask the Chancellor of the Exchequer what is his estimate of the stock of United Kingdom net overseas assets at the end of 1987; and what earnings were generated by these assets in 1987.

Mr. Major: The stock of net overseas assets is estimated to have been £89·5 billion at the end of 1987. The net earnings on the United Kingdom's net assets in 1987 are estimated to have been £5,463 million.

Incomes

38. **Mr. Robert G. Hughes:** To ask the Chancellor of the Exchequer what has been the growth of real personal disposable income over the latest 12-month period for which figures are available.

90. **Mr. Tredinnick:** To ask the Chancellor of the Exchequer what has been the growth of real personal disposable income over the latest 12-month period for which figures are available.

98. **Sir Michael McNair-Wilson:** To ask the Chancellor of the Exchequer what has been the growth of real personal disposable income over the latest 12-month period for which figures are available.

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer what has been the growth of real disposable personal income over the latest 12-month period for which figures are available.

Mr. Major: I refer my hon. Friends to the answer my right hon. Friend the Financial Secretary gave earlier today to my hon. Friend the Member for Fylde (Mr. Jack).

Pensioners (Medical Insurance)

39. **Mr. Nellist:** To ask the Chancellor of the Exchequer how many pensioners do not receive tax relief for private medical insurance.

85. **Mr. Graham:** To ask the Chancellor of the Exchequer how many pensioners do not receive tax relief for private medical insurance.

Mr. Norman Lamont: At present no pensioners receive tax relief for private medical insurance. From April 1990, anyone paying eligible premiums for a person over 60—including themselves—will benefit from basic rate tax relief given at source, and higher rate relief if appropriate.

83. **Mr. Turner:** To ask the Chancellor of the Exchequer what is his latest estimate of the total cost to the Exchequer in a full year of tax relief for private medical insurance for pensioners.

Mr. Norman Lamont: I refer the hon. Member to the reply I gave to the hon. Member for Dunfermline, East (Mr. Brown) on 21 February at columns *542-43*.

Exchange Rate

40. **Mr. Frank Field:** To ask the Chancellor of the Exchequer if he will make a statement on the recent outcome of the Government's policy of achieving a firm exchange rate.

74. **Mr. Worthington:** To ask the Chancellor of the Exchequer if he will make a statement on the recent outcome of the Government's policy of achieving a firm exchange rate.

Mr. Lilley: I refer the hon. Members to the reply given to the Members for Newport, West (Mr. Flynn) and for Torfaen (Mr. Murphy) on 26 January at column *677*.

Interest Rates

42. **Mr. Knox:** To ask the Chancellor of the Exchequer what assumptions on future rises in interest rates he is making in drawing up his Budget proposals.

Mr. Lilley: The Government never publish assumptions about future levels of interest rates.

46. **Mr. McFall:** To ask the Chancellor of the Exchequer what effect current interest rates are having on *(a)* business investment and *(b)* mortgage payers.

Mr. Lilley: Surveys from the CBI and from the Department of Trade and Industry show that strong investment growth is expected to continue. Higher mortgage interest rates mean that mortgage payers have, for a period, to curb expenditure on other things. This is one of the ways in which they reduce inflationary pressures. Both businesses and mortgage payers have far more to fear from a resurgence of inflation than from a period of higher interest rates.

47. **Mr. Latham:** To ask the Chancellor of the Exchequer whether he will make a statement on the level of interest rates.

Mr. Lilley: Bank base rates are 13 per cent.

Productivity

43. **Mr. Hanley:** To ask the Chancellor of the Exchequer if he will publish in tabular form the growth of productivity each year for the whole economy since 1980 in the United Kingdom and in each of the other major industrialised countries.

50. **Sir David Price:** To ask the Chancellor of the Exchequer if he will publish in tabular form the growth of productivity each year for the whole economy since 1980 in the United Kingdom and in each of the other major industrialised countries.

81. **Mr. Rowe:** To ask the Chancellor of the Exchequer what was the growth of productivity each year for the whole economy since 1980 in *(a)* the United Kingdom and *(b)* each of the other major industrialised countries.

106. **Mr. Gerald Howarth:** To ask the Chancellor of the Exchequer if he will publish in tabular form the growth of productivity each year for the whole economy since 1980 in the United Kingdom and in each of the other major industrialised countries.

Mr. Major: The information requested is as follows:

Growth of whole economy productivity
(percentage change on a year earlier)

	USA	*Japan*	*France*	*Germany*	*Canada*	*Italy*	*United Kingdom*	[1]*G7*
1981	1·2	3·0	1·8	0·9	−5·8	0·9	2·2	1·3
1982	−1·7	1·8	2·4	1·1	6·7	0·6	4·3	0·6
1983	2·6	1·4	1·0	3·1	5·5	0·8	4·2	2·4
1984	2·9	4·4	2·2	2·6	2·0	2·8	1·0	2·9
1985	1·7	4·0	2·0	1·3	0·3	2·4	2·0	2·1
1986	0·7	1·6	1·9	1·3	1·1	2·4	2·4	1·3
1987	0·9	3·3	2·0	1·2	0·9	3·3	2·9	1·8
[2]1988	1·7	4·2	3·0	2·9	−2·6	2·4	2·6	2·4
Period average	1·2	3·0	2·0	1·8	1·0	2·0	2·7	1·8

[1] Weighted average.
[2] The estimates for 1988 compare with the average level of productivity in the first three quarters (except for France, for which data for the first half of 1988 only are available) with the average level in 1987 as a whole.
Source: OECD, CSO.

Child Care (Taxation)

44. **Ms. Armstrong:** To ask the Chancellor of the Exchequer what arrangements he has made with regard to the tax liability of employees in his Department for the proposed child care provision.

Mr. Brooke: My Department is participating in one of two multi-departmental holiday play schemes being run in London during school holidays by the Westminster Play Association. The scheme will be treated in the same way as any other scheme would, where tax liability arises only on the net cost to the employer. Taking account of parental contributions, the scheme is broadly self-financing.

Tax and Prices Index

51. **Mr. Burns:** To ask the Chancellor of the Exchequer what was the increase in the tax and prices index in the 12 months to December 1988.

Mr. Lilley: In the 12 months to December 1988 the tax and prices index rose by 4·8 per cent.

Business Expansion and Share Option Schemes

52. **Mr. Nigel Griffiths:** To ask the Chancellor of the Exchequer if he will estimate the cost in revenue of the business expansion and share option schemes.

Mr. Norman Lamont: I refer the hon. Member to table 21.1.25 of Cm. 621, "The Government's Expenditure Plans" chapter 21—supplementary analyses and index.

Privatisation

53. **Mr. David Porter:** To ask the Chancellor of the Exchequer what proportion of the state-owned commercial sector in 1979 has now been transferred to the private sector.

68. **Mr. Batiste:** To ask the Chancellor of the Exchequer what proportion of the state-owned commercial sector in 1979 has now been transferred to the private sector.

87. **Mr. Hind:** To ask the Chancellor of the Exchequer what proportion of the state owned commercial sector in 1979 has now been transferred to the private sector.

Mr. Norman Lamont: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Battersea (Mr. Bowis) on 20 February 1989, at column *478*.

Personal Equity Plans

54. **Mr. John Marshall:** To ask the Chancellor of the Exchequer what is the latest estimate of the number of PEPs taken out in 1988.

Mr. Norman Lamont: Over 100,000 PEPs were taken out in 1988.

Manufacturing Industry

55. **Mr. Burt:** To ask the Chancellor of the Exchequer what is his latest estimate of the investment intention of British manufacturing industry.

108. **Mr. Irvine:** To ask the Chancellor of the Exchequer what is his latest estimate of the investment intentions of British manufacturing industry.

Mr. Key: To ask the Chancellor of the Exchequer what is his latest estimate of the investment intentions of British manufacturing industry.

Mr. Major: The latest survey of investment intentions carried out by the Department of Trade and Industry and published in December showed that manufacturing investment was expected to increase by 11 per cent. in real terms in 1989.

Mortgage Interest Rates

56. **Mr. Ieuan Wyn Jones:** To ask the Chancellor of the Exchequer if he will make a statement on the impact on first-time house buyers of the increase in mortgage interest rates since September 1988.

Mr. Lilley: Increases in mortgage rates mean that all mortgage payers, including first-time house buyers, will for a period need to cut back on other expenditure. But the resurgence of inflation which would have followed if the Government had failed to take action would have been far more damaging.

European Monetary System

59. **Mr. Steel:** To ask the Chancellor of the Exchequer if he will make a further statement on his policy towards membership of the European monetary system.

Mr. Lawson: I refer the right hon. Member to the reply my hon. Friend the Economic Secretary gave on 17 February to my hon. Friend the Member for Southend, East (Mr. Taylor), at column *402*.

World Bank and IMF

69. **Mr. Corbyn:** To ask the Chancellor of the Exchequer when next he will meet the directors of the World Bank and the International Monetary Fund; and what matters will be discussed.

Mr. Lilley: My right hon. Friend expects to see the managing director of the IMF and the president of the World Bank at the interim and development committee meetings in Washington in April, when a wide range of matters will be discussed.

Government Expenditure

71. **Mr. Janman:** To ask the Chancellor of the Exchequer if he will make a statement on the path of general Government expenditure over the period 1982-83 to the latest available date.

Mr. Yeo: To ask the Chancellor of the Exchequer if he will make a statement on the path of general Government expenditure over the period 1982-83 to the latest available date.

Mr. Major: I refer my hon. Friends to the reply I gave earlier today to my hon. Friend the Member for Wanstead and Woodford (Mr. Arbuthnot).

Labour Statistics

73. **Mr. Brandon-Bravo:** To ask the Chancellor of the Exchequer what was the total fall in long-term unemployment in the year to October 1988.

78. **Mr. Ian Bruce:** To ask the Chancellor of the Exchequer what was the total fall in long-term unemployment in the year to October 1988.

101. **Mr. Goodlad:** To ask the Chancellor of the Exchequer what was the total fall in long-term unemployment in the year to October 1988.

105. **Mr. Wilshire:** To ask the Chancellor of the Exchequer what was the total fall in long-term unemployment in the year to October 1988.

Mr. Major: In the year to October 1988, long-term unemployment fell by 280,000.

CBI

77. **Mr. Gill:** To ask the Chancellor of the Exchequer when he last met the director general of the Confederation of British Industry; and what matters were discussed.

92. **Mr. McLoughlin:** To ask the Chancellor of the Exchequer when he last met the director general of the Confederation of British Industry; and what matters were discussed.

96. **Mr. Couchman:** To ask the Chancellor of the Exchequer when he last met the director general of the Confederation of British Industry; and what matters were discussed.

97. **Mr. Charles Wardle:** To ask the Chancellor of the Exchequer when he last met the director general of the Confederation of British Industry; and what matters were discussed.

Mr. Major: My right hon. Friend meets the director general of the CBI from time to time and a wide range of subjects are discussed.

Inflation and Unemployment

79. **Mr. Macdonald:** To ask the Chancellor of the Exchequer if he will give the total number of months in which inflation and unemployment fell simultaneously in the 117 months between May 1979 and January 1989.

Mr. Major: The annual rate of change in the retail prices index has fallen in about half of the months between May 1979 and January 1989 and has averaged less than 5 per cent. over the last five years, compared with an average of about 15 per cent. between 1974 and 1979. Unemployment has fallen for the last 30 months in succession to under 2 million. Inflation and unemployment have fallen simultaneously in five months.

Debt Repayment

86. **Mr. Sumberg:** To ask the Chancellor of the Exchequer how much debt repayment has been made in each of the past two years.

Mr. Major: The public sector debt repayment (PSDR) in 1987-88 was £3·5 billion. In 1988-89, the PSDR now looks likely to be somewhat higher than the £10 billion forecast in the Autumn Statement. This will be the first time that we have seen two successive years of public sector debt repayment since the beginning of the 1950s.

Banking Flows

91. **Mr. Rooker:** To ask the Chancellor of the Exchequer if he will publish the amount of banking flows into the United Kingdom in 1987 and 1988.

Mr. Major: Banking flows into the United Kingdom are estimated to have been £54·7 billion in 1987 and £35·3 billion in the first three quarters of 1988.

Mortgage Interest (Tax Relief)

93. **Mr. Harry Greenway:** To ask the Chancellor of the Exchequer how many individuals are currently receiving mortgage interest tax relief; what were the comparable figures five, 10, 15 and 30 years ago; what is the current cost to the Exchequer; and if he will make a statement.

Mr. Norman Lamont: Estimates of the number of tax units—single persons and married couples—benefiting from mortgage interest tax relief are given in the table. Estimates for years prior to 1983-84 are derived from the survey of personal incomes and exclude option mortgagors and other non-taxpayers with mortgages. As there was no survey for 1958-59, a figure for 1959-60 has been given. Following the introduction of MIRAS in April 1983, option mortgages were subsumed within the MIRAS scheme and the estimates for 1983-84 onwards cover all tax units, including non-taxpayers, with mortgages.

Number of tax units benefiting from mortgage interest tax relief

	Thousands
1959-60	[1]1,000
1973-74	[1]4,400
1978-79	5,600
1983-84	7,500
1988-89	[2]9,100

[1] Building Society mortgage interest only.
[2] Provisional.

In 1988-89, the total cost of mortgage interest relief is estimated to be about £5,500 million.

Exports and Imports

94. **Ms. Mowlam:** To ask the Chancellor of the Exchequer if he will publish figures on the growth in visible exports and imports for 1988 and provide his latest forecast for 1989.

Mr. Major: Between 1987 and 1988 the volume of visible exports grew by ½ per cent. and the volume of visible imports grew by 13 per cent. The latest forecast for 1989 was published in the Autumn Statement.

VAT

95. **Mr. Ashton:** To ask the Chancellor of the Exchequer what is the current annual income from value added tax; and what was the comparable figure for the financial year 1978-79.

Mr. Lilley: The information at current prices, is as follows:

	£ million
1978-79	4,837·5
1987-88	24,129·0

Hospital Radio

107. **Mr. Amess:** To ask the Chancellor of the Exchequer what representations he has received on zero rating value added tax on hospital radio broadcasting equipment.

Mr. Lilley: I refer my hon. Friend to my reply to the hon. Member for Belfast, South (Rev. Martin Smyth) on 20 February at column *479*.

Aviation Gasoline

Mr. Robert Banks: To ask the Chancellor of the Exchequer if he will set out the rates of duty on aviation gasoline used by piston engined light aircraft in each of the EEC member states.

Mr. Lilley: The United Kingdom is the only member state to levy a lower rate of duty on aviation gasoline than on motor gasoline. The latest available figures for the rates of duty on aviation gasoline in the EEC are:—

State	*Duty (excluding VAT) Pence per gallon*	*Total tax (including VAT) As a percentage of RSP*
Belgium	79	66
Denmark	132	74
France	125	77

State	Duty (excluding VAT) Pence per gallon	Total tax (including VAT) As a percentage of RSP
Germany	79	65
Greece	85	70
Ireland	113	71
Italy	161	78
Luxembourg	66	58
Netherlands	106	70
Portugal	124	69
Spain	90	60
United Kingdom	46	33

Banking Services Law

Mr. Allan Stewart (Eastwood): To ask the Chancellor of the Exchequer when he expects to publish the report of the review committee on banking services law; and if he will make a statement.

Mr. Lilley: The report of the review committee on banking services law under the chairmanship of Professor Robert Jack is being published as a command paper today. I am very grateful to Professor Jack and his colleagues for taking on the challenging task of examining the law and practice relating to banking services. Their report is the result of two years of consultation and study covering the evolution of banking law over more than 100 years.

The terms of reference of the review committee were to examine the statute and common law relating to the provision of banking services within the United Kingdom to personal and business customers, including payment and remittance services; but excluding taxation, company law and parts of the law whose relevance is to trading or to the provision of services in general, rather than particularly to banking. The objectives of the review were to examine the law and its practical implications from the points of view of banker, customer and the general public interest in the availability, reliability, security and efficient and effective operation of payment, remittance and other banking services. The committe was to have regard to:

(a) current and prospective developments in banking and payment systems, including developments in electronic data processing and electronic funds transfer technology;

(b) areas of particular difficulty in, or confusion about, existing law and practice and the rights and obligations of banks and their customers respectively;

(c) differences in the law and practice of different parts of the United Kingdom and, where relevant, other studies and reviews of United Kingdom law;

(d) developments in the law of the European Community and in other relevant international laws and conventions;

(e) developments and trends in international payment systems and reviews by international bodies.

The committee has made a number of recommendations to banks and building societies providing banking services. These are mostly aimed at improving standards of banking practice. There are also numerous recommendations for changes in legislation addressed to the Government. Many of these are very technical in nature.

The Government welcome the committee's report. In considering their response to the recommendations, they will wish to take account of the views of those who will be affected by the proposals, and will consider carefully the implications for bankers, their customers and the general public interest. The Government will set out their detailed response in due course.

Blind People (Aids)

Mr. Graham: To ask the Chancellor of the Exchequer how much value added tax is collected by Her Majesty's Customs and Excise off aids and adaptations for blind people.

Mr. Lilley: There are already extensive reliefs for aids and adaptations for blind people. Estimates for those that bear tax are unavailable.

Fuel Duty

Mr. Nellist: To ask the Chancellor of the Exchequer what information he has as to how much was raised, in each of the last three financial years, by the duty payable on fuel used during research and testing of engines by motor manufacturers; and how much these amounts represent of the industry's total tax bill and turnover.

Mr. Lilley: I regret that official figures are unavailable.

Civil Service (Dispersal)

Mr. Ingram: To ask the Chancellor of the Exchequer if he will list the number and location of Civil Service posts above executive officer level which have been dispersed from London and the south-east of England to other areas of the United Kingdom since 1979 and the percentage this represents of the total number of posts above executive officer level.

Mr. Brooke *[holding answer 20 February 1989]:* The information is not held centrally in the form requested. The overall numbers for the grades above executive officer level in the home Civil Service at 1 January 1979 and 1 April 1988 were as follows:

	1979	Per cent. of total	1988	Per cent. of total
London and South East	54,304	52·5	53,585	46·8
Other regions	49,038	47·5	60,896	53·2
Total	103,342		114,481	

The home Civil Service does not include Foreign and Commonwealth Office staff for whom equivalent information is not available.

HEALTH

Pharmacists Review Panel

109. **Mr. Barry Field:** To ask the Secretary of State for Health what information he has on when the pharmacists review panel last met; and what was discussed.

Mr. Freeman: The most recent matter considered by the pharmacists review panel was the way in which the profit payable to retail pharmacists for their NHS work should be determined, on which the panel reported in February 1988.

Food Poisoning

Mrs. Gorman: To ask the Secretary of State for Health if he will give the location of preparation of the eggs involved in the 49 cases of salmonella food poisoning this year; if he will state whether the eggs involved were cooked, eaten raw, or mixed with other foods; what evidence led the Chief Medical Officer to decide that the food poisoning in the 49 cases was due to eggs rather than inadequate kitchen hygiene; what was the source of the eggs in the 49 cases; what was the age of the eggs before they were eaten; and how long the eggs had been prepared before they were eaten.

Mr. Kenneth Clarke: Detailed information on the 46 outbreaks of salmonellosis associated with the consumption of eggs reported to the public health laboratory service to the end of October 1988 is given in the public health laboratory service's memorandum submitted to the Agriculture Select Committee. I will arrange to send a copy to my hon. Friend. Information suggests that while inadequate kitchen hygiene may have been a contributory factor in some outbreaks we have no reason to believe that hygiene practices have shown any significant deterioration in 1988. Inadequate hygiene cannot account for the very marked increase in the total outbreaks of egg-associated salmonellosis reported in 1988.

Mr. Ashley: To ask the Secretary of State for Health what plans he has to increase expenditure on measures that would help to limit food poisoning.

Mr. Kenneth Clarke: The hon. Member will be aware of many measures to help reduce food poisoning which have recently been announced by the Ministry of Agriculture, Fisheries and Food and my Department. We will continue to take any necessary action.

Sir Geoffrey Finsberg: To ask the Secretary of State for Health how many cases of salmonellosis and of campylobacter have been recorded in each of the last five years.

Mr. Kenneth Clarke: Laboratory reports of cases of salmonellosis and campylobacter infection submitted to the Public Health Laboratory Service for the years 1983 to 1987 are given in the tables. The number of cases for 1988 are not yet available.

Year	*Number*
Cases of salmonellosis	
1983	13,250
1984	13,093
1985	11,172
1986	14,177
1987	16,991
Cases of campylobacter infection	
1983	17,001
1984	20,861
1985	23,463
1986	24,757
1987	27,229

In most instances there is no evidence which links individual reported cases of campylobacter infection with a food vehicle.

Basingstoke and North Hampshire Health Authority

Mr. Hunter: To ask the Secretary of State for Health what has been the real term increase or decrease in expenditure by the Basingstoke and North Hampshire health authority in each year since the formation of that health authority.

Mr. Mellor: Following is information derived from the annual accounts of the Basingstoke and North Hampshire health authority since its establishment on 1 April 1982.

	Per annual accounts	*At 1987-88 prices*	*Percentage increase/(decrease) at 1987-88 prices*	
	£000	*£000*	*On preceding year*	*On 1982-83*
		Total revenue expenditure		
1982-83	31,464	39,630	—	—
1983-84	33,587	40,464	2·1	2·1
1984-85	35,435	40,634	0·4	2·5
1985-86	37,284	40,564	(0·2)	2·4
1986-87	39,945	42,054	3·7	6·1
1987-88	43,301	43,301	3·0	9·3
		Total capital expenditure		
1982-83	2,427	3,024	—	—
1983-84	2,356	2,805	(7·2)	(7·2)
1984-85	3,081	3,511	25·2	16·1
1985-86	3,314	3,564	1·5	17·9
1986-87	3,682	3,838	7·7	26·9
1987-88	2,476	2,476	(35·5)	(18·1)

Notes:

1. The figures for the earlier years have been expressed at 1987-88 prices by the use of the gross domestic product deflator.
2. The figures for capital expenditure include sums in respect of capital schemes within the district recorded in the annual accounts of the Wessex regional health authority (RHA) and they reflect changes in the pattern of investment at sub-regional levels over the period.
3. All expenditure incurred by the Wessex RHA for the region as a whole is excluded.

Royal Hallamshire Hospital

Mr. Patnick: To ask the Secretary of State for Health how many beds currently exist within the Royal Hallamshire hospital, Sheffield; how many have been withdrawn from service over the past five years as a result of a lack of funds; and what will be the estimated effect on the utilisation of beds were the hospital to be designated a National Health Service hospital trust.

Mr. Freeman: The total number of beds that currently exist within the Royal Hallamshire hospital, Sheffield is 728.

As regards the number of beds in use in the hospital, it is for local health authorities to determine the best use of resources to meet local needs.

It is too early to assess the effect of the Government's plans for National Health Service hospital trusts.

Hepatitis B

Mr. Butler: To ask the Secretary of State for Health what information he has on the incidence of infection of patients by surgeons infected with hepatitis B.

Mr. Mellor: The average annual risk of a patient developing acute hepatitis B as a result of infection by staff

during surgical procedures has been estimated as one in a million operations (Polakoff, *British Medical Journal* 1986 volume 293 pages 33-36).

Waiting Lists

Ms. Walley: To ask the Secretary of State for Health if he will give for each district health authority the waiting time for non-urgent ear, nose and throat consultations in November 1987 and November 1988.

Mr. Mellor: We do not collect information centrally about out-patient waiting times.

Child Abuse

Mr. Allen: To ask the Secretary of State for Health if he has received a proposal for research into the sexual abuse of children from the Northhope Hall trust; and will he make a statement.

Mr. Mellor: The Department has received from the Northorpe Hall trust details of a proposal to establish a therapeutic centre for sexually abused children and their families which would also include an element of monitoring and research in relation to those treated. The proposal will be considered along with others of a similar nature which have been received.

Consultants (Trent RHA)

Mr. Redmond: To ask the Secretary of State for Health how many consultants are employed by the Trent regional health authority; if he will give a breakdown by hospital and specialty; if he will show how many of the consultants by specialty are employed on a full-time or part-time basis; and if he will give comparable figures for five years and 10 years ago.

Mr. Mellor: The informatin for the Trent region is set out in the table. We do not have information centrally for individual hospitals.

Hospital Medical and Dental Consultants[1] analysis by specialty at 30 September each year
Trent Regional Health Authority

	1977			*1982*			*1987*		
	Total	*Whole time*	*Part time*	*Total*	*Whole time*	*Part time*	*Total*	*Whole time*	*Part time*
	Number	*Number*	*Number*	*Number*	*Number*	*Number*	*Number*	*Number*	*Number*
All Specialties	906	455	451	1,078	594	484	1,269	672	597
All Medical Specialties	872	439	433	1,042	576	466	1,226	653	573
General Medicine	69	17	52	80	27	53	92	41	51
Cardiology	5	1	4	5	2	3	6	2	4
Diabetes and Endocrinology[2]	0	0	0	1	1	0	1	0	1
Gastroenterology	0	0	0	0	0	0	1	0	1
Nephrology	5	3	2	6	4	2	6	5	1
Thoracic Medicine	20	17	3	12	8	4	7	3	4
Geriatric Medicine	28	27	1	39	35	4	46	40	6
Audiological Medicine	0	0	0	1	0	1	2	0	2
Clinical Genetics[3]	—	—	—	3	1	2	3	1	2
Clinical Neuro Physiology	2	1	1	3	2	1	4	2	2
Clinical Pharmacy and Therapy	5	1	4	5	1	4	5	1	4
Clinical Physiology	0	0	0	2	0	2	2	0	2
Dermatology	14	4	10	15	7	8	20	7	13
Genito-Urinary Medicine	10	10	0	11	10	1	16	16	0
Medical Oncology	3	3	0	0	0	0	0	0	0
Infectious Diseases	1	1	0	1	1	0	3	2	1
Neurology	7	3	4	9	5	4	11	6	5
Occupation Health[4]	—	—	—	0	0	0	3	3	0
Rheumatology	14	12	2	17	11	6	19	7	12
Other	3	3	0	2	0	2	1	0	1
Paediatrics	34	25	9	43	31	12	60	45	15
Paediatric Neurology[5]	—	—	—	3	3	0	1	0	1
Accident and Emergency	11	10	1	14	12	2	16	13	3
General Surgery	70	5	65	73	13	60	81	21	60
Cardio-Thoracic Surgery	8	7	1	8	6	2	10	6	4
Otolaryngology[6]	26	7	19	31	10	21	34	7	27
Neurosurgery	6	1	5	6	5	1	6	3	3
Ophthalmology	26	4	22	27	6	21	34	2	32
Paediatric Surgery	4	4	0	4	4	0	5	5	0
Plastic Surgery	8	3	5	7	3	4	8	2	6
Traumatic and Orthopaedic Surgery	48	5	43	57	5	52	62	8	54
Urology	7	4	3	11	6	5	16	6	10
Obstetrics and Gynaecology	52	8	44	63	19	44	67	14	53
Anaesthetics	108	61	47	152	104	48	187	108	79
Radiology	57	36	21	71	49	22	86	56	30
Nuclear Medicine	0	0	0	0	0	0	0	0	0
Radiotherapy	11	8	3	15	14	1	17	14	3
General Pathology	0	0	0	1	0	1	0	0	0
Blood Transfusion	3	3	0	3	3	0	4	4	0
Chemical Pathology	15	12	3	15	13	2	18	14	4
Haematology	21	17	4	25	19	6	28	20	8
Histopathology	42	24	18	46	24	22	52	29	23
Immuno-Pathology	3	0	3	4	0	4	5	1	4
Medical Microbiology	22	9	13	23	9	14	27	13	14

	1977			1982			1987		
	Total	*Whole time*	*Part time*	*Total*	*Whole time*	*Part time*	*Total*	*Whole time*	*Part time*
	Number	*Number*	*Number*	*Number*	*Number*	*Number*	*Number*	*Number*	*Number*
Neuropathology	2	2	0	2	2	0	2	1	1
Mental Illness	72	53	19	87	65	22	104	84	20
Child and Adolescent Psychiatry	16	14	2	21	19	2	26	22	4
Forensic Psychiatry	0	0	0	1	1	0	2	1	1
Mental Handicap	13	13	0	14	13	1	15	13	2
Psychotherapy	1	1	0	3	3	0	5	5	0
All Dental Specialties	34	16	18	36	18	18	43	19	24
Oral Surgery[7]	18	7	1	19	9	10	21	6	15
Orthodontics	10	6	4	11	7	4	14	10	4
Restorative Dentistry	6	3	3	6	2	4	8	3	5
Paediatric Dentistry[8]	—	—	—	—	—	0	0	0	0

[1] Includes Permanent Paid and Honorary Staff. Prior to 1987 SHMOs and SHDOs with allowance are included.
[2] Prior to 1987 this specialty was called Endocrinology.
[3] New specialty introduced in 1979. Figures included with "Other" prior to 1979.
[4] New specialty introduced in 1983. Figures included with "Other" prior to 1983.
[5] Prior to 1981 figures included with "Paediatrics".
[6] Prior to 1985 this specialty was called Ear, Nose and Throat.
[7] Prior to 1982 this specialty was called Dental Surgery.
[8] New specialty introduced in 1983.

Locum Doctors

Mr. Redmond: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Don Valley of 12 December 1988, *Official Report*, column 449, on locum doctors, if he is now able to give an answer.

Mr. Mellor: I replied to the hon. Member today.

AIDS

Mr. Vaz: To ask the Secretary of State for Health if he will list the numbers of HIV/AIDS centres in Britain which he has visited; and if he will make a statement.

Mr. Mellor: I have visited the Kobler centre, at St. Stephen's hospital, and London Lighthouse—the two facilities in London purpose-built for people with HIV disease. I have visited some and intend to visit other hospitals and voluntary organisations which are developing treatment and support facilities; not all of these will be dedicated to people with HIV.

Mr. Vaz: To ask the Secretary of State for Health how many people died as a result of AIDS, from 1980 to 1988; and if he will make a statement.

Mr. Mellor: There have been 1,059 known deaths from AIDS from 1980 up to the end of December 1988. Data on the numbers of deaths from AIDS and numbers of AIDS cases are published early each month by our Department.

Mr. Vaz: To ask the Secretary of State for Health if he will make a statement on his Department's support for AIDS education campaigns organised by groups representing homosexual men and women.

Mr. Mellor: We provide financial support to the National AIDS Trust which gives funding to voluntary organisations, and to the Terrence Higgins Trust whose work includes the provision of information and advice to homosexuals. In addition the Health Education Authority has been provided with funds to develop campaigns aimed at the general public and at particular sections of the population, including homosexual and bisexual men. Planning guidelines issued to health authorities in July 1988 asked them to encourage preventive initiatives for people in selected target groups, including homosexuals, to encourage them to avoid behaviour that might place them at risk of HIV infection.

Mr. Vaz: To ask the Secretary of State for Health if he will make a statement on the provision within the National Health Service of aerosolised pentamidine and associated nebolisers for people with AIDS or who are HIV positive.

Mr. Mellor: Pentamidine is available under the NHS in aerosolised form for the treatment of pneumocystis carinii pneumonia—the opportunistic infection to which people with HIV disease are particularly susceptible. Nebulisers are available for the administration of the drug in hospital settings, but are not available under the NHS for use by patients at home.

Mr. Vaz: To ask the Secretary of State for Health what is his estimate of *(a)* current figures and *(b)* future figures for (i) people who are HIV anti-body positive and (ii) people who have developed AIDS in the United Kingdom for each year from 1989 to 1992; and on what basis such estimates have been made.

Mr. Mellor: There have been 2,049 reported AIDS cases up to the end of January 1989. The report of the working group on short-term prediction of HIV infection and AIDS in England and Wales, chaired by Sir David Cox (the Cox report), estimated that there were between 20,000 and 50,000 persons infected with HIV by the end of 1987.

The Cox report also contained estimates of future diagnoses of new AIDS cases up to 1992. The figures in the table are those recommended as a basis for planning, and accepted by the Government as such, for the years 1989 to 1992.

AIDS cases diagnosed (estimates)

	Number
1989	1,800
1990	2,350
1991	2,950
1992	3,600

The group did not make forecasts of the level of HIV infection because no satisfactory historical data exists upon which to base any, and because such forecasts would depend on individuals' behaviour patterns which cannot be predicted.

The basis on which the estimates were made, and the possible impact of underreporting, are set out in appendices to the Cox report, a copy of which is in the Library.

Sight Tests

Mr. David Marshall: To ask the Secretary of State for Health what information he has on whether the use of an auto-refractor and an auto-optitester provides a suitable and accurate sight test for people with less than perfect vision.

Mr. Mellor: Auto-refractors and auto-optitesters provide reasonably accurate information on the lenses patients may require to correct their sight. These instruments cannot, however, carry out examinations for injury or disease which form an important part of every sight test.

Manpower Supply Strategies

Mr. Fearn: To ask the Secretary of State for Health if all regional health authorities have been asked to prepare manpower supply strategies and supply measures and training strategies.

Mr. Mellor: Regional health authorities have been asked through the issue of HC(88)43 "Health Services Development—Resource Assumptions and Planning Guidelines" issued July 1988, to prepare for all staff groups manpower supply strategies assessing demand and supply measures necessary to meet assessed demand together with proposed steps to deal with any shortfalls. Also where necessary that supply strategies be linked to training strategies.

A copy of HC(88)43 has been placed in the Library (refer to paragraphs 32-38).

Residential Homes

Mr. Anthony Coombs: To ask the Secretary of State for Health (1) if he has any plans to review the scope of the Registered Homes Act 1984, so as to encompass homes caring for three occupants or fewer;

(2) when his Department last evaluated and reassessed the effectiveness of criteria for minimum statutory requirements for residential and nursing homes for the elderly.

Mr. Mellor: The Department's social services inspectorate reviewed the implementation of the Registered Homes Act 1984 in relation to residential care homes for elderly people and other dependent groups of people. The report on this review, "Certain Standards", was published last year. The Wagner report, "Residential Care: A Positive Choice", which was also published last year, contained recommendations on the regulation of these homes including those with fewer than four residents. Both reports are in the Library.

We are considering carefully the findings of these reports before deciding whether any change is desirable in the current arrangements. In January 1985 the National Association of Health Authorities issued guidance, endorsed by the Department, in its handbook on registration and inspection of nursing homes. A supplement giving advice on quality of life in nursing homes was issued in September 1988.

Mr. Anthony Coombs: To ask the Secretary of State for Health how district health authority and local authority inspectors are selected and trained for residential and nursing homes for the elderly; and who draws up the criteria by which these inspectors measure a home's standards.

Mr. Mellor: The statutory duty to register and inspect residential care homes and nursing homes is placed by the Registered Homes Act 1984 upon local social service authorities and district health authorities respectively. It is for each authority to recruit and train the necessary staff and to deaw up the criteria for the registration of homes in their area within the legislative requirements, the recommendations in the code of practice for residential care "Home Life", and the "Handbook for Health Authorities: Registration and Inspection of Nursing Homes", and the general guidance that has been issued by the Secretaries of State for Health and for Wales.

The Departments have commissioned distance-learning training material for registration and inspection staff of authorities from the centre for environmental and social studies in aging at the Polytechnic of North London. This material should be available later this year.

Mr. Roy Hughes: To ask the Secretary of State for Health if he has any plans to ensure tighter public oversight and controls over public and private residential homes.

Mr. Mellor *[holding answer 17 February 1989]:* The Registered Homes Act 1984 and associated regulations place the responsibility on local authorities as registering authorities to register private and voluntary residential care homes and inspect them at least twice a year. In addition general guidance on the running of these homes is available in "Home Life", a code of practice for residential care, and in circulars issued by the Department. Authorities are also responsible for ensuring adequate standards in their own homes. The Department's social services inspectorate monitors and advises authorities on the discharge of these duties.

Lady Wagner's report "Residential Care—A Positive Choice" included recommendations on the regulation of homes in all sectors. We are giving them careful consideration before deciding whether any change is desirable in the current arrangements.

Mr. Hinchliffe: To ask the Secretary of State for Health which private residential and nursing homes have had their registrations cancelled since the Registered Homes Act came into force; who were the proprietors concerned; and what were the reasons for the cancellation.

Mr. Mellor *[holding answer 22 February 1989]:* This information is held by the Department for the purpose of the Registered Homes Act 1984 and is received from and passed to registration authorities in confidence for that purpose only. It would not be right to make the information more widely available.

Mr. Hinchliffe: To ask the Secretary of State for Health what has been the full cost ot public funds of action taken by local authorities or health authorities to protect the welfare of residents following the de-regulation of private residential or nursing homes since the Registered Homes Act came into force.

Mr. Mellor *[holding answer 22 February 1989]:* We do not hold this information centrally.

Mr. Hinchliffe: To ask the Secretary of State for Health what action he is taking following the publication of the National Consumer Council report proposing an independent national inspectorate for residential homes, a copy of which has been sent to him.

Mr. Mellor *[holding answer 22 February 1989]:* The report of the committee chaired by Lady Wagner, "Residential Care—A Positive Choice", included recommendations on the regulation of homes. We are giving careful consideration to the recommendations in the report and to responses to it such as the National Consumer Council's report before deciding whether any change is desirable in the current arrangements.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what action he is taking following the recent

publication of the joint report from the social services inspectorate and the health advisory service in respect of the concern expressed about the number of social service staff employed by Northamptonshire county council who also own or manage private residential homes;

(2) if he will take steps to ensure that local authority social services staff are not permitted also to own, manage, or have interests in private residential or nursing homes.

Mr. Mellor *[holding answer 22 February 1989]:* The duty to register a person running a residential care home or nursing home is placed by the Registered Homes Act 1984 upon local social service authorities and district health authorities respectively. It is for them to decide, subject to appeal, whether a person is not fit to run a home. Similarly it is for authorities as employers to determine the terms and conditions of service of their staff. I look to authorities to ensure that potentially undesirable conflicts of interest do not arise.

In the case of the report by the National Health Services health advisory service and the Department's social services inspectorate on "Services for Elderly People provided by Kettering Health Authority and the Social Services Department of Northamptonshire County Council," the report states that the health authority and the social services department have asked staff to declare any interest they may have in private homes.

Mr. Hinchliffe: To ask the Secretary of State for Health if registered homes tribunals have the right to impose conditions of registration.

Mr. Mellor *[holding answer 22 February 1989]:* Yes.

Elderly People

Mr. Anthony Coombs: To ask the Secretary of State for Health if his Department is monitoring the growth of the private sector in relation to National Health Service facilities in the field of elderly care.

Mr. Mellor: It is for the individual health authorities to decide what level of service to provide for the elderly people in the populations they serve. The Government give guidance on the range of services which should be available to elderly people; but health authorities may take into account the level of private sector health care in determining the level of services that they will provide themselves.

The Government welcome the growth in the private health care sector, because it adds to the total resources available, offers greater choice to the patient and provides flexibility to health authorities in service delivery.

Touche Ross Inquiry

Mr. Madel: To ask the Secretary of State for Health what conclusions were reached by the ToucheRoss inquiry into the supply of generic pharmaceuticals; if he will publish those parts of the evidence which are not commercially confidential, along with the consultants' recommendations; if he will place a copy of the report in the Library; and if he will make a statement.

Mr. Mellor: We are considering the report prepared by Touche Ross. When announcing the study on 11 March 1988 the then Secretary of State for Social Services, made it clear that the contents of the report would contain commercially sensitive information and would remain confidential. To publish the report would breach this commitment to those who contributed to the study.

Organisations (Recognition)

Dr. Goodson-Wickes: To ask the Secretary of State for Health (1) if he will list the organisations recognised by his Department under circular HM(54)32;

(2) what applications for recognition under circular HM(54)32 he has received from organisations seeking to offer indemnity to medical and dental practitioners; and if he will make a statement.

Mr. Mellor: The organisations listed in circular HM(54)32 (Legal Proceedings) are the Medical Defence Union, the Medical Protection Society, and the Medical and Dental Defence Union of Scotland. Any enquiries from other organisations seeking to offer indemnity to medical and dental practitioners would be treated in confidence. I am considering what arrangements should be made in future to provide indemnity cover for doctors and dentists employed in the Health Service.

Dental and Eye Health

Ms. Richardson: To ask the Secretary of State for Health how much he expects to receive from charges for *(a)* dental check-ups and *(b)* eye tests in 1989-90; and by how much he estimates expenditure on dental and eye health will change as a result of the introduction of such tests.

Mr. Mellor: The estimated income from dental examination charges in England in 1989-90 is £35 million. It is not anticipated that the introduction of dental examination charges will have any direct effect on the forecast level of gross NHS expenditure on the general dental services.

There are no charges for sight tests. The effect of the Health and Medicines Act, 1988, is that from 1 April 1989 the NHS sight test will no longer be universally available; it will be restricted to certain priority groups of people, including children, the registered blind and partially sighted, people on low incomes and diabetics. Savings on family practitioner service spending from the restriction of the NHS sight test to certain priority groups are expected to be £70 million in a full year in England. The new arrangements are not expected to affect demand for eye care.

Charges

Ms. Richardson: To ask the Secretary of State for Health if he will publish a table showing prescription, dental and optical charges in April 1979 and the latest date available in current and constant prices showing both the cash and real increase for each charge.

Mr. Mellor: The table sets out the latest available information in relation to prescription and average dental charges. No comparable figures for optical charges are available because the supply of NHS spectacles ceased in July 1986. Information relates to financial years.

Prescription charges	£
1979-80	0·20
1988-89 (current prices)	2·60
1988-89 (1979-80 prices)	1·39

Prescription charges	£
Average dental charge	
1979-80	6·83
1987-88 (current prices)	18·43
1987-88 (1979-80 prices)	10·50

Family Practitioner Committees

Mr. Sean Hughes: To ask the Secretary of State for Health if he will list the criteria used when exercising the right of choice between different nominations from local authorities for a family practitioner committee.

Mr. Mellor: In appointing members of family practitioner committees our overriding aim is to find suitable candidates for the job. We also seek to achieve a balanced representation among members of age, sex, geographical spread, professional and other experience. In the case of the local authority vacancies arising on 1 April 1989, neither St. Helens metropolitan borough council nor Knowsley metropolitan borough council offered, at first, a choice of candidates. I am glad to say that St. Helens MBC has this week offered a choice and I hope to make an appointment very shortly.

Cook-chill Food

Mrs. Wise: To ask the Secretary of State for Health if he will issue instructions that no further hospitals should switch to cooked-chilled food, and that no further hospital plans should make provisions for utilising it, until further research has been carried out to establish its safety or risk.

Mr. Kenneth Clarke: No. In 1980 my Department issued guidelines on cook-chill catering in the NHS and elsewhere. We remain quite satisfied that, provided these guidelines are followed, food produced by this sytem is safe.

Mental Health Act Commission

Mr. Vaz: To ask the Secretary of State for Health how many of the 92 members of the Mental Health Act Commission are members of ethnic minority communities; what are their ethnic origins; and if he will make a statement.

Mr. Freeman: At the moment the Mental Health Act Commission has 84 members of whom six are from ethnic minority communities, either Asian or Afro-Caribbean. It is Ministers' intention to increase ethnic minority representation on the commission and this is being actively pursued in the current round of appointments.

Child Sexual Abuse

Mr. Allen: To ask the Secretary of State for Health what co-ordination of research into child sexual abuse takes place between his Department and the National Society for the Prevention of Cruelty to Children.

Mr. Mellor: We have no specific arrangements for co-ordinating research into child sexual abuse with the NSPCC, but officials are in touch regularly to discuss subjects of mutual concern, including research.

Health Service Review

Mr. Allen: To ask the Secretary of State for Health when he anticipates making available to hon. Members the working papers further to his Health Service review document.

Mr. Kenneth Clarke: Copies of the eight working papers were placed in the Vote Office on Monday 20 February, the date of publication.

Leicestershire DHA and CHC

Mr. Latham: To ask the Secretary of State for Health whether he will seek from the Trent regional health authority, for publication in the *Official Report*, the names and addresses of the members of *(a)* the Leicestershire district health authority and *(b)* the Leicestershire community health council, indicating the date when each person commenced their service and when the expiry of their term is due.

Mr. Mellor: This is a local matter. The information is available on request from Trent regional health authority.

GP Maternity Units

Mr. Latham: To ask the Secretary of State for Health (1) whether he will set out in tabular form, identifying the unit in each case *(a)* how many isolated general practitioner maternity units have been closed in each year sice 1979 and *(b)* how many integrated general practitioner maternity units have been closed over each period;

(2) whether he will set out in tabular form, identifying the unit in each case, the number of *(a)* isolated and *(b)* integrated general practitioner maternity units where a formal decision has been taken and published to close the unit, indicating where appropriate when the decision by Ministers is awaited following a formal objection by the community health council.

Mr. Freeman: The table lists GP maternity units which we are aware have been approved for partial or total closure following public consultation. The period covered is from 1979 to end 1987, the latest date for which details are available, although there were no cases in 1987.

Cases currently awaiting ministerial decision are lifted at the end.

"Isolated" is taken to mean not part of a district general hospital. All cases are isolated unless stated.

Hospital	*Area/District*	*Type*	*Year*
Croft Baker Maternity	Humberside	T	1979
Immingham	Humberside	T	1979
Townend Maternity[1]	Humberside	T	1979
Nightingale	Derbyshire	T	1979
Davenham	Cheshire	T	1979
Skegness and District[1]	Lincolnshire	P	1981
Urmston Cottage	Trafford	T	1981
Harpenden Memorial	North West Hertfordshire	P	1982

Hospital	Area/District	Type	Year
Ashgate Maternity Home	North Derbyshire	T	1983
Chase Hospital	Mid Staffordshire	P	1983
Wendover Maternity Unit	Southmead	T	1983
Alexandra Maternity Hospital	Plymouth	T	1983
Woodgages Maternity Home[1]	East Yorkshire	T	1984
Darley Hall Maternity	North Derbyshire	T	1984
Corbar Hall Maternity	North Derbyshire	T	1984
Westbury Maternity	Milton Keynes	T	1984
Westminster Memorial[1]	Wiltshire	P	1984
Wellington Maternity Home	Somerset	T	1984
Leek Memorial	North Staffordshire	T	1984
Queen Mary Maternity House	South Derbyshire	T	1986
Phyllis Memorial Home	East Suffolk	T	1986
Market Harborough	Leicestershire	P	1986
Rutland Memorial	Leicestershire	P	1986
St. Mary's Melton Mowbray	Leicestershire	P	1986
Ashby de la Zouch	Leicestershire	P	1986
Isebrook	Kettering	P	1986
Ashcombe House	Bristol and Weston	T	1986
Rossendale General[2]	Burnley, Pendle and Rossendale	P	1986

[1] Ministerial decision.
[2] Integrated unit.
Note: The Leek Memorial hospital is, in fact, still open but is scheduled to close this year.
Cases currently with Ministers
Partial closures at Sandleford, Wokingham and Townlands hospitals—all West Berkshire.
St. Paul's maternity unit, Hemel Hempstead hospital, North-West Hertfordshire.

Mr. Latham: To ask the Secretary of State for Health whether he will set out in tabular form, identifying the unit in each case, the number of *(a)* isolated and *(b)* integrated general practitioner maternity units which are currently the subject of public consultation on closure.

Mr. Freeman: The information requested is not available centrally.

Mr. Latham: To ask the Secretary of State for Health whether he will list by name and date since 1979 *(a)* the isolated and *(b)* the integrated general practitioner rural maternity units where Ministers have rejected a closure proposal, following an adverse report from the community health council; and which of these units remain open.

Mr. Freeman: We are aware of two such cases.

In 1984 proposals to close GP maternity beds at Amersham general hospital (integrated unit) and Crowborough war memorial hospital (isolated unit) were rejected by Ministers. The beds at Amersham are currently closed for redecoration; those at Crowborough remain open.

London Ambulance Service

Mr. Spearing: To ask the Secretary of State for Health if he has assessed the quality and adequacy of the installed communication links between local ambulance stations of the London ambulance service and local police, fire brigade and other emergency services.

Mr. Freeman: Questions relating to the detailed management of the London ambulance service are matters for the South West Thames regional health authority.

Mr. Spearing: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member of Newham, South, *Official Report*, 7 February, columns 635-7, what are the annual rental costs of the private wire circuits between the central control room of the London ambulance service and ambulance stations; and what is budgeted for the next financial year, for this purpose.

Mr. Freeman: I understand from South West Thames RHA, which is responsible for the management of the London ambulance service (LAS) that the annual rental cost of the private wire circuits between the LAS central control room and ambulance stations is £60,615 for the current financial year. When the circuits are integrated into the new computer system, the wires will be connected to equipment owned by the LAS rather than by British Telecom. This will reduce rental costs to an estimated £53,115 in 1989-90. The same number of lines will be available, but they will be of higher quality.

Mr. Spearing: To ask the Secretary of State for Health if he will set out in tabular form in the *Official Report* the principal items of income and expenditure of the London ambulance service for each of the financial years since he has been responsible for its direct funding, showing for each year the expenditure related to *(a)* administration, *(b)* communication, *(c)* equipment, *(d)* personnel, *(e)* premises, and *(f)* vehicles, etc., with an indication of the sums allocated or ascribable to emergency and non-emergency services, respectively, together with a statement of the method he uses to ensure that the resources available to the emergency services enable them to reach as near the national ORCON standards as are practicable in London traffic conditions.

Mr. Freeman: The table sets out, in the form held by the South West Thames RHA, London ambulance service (LAS) expenditure for the year 1987-88, the first year in which the allocation of funds was made direct to the managing authority. An estimate of expenditure for the current financial year is not yet available. It is not possible to separate out the personnel component of each of the items listed except at disproportionate cost. The revenue budgets available to the LAS for the years 1987-88 and 1988-89 were £43·099 million and £46·060 million respectively.

Management of the LAS, including questions of resource requirements and attainment of standards, is a matter for South West Thames RHA. Officials of the

Department are in regular touch with officials of the RHA on these matters and a management review of the LAS is conducted annually.

Department	*Net expenditure 1987-88* £
A. *Operational Services*	
General Manager	0
Headquarters Administration	824,165
Control Services—Emergency	2,428,204
Control Services—Non-Emergency	2,251,230
Ambulance Stations—Emergency	23,967,237
Ambulance Stations—Non-Emergency	7,977,645
Other Ambulance Services—Emergency	38,029
Other Ambulance Services—Non-Emergency	904,143
Total Operational Services	38,390,653
B. *General Services*	
Administration Office	1,638,330
Training and Education	1,228,124
Catering	38,908
Domestic Cleaning	203,622
Portering	24,040
Laundry	37,316
Linen Services	0
Transport	123,075
Engineering Maintenance	95,298
Energy	358,607
Water and Sewerage	57,374
Building Maintenance	540,903
Grounds and Gardens	21,006
General Estate Expenses	780,347
Miscellaneous Services and Expenses	0
General Services Direct Credits	0
Total General Services	5,140,850
Grand Total	43,531,508

Secure Units (Juveniles)

Mr. Thurnham: To ask the Secretary of State for Health how many juvenile offenders can be accommodated in secure units in the United Kingdom as a whole; and if there are any plans to increase the number of units.

Mr. Freeman: Secure accommodation in England is provided by local authorities and directly by the Department of Health in youth treatment centres. Such accommodation is available for children in care generally, some of whom will be juvenile offenders. Young people who have been convicted of grave crimes, and sentenced to be detained under section 53 of the Children and Young Persons Act 1933, may also be placed in such accommodation.

The number of places available in approved secure units in England on 31 December 1988 was 294. A number of secure units, providing a further 46 places, were temporarily closed on that date because of rebuilding/refurbishment work. In addition, there were 60 secure places in the youth treatment centres.

A number of local authorities have brought forward proposals to expand provision which are being actively considered.

Information relating to Wales and Northern Ireland is a matter for my right hon. Friends the Secretaries of State for Wales and Northern Ireland and for Scotland for my right hon. and learned Friend the Secretary of State for Scotland.

Artificial Limb Service

Mr. Hoyle: To ask the Secretary of State for Health what have been the costs to his Department of the changes in the artificial limb service in 1986, 1987 and 1988; and what are the budgets for this service in 1989 and 1990.

Mr. Mellor: The cost of supplying and maintaining artificial limbs for 1985-86 and 1986-87 was £36·068 million and £38·689 million respectively. The cost for the period April to June 1987 was £9·642 million. Expenditure on the artificial limbs in England from 1 July 1987 is a matter for the Disablement Services Authority, to which the hon. Member should address this part of the question.

Hospital Waste

Mr. Hoyle: To ask the Secretary of State for Health whether he has estimated the cost to hospitals in England of ensuring that their incinerators meet the requirements of the Health and Safety at Work etc. Act following the ending of Crown immunity later in the current year; and what major defects in hospital incinerators will need to be corrected.

Mr. Mellor: Regulations under the Health and Safety at Work, etc. Act which will bring large incinerators within the control of Her Majesty's inspectorate of pollution will not affect most hospital incinerators. Controls on smaller incinerators, which will be introduced as soon as possible and from which it is not intended that the National Health service should have Crown immunity, will create the need for a major programe of upgrading and replacement. The main requirements are likely to be an increase in the height of chimneys, improved combustion and monitoring and sampling of emissions. If these improvements were made immediately we estimate the cost to the National Health Service would be in the region of £50 million, but it is anticipated that there will be a transitional period allowed for the replacement of existing installations. Many incinerators will therefore be upgraded or replaced at the end of their useful lives as part of the normal cycle of planned equipment renewal. Authorities will also be expected to review their waste disposal services taking account of the scope for rationalising and reducing the number of incinerator facilities and the contribution which the private sector can make to the disposal of "clinical waste".

London Teaching Hospitals

Mr. Boateng: To ask the Secretary of State for Health if he will publish in the *Official Report* a table showing the funds now held which are completely at their own disposal for each of the London teaching hospitals.

Mr. Kenneth Clarke: Details of the funds currently available to individual hospitals are not held centrally. Section 10 of the health services costing returns provides expenditure figures for all major acute and mainly acute hospitals in teaching districts in London and elsewhere. A copy is held in the Library.

Hospitals (Opting Out)

Mr. Boateng: To ask the Secretary of State for Health if he has any plans to enable a hospital which elects to opt out of National Health Service management under the recent proposals to charge patients for special or any other services needed for effective treatment.

Mr. Kenneth Clarke: I assume that the hon. Member is referring to self-governing hospitals. As they will remain within the NHS, they will continue to provide all necessary treatment to NHS patients without charge at point of delivery.

Mrs. Dunwoody: To ask the Secretary of State for Health (1) whether he will insist on the provision of emergency services in his core services in opted-out hospitals;

(2) why he has excluded gynaecology, maternity and preventive medicines for women from his core services for the opted-out hospitals.

Mr. Kenneth Clarke: I assume that the hon. Member is referring to self-governing NHS hospitals. I have not excluded gynaecology, maternity and preventative medicines from being regarded as core services to be provided by such hospitals. Examples of core services are identified in broad terms in the White Paper "Working for Patients" but I have not prescribed and I have no intention of prescribing a definitive list. The first and second of the working papers published on 20 February make it clear that it will be for each district to consider in the light of local circumstances what its core services should be. The district will then decide whether these services can best be provided by a self-governing hospital, or by other NHS hospitals and make arrangements accordingly. fuller details are given in the working papers.

Hospitals

Mr. Robin Cook: To ask the Secretary of State for Health if he will list the hospitals in each district health authority.

Mr. Freeman: The information requested is contained in the "Hospitals and Health Services Year Book", a copy of which is held in the Library.

Patients (No Fixed Abode)

Mr. Simon Hughes: To ask the Secretary of State for Health what information he has on the number of patients of hospitals in Greater London who state they are of no fixed abode.

Mr. Freeman: This information is not collected centrally.

"Promoting Better Health"

Mr. McLoughlin: To ask the Secretary of State for Health how the discussions with the British Medical Association's General medical services committee about the White Paper "Promoting Better Health" are progressing.

Mr Kenneth Clarke: A Green Paper "Primary Health Care—an agenda for discussion" was published in April 1986. Following public consultation, the primary care White Paper "Promoting Better Health" was published in November 1987. Detailed proposals for implementing the reforms to the family doctor services as set out in the White Paper, were sent in March 1988 to the negotiators of the general medical services committee (GMSC), the GPs' representative body. Since then the reforms have been the subject of full consultation for almost a year with the GMSC negotiators.

Consultations are now nearing completion and my right hon. Friend the Secretary of State for Wales and I have decided to send to all general practitioners a report setting out in full the changes to the GPs' remuneration system and terms of service that the Government wish to introduce. This report will form the basis of final discussions with GMSC negotiators early in March. Copies of this report have been lodged in the Libraries of both Houses.

A number of themes run through our proposals. In the first place we want to make it much easier for the patient to find the GP that best suits that individual's needs. More information about the services that GPs provide will therefore be made available. The bureaucracy involved in changing doctors will be removed and the patients' complaints procedure simplified. Family practitioner committees will be conducting consumer surveys to ensure that patients' views are being taken into account in the development of health care services.

Secondly, health promotion and disease prevention will become a central feature of general practice in future. GPs will be expected to provide regular check-ups for their patients—this means giving good advice on keeping well and avoiding future health problems. There will be particular emphasis on the assessment of childhood development for the under-fives and on mobility and well-being of the over-75s. New target payments are to be introduced to encourage GPs to provide improved cover for childhood immunisation and screening for cancer of the cervix. Increasingly, GPs will be running clinics for a range of health promotion activities such as anti-smoking, alcohol control, well-person, dieting, exercise and stress management.

Thirdly, important changes are to be made to the GPs' terms of service and remuneration system. The terms of service will in future set out in more specific terms what is expected of a family doctor who is in contract with the National Health Service. Aspects such as health promotion and disease prevention—not previously stated in specific terms—will be made a clear requirement of the GPs contract.

Changes to the remuneration system are designed to make general practice more responsive to patient needs and to ensure that the taxpayer gets better value for money. As proposed in "Working for Patients", capitation fees will form a much greater proportion of the GPs' income from fees and allowances. This means that capitation fees for each patient will be much higher and, as a consequence, greater recognition will be given to the importance of the individual patient to the practice and to the importance of providing all of the services that that patient needs. New incentive payments will be introduced to encourage the health promotion and disease prevention measures already mentioned. In addition, the importance of medical education will be given greater prominence in the remuneration system. Continuing education—keeping up to date with the latest techniques, therapies and disease management methods—will be encouraged through a new postgraduate education allowance payable to GPs who regularly attend approved courses. GPs who teach medical students will receive a new allowance.

Lastly, we are preparing family practitioner committees (FPCs) to play a greater management role in the provision of local services. In particular they will manage service development budgets aimed at improving surgery premises and extending practice teams. The Government believe

that GPs working with other health care professionals will provide a better service to patients. FPCs will have service development plans aimed at encouraging greater use of practice nurses, counsellors, chiropodists and other health professionals.

The package of changes that we plan to introduce will provide a better range and quality of services for patients. Many GPs already run first-class practices and under the new arrangements these GPs will be better rewarded. Others may need to consider extending their services to ensure that they too benefit from the reforms that the Government are planning.

Abortions

82. **Mr. Stevens:** To ask the Secretary of State for Health what is the total number of abortions so far performed under the Abortion Act 1967; and how many of these were performed on non-United Kingdom resident women.

Mr. Freeman *[holding answer 24 January 1989]:* The total number of notifications of legal abortions, to resident and non-resident women, carried out under the Abortion Act 1967 from 27 April 1968 to 30 June 1988 in England and Wales, is 2,899,405[1]. Of these 921,608[1] (31·8 per cent.) were performed on non-United Kingdom resident women.

[1] The total number of abortions is based on notifications received (1968 to 1980) and on occurrences (1981 to 1988). Data for 1988 are provisional.

Listeria

Dr. David Clark: To ask the Secretary of State for Health if he will make a statement about the possibility of monitoring for listeria in milk and cheese.

Mr. Kenneth Clarke *[holding answer 20 February 1989]:* Microbiological control of foods such as milk and cheese is primarily achieved by adherence to good manufacturing and retail practice based on the hazard analysis and critical control point approach. The Department's advice to manufacturers, retailers, and enforcement officers is to concentrate on these aspects rather than to undertake enhanced routine final product testing.

NHS (Expenditure)

32. **Mr. McLoughlin:** To ask the Secretary of State for Health what was the spending on the National Health Service in 1979 and in the latest available year, in real terms.

Mr. Mellor *[holding answer 21 February 1989]:* Gross spending on the NHS in England totalled £6·5 billion in 1978-79 and in the current financial year amounts to over £19·4 billion. This represents a real terms increase of some 37 per cent. Additional expenditure planned for next year is expected to bring this increase to over 41 per cent. which includes the additional £163 million announced by my right hon. Friend the Prime Minister on 16 February. This is before taking account of the extra cash that will be released in 1989-90 by the reduction in employers' superannuation contributions and from health authorities' cost improvement and income generation schemes. Taken together with the cash increase these will amount to the equivalent of a 5·5 per cent. real terms increase in the resource available to the NHS in 1989-90 alone.

Retired People

Mr. Roy Hughes: To ask the Secretary of State for Health if he will consider creating a standing committee of representatives of the pensioners' movement together with the Minister and senior civil servants dealing with the areas mainly affecting the retired in health matters.

Mr. Mellor *[holding answer 21 February 1989]:* I have not plans to do so. We do, of course, regularly meet groups representing elderly people to discuss health matters.

Zidovudine

Mr. Alfred Morris: To ask the Secretary of State for Health if he will receive copies of all reports given by the independent data and safety monitoring committee to the chairmen of the MRC/INSERM co-ordinating committee of the trial on the benefits of zidovudine for healthy people who are HIV positive; and if he will make a statement.

Mr. Mellor *[holding answer 22 February 1989]:* The Medical Research Council will keep the Department of Health up to date with the trial's findings as appropriate. However, I do not expect to receive copies of reports given by the independent data and safety monitoring committee to the chairman of the MRC/INSERM co-ordinating committee; the conduct of the trial is strictly a matter for the MRC and INSERM.

Written Answers to Questions

Friday 24 February 1989

EDUCATION AND SCIENCE

Pupil Records

Mr. Archy Kirkwood: To ask the Secretary of State for Education and Science pursuant to the answer to the hon. Member for Roxburgh and Berwickshire of 17 March 1988, *Official Report*, column *635*, (1) when he now intends to make regulations on the keeping and disclosure of pupil records;

(2) when he now intends to issue a consultation document on the keeping and disclosure of records concerning students in further education establishments.

Mr. Jackson: As I indicated in my reply to the hon. Member for Stoke-on-Trent South (Mr. Ashley) on 9 February, at column *607*, my right hon. Friend hopes within the next few months to make the regulations on pupil records and at the same time to issue the consultative paper on further education student records.

Contact Time

Mr. Steinberg: To ask the Secretary of State for Education and Science if he will specify the assumptions about the amount of non-class contact time for *(a)* primary teachers and *(b)* secondary teachers that are made for the purpose of the Department's desired number of teachers referred to in annex E(v) of the evidence submitted to the Select Committee on Education, Science and the Arts.

Mrs. Rumbold: The highly tentative demand projection set out in the Department's memorandum to the Education, Science and Arts Committee is based on the illustrative assumption that the overall pupil to teacher ratio will remain at its recent level of 17:1. This would be consistent with the contact ratios of about their present levels of 0·76 in secondary schools and 0·89 in primary schools.

Hendon School

Mr. John Marshall: To ask the Secretary of State for Education and Science when he expects to determine the application by Hendon school to opt out.

Mrs. Rumbold: Hendon school published proposals for grant-maintained status on 12 January 1989. Following the statutory two-month period for objections, my right hon. Friend will determine the proposals as quickly as his consideration of all the relevant factors permits.

Open University

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what was the total Government grant to the Open university in each of the last 10 years; and if he will express each annual increase and the total increase since 1979, in real terms.

Mr. Jackson: The table specifies the recurrent grant in the financial years 1979-80—1989-90.

Financial year	*Recurrent grant in cash terms £ million*	*Recurrent indexed terms 100*
1979-80	36·71	100
1980-81	47·13	108
1981-82	51·27	107
1982-83	55·21	108
1983-84	56·42	105
1984-85	59·05	105
1985-86	60·93	103
1986-87	60·39	99
1987-88	64·25	100
[1]1988-89	66·39	97
[2]1989-90	72·27	101

Note: Figures from 1979-80 to 1987-88 as given in the Appropriation Accounts.

[1]Estimated outturn.

[2]Public expenditure provision.

Further and Higher Education

Mr. Andrew Smith: To ask the Secretary of State for Education and Science, pursuant to his reply to the hon. Member for Oxford, East, 10 February, *Official Report*, column *844*, if he will express the annual cash increases in recurrent and capital grants made to universities in real terms; if he will give the same figures for grants to polytechnics; and what was the total increase in recurrent and capital grants between 1979-80 and 1988-89 for *(a)* universities and *(b)* polytechnics.

Mr. Jackson: Total grants made to the universities on the advice of the University Grants Committee are set out and show a 13·3 per cent. increase over the period in question. For polytechnics, information on allocations from the advanced further education pool plus capital expenditure by local authorities is available for only the years shown. All figures are in 1987-88 real terms.

Financial years	*Universities (Great Britain) (£ million)*	*Polytechnics (England) (£ million)*
1979-80	1,433·2	n.a.
1980-81	1,542·8	n.a.
1981-82	1,445·4	n.a.
1982-83	1,615·9	517·8
1983-84	1,596·5	500·8
1984-85	1,559·3	488·2
1985-86	1,523·9	481·1
1986-87	1,526·8	514·6
1987-88	1,592·8	n.a.
1988-89	1,623·5	n.a.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science, pursuant to his reply to the hon. Member for Oxford, East, 10 February, *Official Report*, columns 843-44, if he will publish the net institutional expenditure per student table, expressing each annual increase in real terms; and what was the real increase between 1978-79 and 1986-87 in net institutional expenditure per student for (i) universities, (ii) polytechnics, (iii) OMEs (FE) and (iv) OMEs (HE).

Mr. Jackson: The data requested are listed. The real terms figures are compared between 1979-80 and 1986-87 as comparable figures are not available for 1978-79 in polytechnics and other maintained establishments (OMEs) in either further education (FE) or higher education (HE).

Net institutional expenditure per FTE student at 1986-87 prices

	1979-80 (£)	1980-81 (£)	1981-82 (£)	1982-83 (£)	1983-84 (£)	1984-85 (£)	1985-86 (£)	1986-87 (£)	Percentage change in expenditure between 1979-80 and 1986-87
Universities (Great Britain)									
Cash terms	3,074	3,929	4,178	4,599	4,843	5,035	5,176	5,276	
Real terms	5,126	5,533	5,355	5,502	5,542	5,484	5,349	5,276	+3
Polytechnics (England)									
Cash terms	2,506	2,988	3,121	3,157	2,990	3,030	3,150	3,325	
Real terms	4,179	4,207	4,001	3,777	3,421	3,300	3,255	3,325	−20
OMEs (FE) (England)									
Cash terms	1,335	1,644	1,898	1,924	2,095	2,190	2,320	2,430	
Real terms	2,226	2,315	2,433	2,302	2,397	2,385	2,397	2,430	+9
OMEs (HE) (England)									
Cast terms	2,069	2,548	2,725	2,822	3,010	3,120	3,020	3,170	
Real terms	3,451	3,588	3,493	3,376	3,444	3,398	3,121	3,170	−8

I regret that in my earlier reply the figures for universities were in real terms while those for polytechnics and OMEs were in cash terms.

Expenditure (Liverpool)

Mr. Alton: To ask the Secretary of State for Education and Science what was the average net institutional expenditure in Liverpool education authority per pupil in secondary schools for the year 1987-88.

Mrs. Rumbold: According to the latest returns received from Liverpool, the average net institutional expenditure per pupil in maintained secondary schools in 1987-88 was £1,730.

Science Teachers

Mr. Straw: To ask the Secretary of State for Education and Science what estimates he has made of the number of science teachers *(a)* which would have been required to implement the recommendations in full of the science working party, and *(b)* which will be required to implement the proposal on science of the National Curriculum Council, for each year between 1990 and 1995.

Mrs. Rumbold: My Department's recent memorandum to the Education, Science and Arts Committee includes tentative projections of the numbers of science teachers who will be needed in schools in 1995 when statutory requirements relating to science will be implemented in full. These are broadly in line with numbers needed to implement the science working group's recommendation that all pupils should spend one sixth of their curriculum time in secondary years 1 to 5 on science.

Teacher Conversion Courses

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will list in cash terms the amount of his Department's money allocated to teacher conversion courses in 1986-87, 1987-88 and 1989-90.

Mrs. Rumbold: I assume that the hon. Member refers to courses designed for teachers converting to teach in shortage subject areas. The local education training grants scheme has supported some £200 million per year of expenditure on in-service training since it was introduced on 1 April 1987. A proportion of these funds will have been directed by LEAs at training involving the conversion, updating and development of teachers' skills in these areas. More specifically, the Government are making available in 1988-89, under the scheme, an earmarked total of £4 million to LEAs to send teachers on one-year retraining courses in mathematics, science and craft, design and technology. The courses in question were set up in response to new teacher supply initiatives by the University Grants Committee and the National Advisory Body for Public Sector Education which were introduced in 1987-88 and which have been supported by the Government at a cost of £4·16 million.

HOUSE OF COMMONS

Access to the House

Mr. Ron Davies: To ask the Lord President of the Council if he will make a statement on the implementation of the recommendations of the House of Commons Services Committee report approved by the House on 30 January.

Mr. Wakeham: The second report from the Services Committee of Session 1987-88, on access to the precincts of the House (HC 580), was approved by the House on Monday 30 January 1989 by a majority of 168. An amendment to permit the issue of photo-identity passes for the Palace of Westminster to United Kingdom Members of the European Parliament was also approved, by a majority of 106.

Many of the recommendations in the Committee's report relate to the procedures for controlling access and the checking of passholders and are of a mainly advisory character. I expect the appropriate authorities to give careful and early consideration to these recommendations and to take action as they think appropriate.

As recommended in the Committee's report, the restriction on the number of Members' personal staff who may hold photo-identity passes for the Palace of Westminster will come into effect at the beginning of the 1989-90 financial year. I understand that the restriction on access to the Table Office by Members' staff has been in effect since 6 February; and the restriction on access by Members' temporary secretaries to the Members' Library and the Library research division will be enforced with the House returns after the Easter adjournment. In accordance with paragraphs 57 to 59 of the Committee's report, the Serjeant at Arms will be carrying out a detailed

examination of the number of passes held by officials of the political parties, Government Departments, the BBC and other agencies, and will report to the Accommodation and Administration Sub-Committee as soon as possible. The remaining recommendations of the Committee, and the decision of the House concerning the provision of photo-identity passes for Members of the European Parliament, are already in force.

Passes

Mr. Ron Davies: To ask the Lord President of the Council if he will publish both the criteria and procedures to be followed by hon. Members who want to apply for House of Commons passes for more than three members of staff.

Mr. Wakeham: In accordance with paragraph 54 of the report from the Select Committee on House of Commons (Services) on access to the precincts of the House (HC 580, Session 1987-88), which was approved by the House on Monday 30 January 1989, the Accommodation and Administration Sub-Committee is empowered to recommend to the Services Committee an increase in the limit on the number of staff passes for which an individual Member may apply

"where they are satisfied that exceptional circumstances apply".

The Accommodation and Administration Sub-Committee recently agreed that right hon. or hon. Members who wish to retain more than three passes for members of their personal staff should, in the first instance, apply in writing to the Serjeant at Arms. The Serjeant at Arms will refer individual cases to the Chairman of the Sub-Committee, who will seek the advice of the full Sub-Committee where necessary.

No formal criteria have been laid down by the Sub-Committee, and I expect it to consider each case on its merits. As I indicated in the debate, however at column 110, I envisage that the right hon. Member for Salford, East (Mr. Orme) and his Sub-Committee will look sympathetically at the claims of Members with particular responsibilities, including Front Bench spokesmen, some senior Members, and minority party leaders.

I understand that the Serjeant at Arms will be writing next week to all Members with passes in excess of three to draw their attention to the new limit to be introduced at the beginning of the new financial year, and to the procedure to be followed.

Mr. Ron Davies: To ask the Lord President of the Council whether he has any information showing the issue of House passes to overseas students by hon. Members of the respective political parties represented in the House.

Mr. Wakeham: The latest Pass Office figures show a total of 41 students from overseas attached to or employed by Members. The detailed breakdown by party is as follows:

	Numbers
Labour	22
Conservative	13
Social and Liberal Democrats	4
Social Democrats	2

Table Office

Mr. Ron Davies: To ask the Lord President of the Council whether any exceptions are made to the provision that access to the Table Office be restricted to hon. Members after 2 pm.

Mr. Wakeham: In paragraph 33 of its report on access to the precincts of the House (Session 1987-88, HC 580) the Select Committee on House of Commons (Services) recommended that Members' research assistants should in future not be permitted to use the Table Office after 2 pm on Mondays to Thursdays. I understand that Mr. Speaker subsequently accepted the view of the Table Office that it would be impracticable to distinguish between Members' research assistants and their other staff, and accordingly ruled that the restriction should apply to all Members' personal staff.

The restriction on access to the Table Office came into effect on Monday 6 February. It does not apply to the permanent staff of the House or to civil servants who possess photo-identity passes for the Palace of Westminster, which in practice means those civil servants employed in the Whips' Offices of the Government and the Official Opposition. I understand that Mr. Speaker has agreed that an exception should be made in respect of a strictly limited number of persons nominated by each of the minority parties, for the purpose of transacting party business in the Table Office during the restricted hours, even though such persons may hold photo-identity passes as Members' secretaries or research assistants.

PRIME MINISTER

Falkland Islands

Sir Dudley Smith: To ask the Prime Minister if she will give her current assessment of the Falkland Islands' position, in view of the continued instability of the Argentinian Administration; and if she will reiterate Her Majesty's Government's commitment to preserving the integrity of the islands and the freedom of their population.

The Prime Minister: The outlook for the Falkland Islands continues to be stable and secure and is increasingly prosperous. Our determination to defend the islanders' right to decide their own future, and live their own lives in peace, remains as firm as ever. I have no hesitation in reiterating the Government's commitment to the integrity and freedom of the Islands. We shall not negotiate on sovereignty.

Consultative Committee on Food Safety (Co-ordinator)

Mr. Speller: To ask the Prime Minister when she will announce the name of the co-ordinator of the Consultative Committee on Food Safety; and what members she has appointed to date.

The Prime Minister: My right hon. and learned Friend the Secretary of State for Health announced on 21 February that Professor Sir Mark Richmond has agreed to take the chairmanship of the committee. The appointment of further members and of the secretariat is under consideration.

Statutory Instruments

Mr. Robert G. Hughes: To ask the Prime Minister (1) how many statutory instruments have been issued in total by all Government Departments since May 1979;

(2) how many statutory instruments subject to affirmative resolution have been issued by all Government Departments since May 1979;

(3) how many statutory instruments subject to negative resolution have been issued by all Government Departments since May 1979;

(4) how many statutory instruments have been issued under powers contained in existing instruments by all Government Departments since May 1979.

The Prime Minister: This information is not held centrally and could be provided only at disproportionate cost.

Africa (Visit)

Mr. Mullin To ask the Prime Minister if she will list the allocation of seats to the media on her aeroplane for her forthcoming trip to Africa.

The Prime Minister: No.

TRANSPORT

Lake Lothing (Crossing)

Mr. David Porter: To ask the Secretary of State for Transport what role he expects Waveney district council and Suffolk county council to adopt in respect of *(a)* the line of route for the new crossing of Lake Lothing at Lowestoft following his decision to engage more consultants and *(b)* planning applications arising in the envelope of potential development over the next six months.

Mr. Peter Bottomley: My right hon. Friend will decide the line of the route for a second trunk road crossing of the harbour at Lowestoft when the necessary statutory procedures have been completed. Both Waveney district council and Suffolk county council will be consulted when we have identified specific options. The district council and the county council, as the local planning authorities for the area, will continue to carry out their proper functions of deciding whether or not to grant permission for any planning applications they receive.

Mr. David Porter: To ask the Secretary of State for Transport why he is ordering a further consultants' report to recommend a route for the new crossing of Lake Lothing at Lowestoft.

Mr. Peter Bottomley: The consultants are being asked to extend their current study to the identification of specific options for the second trunk road crossing of the harbour at Lowestoft. Proposals will be presented for public consultation at the earliest opportunity. The preferred route will be selected in the light of the results of that consultation.

Mr. David Porter: To ask the Secretary of State for Transport why, at a meeting with representatives of Waveney district council and Suffolk county council on 20 February, officials from his Department gave no hint as to the likely recommendations of the line of route for the new crossing of Lake Lothing at Lowestoft contained in the Maunsell 2 report; and if he will make a statement as to why he commissioned the report.

Mr. Peter Bottomley: The second study by consulting engineers G. Maunsell and Partners was necessary to update their original report which was carried out in 1986. A preferred route for a second trunk road crossing of the harbour at Lowestoft has not yet been identified. Any indication of the likely line of that route would be premature until specific options have been put to public consultations and a preferred route selected by my right hon. Friend in the light of the results of that consultation.

Clapham Rail Accident

Mr. Meacher: To ask the Secretary of State for Transport if he will publish the report just completed by Mr. Maurice Holmes, British Rail's director of safety, into the work of signalling and telecommunications technicians prior to the Clapham accident.

Mr. Portillo: The report of British Rail's internal inquiry has been made available to Mr. Anthony Hidden QC and to all represented parties at the formal investigation into Clapham junction accident. When the report is presented in evidence to the court, I understand that it will be made public.

Air Miss

Mr. Dicks: To ask the Secretary of State for Transport if he will make a statement on the report of the Department of Transport's air accidents investigation branch on the air miss between a British Airways Tristar and a Balkan Bulgarian Airlines Tupolev 154 near Lydd on 6 February 1988.

Mr. Peter Bottomley: The inspector's report was pubished earlier today. Copies have been placed in the Library.

The report makes 13 safety recommendations. Six concern operational matters, five recommend equipment changes, and two deal with the investigation of air misses and losses of separation, and the collection and use of statistics. I have discussed the report with the chairman of the CAA. I understand from him that eight of the recommendations have either been implemented or are in the process of implementation as far as practicable, two have been investigated but no changes have been made to the present arrangements, and three are receiving further study.

As with every report by the air accidents investigation branch, the purpose is to determine the circumstances and causes of the incident with a view to the preservation of life and avoidance of similar occurrences in the future. I welcome the prompt action which the Civil Aviation Authority and the National Air Traffic Services have taken on most of the report's recommendations. I look to the chairman of the authority to follow up the remaining recommendations vigorously and to implement further changes as necessary.

Western Environmental Improvement Route

Mr. Robert G. Hughes: To ask the Secretary of State for Transport if the cost of WEIR is justified on economic grounds.

Mr. Peter Bottomley: The data available so far indicates that the quantifiable benefits would cover its cost. In addition, there would be significant environmental benefits in the Earls Court corridor.

Mr. Robert G. Hughes: To ask the Secretary of State for Transport how many vehicles use the Earls Court one-way system; how many use other parallel routes in the area; and what estimates he has prepared of what these figures would be if the western environmental improvement route were complete.

Mr. Peter Bottomley: Some 45,000 vehicles use the Earls Court one-way system in an average 18-hour day, and 60,000 use parallel routes. If WEIR is completed, it is estimated that these figures would be reduced to 20,000 and 45,000 respectively.

Mr. Robert G. Hughes: To ask the Secretary of State for Transport whether WEIR is designed to cater for additional traffic in the Earls Court corridor and its surroundings.

Mr. Peter Bottomley: The forecasts shown at the recent exhibition held in conjunction with the public consultation exercise show how traffic flows would change if WEIR were completed now. They assume there would be no overall increase in traffic. There are increases on some roads and decreases in others, some of which are outside the study area. The increases occur in the main on roads better able to carry extra traffic including WEIR itself.

Mr. Robert G. Hughes: To ask the Secretary of State for Transport how many personal injury accidents occurred in the Earls Court corridor on average, over the last three years; and what estimates he has prepared of how many would be expected to occur if WEIR were completed.

Mr. Peter Bottomley: It is estimated that construction of WEIR should reduce the annual average number of accidents in the corridor from 350 to 300.

Mr. Robert G. Hughes: To ask the Secretary of State for Transport how many properties would be expected to experience a noise increase of more than five decibels if WEIR were built; and how many would experience an equivalent reduction.

Mr. Peter Bottomley: The figures: increase about 1,000; decrease about 3,000.

Motorways (Private Vehicular Access)

Mr. Gareth Wardell: To ask the Secretary of State for Transport if he will place in the Library a list of all sites of private vehicular access to each motorway not being motorway junctions; and if he will provide a map to make such sites easily identifiable.

Mr. Peter Bottomley *[pursuant to his reply, 17 January 1989, c. 121]*: I have today placed in the Library the details and map requested.

ENVIRONMENT

Water Companies

Sir David Mitchell: To ask the Secretary of State for the Environment what consideration he has given to referring the activities and pricing policies and charges of existing private sector water companies to the Monopolies and Mergers Commission.

Mr. Moynihan: My hon. and learned Friend the Minister for Water and Planning is currently discussing the proposed increases in water charges with the companies. Further action, including the option of a reference to the Monopolies and Mergers Commission, will be considered in the light of the outcome of these discussions.

Planning

Mrs. Clwyd: To ask the Secretary of State for the Environment what studies his Department has done on the relative merits and de-merits of plan-making, development control and implementation of plans in the United Kingdom and other European Economic Community countries.

Mr. Chope: A comparative study of the development control systems in Denmark, France, the Federal Republic of Germany, the Netherlands and England and Wales has been commissioned from the university of Reading, and Her Majesty's Stationery Office will publish the report shortly. Contributions are made to comparative work on this subject undertaken by intergovernmental organisations, notably the United Nations Economic Commission for Europe under whose auspices a seminar will be held in London, later this year, on the effectiveness of land use planning.

Rating Reference

Mr. Simon Burns: To ask the Secretary of State for the Environment how much money is being made available by him to Chelmsford borough council for the introduction of the community charge.

Mr. Gummer *[holding answer 23 February 1989]*: The Government are providing £110 million in 1989-90 for the current costs of preparing for the community charge. Half of this provision is being distributed through specific grants to charging authorities, and the remainder through rate support grant. Chelmsford borough council's specific grant is £157,000.

In addition, we have made available specific allocations of £25 million for 1988-89 and £135 million for 1989-90 for the capital costs of preparing for the community charge. Chelmsford borough council's share of these allocations is £498,012.

HAT (Leeds)

Mr. Fatchett: To ask the Secretary of State for the Environment when he expects to announce a decision on the proposed housing action trust for Leeds; and if he will make a statement.

Mr. Trippier *[holding answer 23 February 1989]*: I refer the hon. Member to the answer I gave on 15 February to the hon. Member for Hammersmith (Mr. Soley) at column 280.

Salmonella

Ms. Walley: To ask the Secretary of State for the Environment what information he has as to how many

investigations of reported cases of salmonella have been carried out by environmental health officers; and if he will make a statement.

Mr. Kenneth Clarke *[holding answer 13 February 1989]:* I have been asked to reply.

We do not hold this information centrally because this is not a central Government responsibility.

Environmental Health Officers

Ms. Walley: To ask the Secretary of State for the Environment what assessment he has made of the need for increased food inspection work by environmental health officers.

Mr. Kenneth Clarke *[holding answer 13 February 1989]:* I have been asked to reply.

It is for local authorities to decide on the level of inspection work by environmental health officers, having regard to local circumstances.

Ms. Walley: To ask the Secretary of State for the Environment what assessment he has made of the staffing implications for environmental health officers of a change to the temperature control requirements for food regulations.

Mr. Kenneth Clarke *[holding answer 13 February 1989]:* I have been asked to reply.

Consultation on proposed changes in the temperature control regulations will take place shortly and will include the question of resource implications, if any, for local authorities.

WALES

Welsh Water Authority (Grants)

Mr. Redmond: To ask the Secretary of State for Wales (1) what grants were authorised to be paid by his Department to the Welsh water authority for capital works carried out under the Civil Defence (Water Supplies) Regulations 1949 in each of the financial years 1985-86 to 1987-88 inclusive and for what purposes they were paid;

(2) what grants were authorised to be paid by his Department to the Welsh water authority for capital works carried out under the Civil Defence (Sewerage) Regulations 1949 in each of the financial years 1985-86 to 1987-88 inclusive; and for what purposes they were paid.

Mr. Grist: Payments made by the Department to the Welsh water authority between 1985-86 and 1987-88 inclusive are tabulated in the following table:—

Amount of Grant paid

Financial Year	£
1985-86	74,457
1986-87	148,611
1987-88	335,022

The grant payments comprise contributions towards the costs of providing buildings, emergency plant, communications equipment and staff costs associated with civil defence work.

Local Authority Building

Mr. Anderson: To ask the Secretary of State for Wales what is his policy on building by Welsh local authorities for building for the non-specialist sector.

Mr. Grist: General guidance to local authorities on their capital programmes is contained in Welsh Office circulars 14/87 and 39/87.

ATTORNEY-GENERAL

Land Registry

Ms. Walley: To ask the Attorney-General what is the ratio of staff to applications for the Land Registry by districts.

The Attorney-General: The following table indicates the ratio of staff in post at 1 February 1989 to the average daily number of applications of all kinds, received at each district registry.

It should be noted that some offices, particularly those in the south-east, have assistance from other offices. This is not reflected in the figures given as the level of assistance varies regularly to meet changing circumstances.

Office	*Ratio of staff to applications*
Croydon	1:4·8
Harrow	1:4·0
Tunbridge Wells	1:4·6
Lytham	1:4·2
Nottingham	1:5·0
Gloucester	1:3·1
Stevenage	1:4·8
Durham	1:3·6
Plymouth	1:4·0
Swansea	1:3·9
Birkenhead	1:4·1
Weymouth	1:4·8
Peterborough	1:4·3
Telford	1:3·8
Coventry	1:5·7
Hull	1:2·4

Ms. Walley: To ask the Attorney-General what extra resources have been made available for the Land Registry, to meet the increased activity in the property market and the backlog of applications.

The Attorney-General: An additional 1,245 posts were approved at the beginning of the current financial year. A further 900 posts were approved in August.

1,400 additional posts have been approved in the public expenditure survey White Paper for the next financial year.

Letter ("The Independent")

Mr. David Winnick (Walsall North): To ask the Attorney-General if the Director of Public Prosecution's attention has been drawn to the letter published in *The Independent* on 17 February from one Inayullah Zaighan.

The Attorney-General: Yes.

ENERGY

Reactor Fuel Elements

Mr. Flynn: To ask the Secretary of State for Energy what has been the average annual failure rate for fuel

elements used in *(a)* Magnox reactors, and *(b)* advanced gas-cooled reactors for each year since these fuels have been used; and what are the comparable fuel failure rates in pressurised water reactor fuel used in France and the United States of America, respectively.

Mr. Michael Spicer: In recent years, the average annual failure rates of fuel elements used in Magnox reactors and fuel pins used in advanced gas cooled reactors (AGRs), for the United Kingdom as a whole, were as follows:

Magnox: 0·002—0·004 per cent.
AGR: 0·0001 per cent.

Comparable statistics relating to the fuel element failure rates for PWRs in France and the United States of America are not available.

The term failure in this context means a very minor leak of fission products into the coolant. There have been no significant safety or environmental implications.

Renewable Energy Research Projects

Mr. Flynn: To ask the Secretary of State for Energy if he will list all renewable energy research projects sponsored by his Department that have resulted in successful exports; and if he will make a statement on prospects for future exports of renewable energy technologies.

Mr. Michael Spicer: The development of commercially viable and environmentally acceptable renewable technologies is still at an early stage. One of the main aims of our programme is to reduce the uncertainty about the economies and potential contribution of those technologies currently classed as promising but uncertain. This is done by obtaining better market data and by improving technical performance and reducing capital costs. United Kingdom industry is playing a leading role in this work and a number of companies involved in our programme have been very successful in developing overseas markets. Notable examples are James Howden and Company and the Wind Energy Group, which have successfully exported their wind turbines.

If our research and development are successful many of the technologies being examined as part of our programme should offer considerable export potential for United Kingdom industry. Expertise derived from our programme is playing an important part in the collaborative programmes established by the European Commission and the International Energy Agency.

No list of research projects has been kept in the form requested.

Wood-based Fuel

Mr. Speller: To ask the Secretary of State for Energy how many projects exist to produce electricity from a wood-based fuel stock in the United Kingdom; what is the total product; and what is the kilowatt hour cost.

Mr. Michael Spicer: I know of no projects to produce electricity from a wood-based fuel stock in the United Kingdom.

Mr. Speller: To ask the Secretary of State for Energy what statistics he has on the production of electricity in indivdual European Community countries from short rotation forestry of arable wood crops; and what is the estimated cost per kilowatt hour.

Mr. Michael Spicer: My Department has no statistics on the production of electricity in individual European countries from short rotation forestry of arable wood crops, nor is it aware of any actual projects.

Sites of Special Scientific Interest

Mr. Hardy: To ask the Secretary of State for Energy how many sites of special scientific interest are owned by each electricity board in England and Wales.

Mr. Michael Spicer: Questions about landholdings are operational matters for the individual boards. I am therefore asking the chairmen to write to the hon. Member.

TRADE AND INDUSTRY

British Shipbuilders (Privatisation)

Mr. Patnick: To ask the Chancellor of the Duchy of Lancaster whether he has anything further to report on progress with privatisation of British Shipbuilders' facilities.

Mr. Newton: British Shipbuilders successfully completed the sale of its Clark Kincaid facility on 23 December and its Appledore yard on 26 January. Discussions with the preferred bidder for Marine Design Consultants are continuing. BS has invited bids for Sunderland Forge Services by 24 February.

In the case of the Ferguson yard at Port Glasgow, for which the firm of Ailsa Perth Ltd. was named as preferred bidder on 14 November 1988, I regret that detailed negotiations have not resulted in agreement on a satisfactory basis for the sale to proceed. In these circumstances, I have accepted the advice of the BS chairman that BS should invite new bids for Ferguson to be in place by 31 March 1989. Ailsa Perth Ltd. may offer a further bid if it wishes.

Wood-processing

Mr. Bowis: To ask the Chancellor of the Duchy of Lancaster what current developments there are for promoting wood-processing industries in the United Kingdom.

Mr. Maude: The Government continue to promote enterprise and prosperity among businesses through the encouragement of open competitive markets. Within this economic framework, we believe that the wood-processing industries themselves are best placed to judge and profit from future market developments, with companies able to draw upon the range of advice available under the enterprise initiative.

Produce Liability

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster whether the European Commission has approached the Government under article 169 of the Rome treaty regarding the implementation of the European Community directive on product liability.

Mr. Forth: There have been regular discussions with the European Commission at official level about the implementation of the EC directive on produce liability.

The Commission also issued a press release in December 1988 announcing that a decision had been taken to start proceedings against 11 member states under article 169 of the treaty of Rome but as yet there has been no formal approach from the Commission.

Consumers (Assistance)

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster what was the Government contribution to *(a)* the National Consumer Council, *(b)* the National and Scottish Associations of Citizens' Advice Bureaux and *(c)* the nationalised industries consumer councils for each year from 1978 to date at cash and constant prices.

Mr. Forth: The information is as follows:

£ million

Year	NCC		NACAB and SACAB		NICCs[1]	
	Cash	*1987-88 prices*	*Cash*	*1987-88 prices*	*Cash*	*1987-88 prices*
1978-79	0·627	1·287	1·276	2·617	1·939	3·979
1979-80	0·820	1·440	1·852	3·251	2·270	3·986
1980-81	0·999	1·481	4·018	5·956	3·021	4·478
1981-82	1·086	1·466	4·913	6·630	3·285	4·433
1982-83	1·199	1·510	5·533	6·970	3·602	4·537
1983-84	1·339	1·613	6·041	7·277	3·872	4·664
1984-85	1·423	1·631	7·094	8·134	3·879	4·448
1985-86	1·554	1·690	7·993	8·696	4·189	4·557
1986-87	1·733	1·824	8·604	9·058	[2]3·789	[2]3·989
1987-88	1·752	1·752	9·004	9·004	[2]2·850	[2]2·850

[1] The figures for Government grant in respect of the accommodation of the national industry consumer councils is not available and is not included here.

[2] Under the Gas Act 1986, the expenditure of the Gas Consumers Council has been met through the gas licence fee by grant-in-aid, so it is not a charge to the Exchequer. The expenditure of the GCC is therefore excluded from 1 August 1986, but the cash amounts were: 1.8.86 —31.3.87 £1·401 million, 1987-88 £2·620 million.

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster what was the number of *(a)* citizens' advice bureaux and *(b)* consumer advice centres in 1978 and the latest available year.

Mr. Forth: No record is held centrally of the number of consumer advice centres. The number of citizens' advice bureaux in Great Britain in each of the financial years shown was as follows:

Year	*Number*
1978-79	828
1979-80	818
1980-81	852
1981-82	880
1982-83	907
1983-84	939
1984-85	975
1985-86	952
1986-87	1,123
1987-88	1,210

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster how many people sought the assistance of citizens' advice bureaux in each year since 1978.

Mr. Forth: No record is held of the number of people who sought the assistance of citizens' advice bureaux. However, the number of inquiries made to bureaux in Great Britain in each of the financial years shown was as follows:

Year	*Number millions*
1978-79	3·536
1979-80	3·796
1980-81	4·284
1981-82	4·738
1982-83	5·268
1983-84	5·735
1984-85	6·100
1985-86	6·604
1986-87	7·144
1987-88	7·554

Office of Fair Trading (Complaints)

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster (1) what was the number of complaints to the Office of Fair Trading concerning *(a)* holidays and *(b)* entertainment and accommodation in 1978 and the latest year for which figures are available;

(2) what was the number of complaints to the Office of Fair Trading concerning the used car trade for 1978 and the latest year for which figures are available.

Mr. Forth: This is a matter for the Director General of Fair Trading. I will ask him to write to the hon. Gentleman.

Radio Spectrum

Mr. McCrindle: To ask the Chancellor of the Duchy of Lancaster (1) if he plans to introduce legislation to privatise the nation's air waves; and if he will make a statement;

(2) if he will make an announcement on measures to introduce market forces into the radio spectrum.

Mr. Maude: The Government are anxious to ensure that the most effective use is made of the radio spectrum. No decisions have yet been taken on which of the wide range of options will best meet that objective, within the framework of our international obligations and the aim of our policies in related areas.

Debt Collectors

Mr. Gordon Brown: To ask the Chancellor of the Duchy of Lancaster if he will give the number of applicants refused licences as debt collectors under the Consumer Credit Act in each year since 1978.

Mr. Maude: The administration of the consumer credit licensing system is the responsibility of the Director General of Fair Trading. I will ask him to write to the hon. Member.

Pesticides

Mr. Cryer: To ask the Chancellor of the Duchy of Lancaster what is the balance of trade in agricultural pesticides and associated chemicals with *(a)* the EEC and *(b)* the rest of the world.

Mr. Forth *[holding answer 23 February 1989]:* The balance of trade in agricultural pesticides and associated chemicals (defined by Standard International Trade Classification Revision 3, group 591 less sub-group 591.4) for the 12 months to December 1988 shows surpluses of £101·8 million with the EEC and of £153·5 million with the rest of the world.

THE ARTS

Elton John Exhibition

Mr. Fisher: To ask the Minister for the Arts what information he has on whether curatorial staff at the Victoria and Albert museum were involved in *(a)* the selection of objects, *(b)* the writing of catalogues and *(c)* the labelling of exhibits for the Elton John exhibition last year at the museum.

Mr. Luce *[holding answer 15 February 1989]:* This is a matter for the museum's director and trustees. I will ask the director to write to the hon. Member.

Victoria and Albert Museum

Mr. Fisher: To ask the Minister for the Arts what information he has on how many curatorial staff days were involved in putting on the *(a)* Elton John and *(b)* Sock Shop exhibition at the Victoria and Albert museum.

Mr. Luce *[holding answer 15 February 1989]:* This is a matter for the museum's director and trustees. I will ask the director to write to the hon. Member.

Mr. Fisher: To ask the Minister for the Arts what information he has on the costs of mounting the *(a)* Elton John, *(b)* Sock Shop, *(c)* Burberrys and *(d)* Month in the Country at Harrods exhibitions by the Victoria and Albert museum.

Mr. Luce *[holding answer 15 February 1989]:* This is a matter for the museum's director and trustees. I will ask the director to write to the hon. Member.

Mr. Fisher: To ask the Minister for the Arts what information he has on the level of financial support that has been received by the Victoria and Albert museum from *(a)* Sotheby's, *(b)* the Sock Shop, *(c)* Burberrys and *(d)* Harrods for exhibitions organised by the museum.

Mr. Luce *[holding answer 15 February 1989]:* This is a matter for the museum's director and trustees. I will ask the director to write to the hon. Member.

Mr. Fisher: To ask the Minister for the Arts how many staff are to be made redundant at the Victoria and Albert museum following the proposed restructuring of staff.

Mr. Luce *[holding answer 15 February 1989]:* The management of the museum's staff is a matter for the director and trustees. I will ask the director to write to the hon. Member.

Mr. Fisher: To ask the Minister for the Arts what financial savings will result from the proposed restructuring of staff at the Victoria and Albert museum.

Mr. Luce *[holding answer 15 February 1989]:* The management of the museum's resources is a matter for the director and trustees. I will ask the director to write to the hon. Member.

Mr. Fisher: To ask the Minister for the Arts what discussions he has had in the past year about the restructuring of staff at the Victoria and Albert museum with *(a)* the director and *(b)* the chairman of the trustees.

Mr. Luce *[holding answer 15 February 1989]:* I have made it my practice to discuss the corporate plans of national museums and galleries with their directors and trustees. In this context, I was aware that the Victoria and Albert museum intended to review its organisational structure. The precise details of the review are a matter for the director and trustees.

Mr. Fisher: To ask the Minister for the Arts what will be the cost of the Victoria and Albert museum's proposed redundancy programme *(a)* in the current year and *(b)* in each of the next 10 years.

Mr. Luce *[holding answer 15 February 1989]:* The management of the museum's resources is a matter for the director and trustees. I will ask the director to write to the hon. Member.

NATIONAL FINANCE

Incomes

Mr. Gordon Brown: To ask the Chancellor of the Exchequer what information he has on the average income per head in pounds sterling in 1978 and for the latest available year in *(a)* New Zealand, *(b)* Australia, *(c)* Korea and *(d)* the United States of America and each of the countries of the European Economic Community.

Mr. Lilley: Figures for gross domestic product per head in 1978 and 1987 coverted to United States dollars using purchasing power parities are given in the OECD publication "National Accounts Main Aggregates Volume 1 1960-1987" for all the countries in question except South Korea. The United States dollar/pound sterling exchange rate needed to convert the figures into pounds sterling are given in the same publication. Comparable figures for South Korea are not available.

HEALTH

Cook-Chill Food

Ms. Walley: To ask the Secretary of State for Health why the Department of Health's 1980 review of guidelines

on pre-cooked chilled foods has not yet been published; when it is due to be published; and if he will make a statement.

Mr. Kenneth Clarke: My Department has obtained further expert advice to ensure that the revised guidelines, when issued, will be as up to date and effective as possible. We intend publishing the guidelines as soon as this advice has been fully considered.

Mrs. Wise: To ask the Secretary of State for Health whether guidelines have been issued to environmental health officers as to whether the refrigerated cabinets in which cooked-chilled foods are stored, when displayed for sale, should be kept at a specified temperature and as to the frequency of inspection of such cabinets.

Mr. Kenneth Clarke: I expect to announce proposals for new temperature control requirements in the Food Hygiene Regulations very shortly. Environmental health officers will be responsible for enforcing any revised regulations in the same way as they are responsible for enforcing the current regulations, and no special advice has been issued.

Mrs. Wise: To ask the Secretary of State for Health if he will take steps to ensure that cooked-chilled food offered for sale is only in cabinets which have a visible thermometer reading not more than 3 deg. celsius.

Mr. Kenneth Clarke: I expect to announce proposals for new temperature control requirements in the Food Hygiene Regulations very shortly.

Mrs. Wise: To ask the Secretary of State for Health if he has any plans to specify a permitted shelf life for cooked-chilled foods.

Mr. Kenneth Clarke: I refer the hon. Member to my reply of 17 February to the hon. Member for Wakefield (Mr. Hinchliffe) at column *423*.

Mr. Thurnham: To ask the Secretary of State for Health when he expects to announce new regulations governing storage temperatures for cook-chilled food in shops; and if he will make a statement.

Mr. Kenneth Clarke *[holding answer 21 February 1989]:* I expect to be able to announce proposals for new regulations very shortly.

Salmonella

Mr. Redmond: To ask the Secretary of State for Health if he will list for each of the last five years the number of cases of salmonella infection in its various forms that have been reported and treated in *(a)* Trent regional health authority and *(b)* Yorkshire regional health authority by district health authority; and how many cases resulted in the death of the patient.

Mr. Kenneth Clarke: The figures on laboratory reports of salmonellosis (cases and excreters) that have been reported to the Communicable Disease Surveillance Centre from public health and hospital laboratories in the Trent and Yorkshire regional health authorities are as follows:

Year	Total Reports			
	Yorkshire RHA		Trent RHA	
1983	1,745	(6)	1,264	(4)
1984	1,826	(20)	1,374	(2)
1985	1,138	(4)	1,069	(5)
1986	1,539	(5)	1,311	(2)
1987	1,694	(6)	1,534	(4)

Notes:

The bracketed figures indicate the number of deaths where salmonella was registered as the underlying cause of death.

Reports of salmonellosis are not collected on a district health authority basis.

Child Sexual Abuse

Mr. Allen: To ask the Secretary of State for Health what representations he has received from the National Society for the Prevention of Cruelty to Children on the priority which is given to research into child sexual abuse.

Mr. Mellor: Officials and the NSPCC meet regularly to discuss subjects of mutual concern, including research. In addition an official from the social services inspectorate attends the NSPCC's professional advisory committee which discusses research issues.

The Department is currently funding a feasibility study being conducted at the National Institute of Social Work in collaboration with the NSPCC to follow up of children who were placed on NSPCC child protection registers in 1981. An outline proposal concerning the evaluation of child protection registers is being considered by the Department. The Department and the NSPCC have also discussed how the NSPCC's register research programme, which has been a major source of information on the incidence of child abuse registrations and the characteristics of abusing families, can best complement the annual statistical survey which the Department now undertakes of children on local authority child protection registers.

Mr. Allen: To ask the Secretary of State for Health how many times his Department has given evidence to inquiries involving child sexual abuse since 1979.

Mr. Mellor: Once, at the inquiry into child abuse in Cleveland, 1987.

Tamoxifen

Mr. Gareth Wardell: To ask the Secretary of State for Health what measures he intends to implement to encourage those consultants who do not use the drug Tamoxifen in the treatment of breast cancer to change their management of such cases in the light of the recent results from the Cancer Research Fund's cancer study unit.

Mr. Freeman: An individual patient's suitability for a particular drug treatment is a matter for the clinical judgment of the doctor concerned.

Nursing Homes

Mr. Pendry: To ask the Secretary of State for Health how many private residential homes and private nursing homes have been closed in England and Wales because they have failed to comply with local authority and Health Services registration requirements.

Mr. Mellor: Information about cancelled registrations has been notified to the Department only since 1 January 1985. Up to 31 December 1988, 75 residential care homes,

17 nursing homes and one home dually registered as a nursing home and residential care home have been notified.

Hospital Waste

Mr. Frank Field: To ask the Secretary of State for Health if he will make a statement on the disposal by Arrowe Park hospital of waste due for incineration by dumping in landfill sites.

Mr. Mellor: I understand from the Wirral health authority that it has no knowledge of any clinical waste from Arrowe Park hospital, or clinical waste from elsewhere transported to the Arrowe Park incineration plant for incineration, which has subsequently been dumped on a landfill site. I hope that the hon. Member will pass any evidence that he has to the district health authority.

Creutzfeldt-Jakob Dementia

Mr. Ron Davies: To ask the Secretary of State for Health what information he has concerning the incidence of Creutzfeldt-Jakob dementia.

Mr. Freeman: We do not hold this information centrally.

Hospital Referrals

Ms. Harman: To ask the Secretary of State for Health how many patients in each of the last five years have been refused referral to a hospital on the grounds that they do not live in the district in which the hospital is situated.

Mr. Kenneth Clarke: We do not collect this information centrally. GPs are free to refer patients to the consultant they consider most appropriate; equally, the consultant is free to accept or refuse the referral. Under the arrangements set out in "Working for Patients", where money will follow patients across district boundaries, hospitals and their consultants should increasingly be willing to accept patients from other districts if they consider that the patient will benefit from their particular skills and services.

SCOTLAND

Arrestment of Earnings

Mr. Canavan: To ask the Secretary of State for Scotland in what circumstances the Lord Advocate acts for and on behalf of employers to assist the arrestment of earnings of people who have refused to pay fines for not registering for the poll tax.

Lord James Douglas-Hamilton: In terms of the Crown Suits (Scotland) Act 1857 legal proceedings against any public department may be directed against the Lord Advocate. Accordingly, an arrestment seeking to arrest sums owing to an employee of a public department may be served on the Lord Advocate for and on behalf of such a department.

Mr. Canavan: To ask the Secretary of State for Scotland what approaches the Lord Advocate has had from sheriff officers to assist the arrestment of earnings of people who have refused to pay fines for not registering for the poll tax; and what action he intends taking.

Lord James Douglas-Hamilton: Any arrestment served on the Lord Advocate in respect of any sums owing by a public department to an employee is a matter between the department, its employee and the person who has instructed the arrestment. Any arrestment so served would be considered to determine its validity. If valid, effect would be given to the arrestment by the public department concerned.

Community Service Orders

Mr. McTaggart: To ask the Secretary of State for Scotland how many community service orders were issued by Scottish courts in each of the last five years.

Mr. Michael Forsyth: The number of community service disposals made by courts in Scotland in the most recent five year period for which information is available is as follows:

	Number
1983	2,077
1984	2,553
1985	2,889
1986	3,453
1987	3,478

These figures cover both community service orders (section 1 of the Community Service by Offenders (Scotland) Act 1978) and community service as a condition of a probation order (section 7). The figure quoted for 1987 is provisional and subject to revision.

Kidney Dialysis

Mr. Gordon Brown: To ask the Secretary of State for Scotland how many patients in Scotland not in receipt of dialysis are estimated to be in need of kidney dialysis; and what is the average waiting time for receiving dialysis.

Mr. Michael Forsyth: All patients referred for treatment for end stage renal failure who, following clinical assessment, are considered likely to benefit from renal dialysis receive appropriate treatment when it is required.

Scottish Film Council

Mr. Allan Stewart: To ask the Secretary of State for Scotland when he expects to publish the policy review of the Scottish Film Council; and if he will make a statement.

Mr. Michael Forsyth: Copies of this review, along with the implementation plan authorised by the Secretary of State, are being placed in the Library. We have accepted the major recommendation of the review that the Scottish Film Council should be established as a fully independent non-departmental public body. The separate status of the Scottish Film Council will enable it better to secure private sector support and sponsorship for film in Scotland to supplement the substantial resources already made available by the Government. We are consulting those directly interested about the arrangements for achieving this with full effect from April 1990. I am confident that the new arrangements will provide a secure foundation for the maintenance and development of the distinctive Scottish contribution to film.

Public Sector Employees

Mr. Wray: To ask the Secretary of State for Scotland how many new *(a)* full-time and *(b)* part-time (i) teachers, (ii) policemen/policewomen, (iii) higher education lecturers, (iii) higher education researchers, (v) doctors, (vi) nurses and (vii) firemen and firewomen there were for each year since 1976.

Mr. Michael Forsyth *[holding answer 20 February 1989]:* The available information is given in the table. Comparable information for lecturers and researchers in higher education, or for part-time recruits is not available centrally.

Year	*Teaching*[1]	*Scottish police service*[2]	*Scottish fire service*[3]	*Doctors*[4]	*Nurses*[5]
1976	3,061	n.a.	191	546	2,990
1977	1,933	n.a.	327	638	3,278
1978	1,972	n.a.	653	548	3,556
1979	2,082	1,432	428	532	3,598
1980	1,773	665	156	541	3,487
1981	1,131	449	93	566	4,128
1982	1,388	488	83	540	4,190
1983	1,551	455	116	555	4,605
1984	1,332	610	111	548	3,337
1985	1,299	676	156	569	3,328
1986	943	609	143	554	3,095
1987	848	518	180	591	3,080

[1] New entrants to teaching (excluding returners) in year ending 30 September.
[2] First appointments to the regular police service in Scotland.
[3] Recruitment to operational and control room staff, year ending 31 December. Peaks in 1978 and 1979 are a result of the introduction of a 42-hour week.
[4] Numbers successfully completing clinical training in year ending 31 July.
[5] Numbers of nurses completing registration following training. Figures for 1976-82 are for calendar years, those for 1983 are for January 1983 to March 1984, while those for 1984 onwards are for the financial years 1984-85 etc. No separate figures are available for the period January to March 1983. Figures from 1976 to 1983-84 include in-service nurses taking additional qualifications. Figures for 1984-85 onwards are for nurses qualifying for the first time. A significant proportion do not pursue nursing careers.
n.a. Consistent figures not available.

EMPLOYMENT

Labour Statistics

Mr. Meacher: To ask the Secretary of State for Employment using labour force survey data what has been the size of the total civilian labour force each year since 1979, what have been the numbers employed and the numbers unemployed each year and what has been the change each year both in numbers and in percentage terms.

Mr. Lee: Estimates of the civilian labour force are not directly available from the labour force survey (LFS).

Available estimates from the LFS of the economically active (that is, those in employment plus the unemployed) aged 16 and over in Great Britain, for LFS years since 1979, are as shown in the table.

Economically active persons aged 16 and over—Great Britain, Spring estimates

Thousands and Per cent.

Year	*Economically Active*	*In employment*	*Unemployed*
1979	25,643	24,214	1,429
1981	26,089	26,606	2,483
Change 1979-81	446	2,392	1,054
Percentage	1·7	9·9	73·8
1983	25,797	22,944	2,853
Change 1981-83	−291	−3,662	−371
Percentage	−1·1	−13·8	−14·9
1984	26,304	23,387	2,916
Change 1983-84	506	443	63
Percentage	2·0	1·9	2·2
1985	26,553	23,739	2,814
Year	*Economically Active*	*In employment*	*Unemployed*
Change 1984-85	249	352	−103
Percentage	0·9	1·5	−3·5
1986	26,649	23,829	2,820
Change 1985-86	96	90	[2]—
Percentage	0·4	0·4	[2]—
1987	27,031	24,247	2,784
Change 1986-87	382	418	−36
Percentage	1·4	1·8	−1·3

[1] Great Britain labour force definition.
[2] Change not statistically significant.
Source: Labour Force Surveys.

Vacancies

Mr. Meacher: To ask the Secretary of State for Employment what has been the number of vacancies each year since 1979, both nationally and by region; and what has been the change each year in numbers and in percentage terms.

Mr. Lee: Following is the available information which is also in the Library. The table shows the annual average number of unfilled vacancies notified to jobcentres nationally and by region for each year from 1980 to 1988, together with the change in numbers and percentage terms on the previous year. Figures on exactly the same basis are not available for 1979.

Annual average number of unfilled vacancies by region

Year	*Unfilled vacancies*	*Change*	*Percentage change*
South East			
1980	58,600		
1981	34,000	−24,600	−41·98
1982	42,300	8,300	24·41

Year	Unfilled vacancies	Change	Percentage change
1983	50,800	8,500	20·09
1984	59,400	8,600	16·93
1985	62,300	2,900	4,88
1986	70,800	8,500	13·64
1987	90,700	19,900	28·11
1988	95,100	4,400	4·85
Greater London			
1980	29,800		
1981	16,200	−13,600	−45·64
1982	19,400	3,200	19·75
1983	22,100	2,700	13·92
1984	26,000	3,900	17·65
1985	26,600	600	2·31
1986	30,000	3,400	12·78
1987	37,700	7,700	25·67
1988	32,200	−5,500	−14·59
East Anglia			
1980	4,800		
1981	3,500	−1,300	−27·08
1982	4,400	900	25·71
1983	5,100	700	15·91
1984	5,400	300	5,88
1985	5,800	400	7·41
1986	6,200	400	6·90
1987	8,000	1,800	29·03
1988	9,700	1,700	21·25
South West			
1980	10,300		
1981	7,700	−2,600	−25·24
1982	10,700	3,000	38·96
1983	12,700	2,000	18·69
1984	13,600	900	7·09
1985	16,100	2,500	18·38
1986	18,100	2,000	12·42
1987	19,700	1,600	8·84
1988	20,400	700	3·55
West Midlands			
1980	7,500		
1981	5,900	−1,600	−21·33
1982	7,200	1,300	22·03
1983	9,600	2,400	33·33
1984	10,700	1,100	11·46
1985	12,200	1,500	14.02
1986	15,400	3,200	26·23
1987	21,100	5,700	37·01
1988	24,100	3,000	14·22
East Midlands			
1980	7,300		
1981	5,400	−1,900	−26·03
1982	7,200	1,800	33·33
1983	8,000	800	11·11
1984	8,100	100	1·25
1985	9,000	900	11·11
1986	10,300	1,300	14·44
1987	12,200	1,900	18·45
1988	13,700	1,500	12·30
Yorkshire and Humberside			
1980	7,700		
1981	5,300	−2,400	−31·17
1982	7,200	1,900	35·85
1983	8,700	1,500	20·83
1984	8,200	−500	−5·75
1985	8,700	500	6·10
1986	11,300	2,600	29·89
1987	15,600	4,300	38·05
1988	15,500	−100	−0·64
North West			
1980	10,400		
1981	7,900	−2·500	−24·04
1982	10,000	2,100	26·58
1983	13,200	3,200	0·32
1984	14,500	1,300	9·85
1985	16,000	1,500	10·34
1986	19,000	3,000	18·75
1987	24,200	5,200	27·37
1988	23,900	−300	−1·24
North			
1980	5,600	—	—
1981	4,000	−1,600	−28·57
1982	5,100	1,100	27·50
1983	5,800	700	13·73
1984	6,600	800	13·79
1985	7,800	1,200	18·18
1986	9,800	2,000	25·64
1987	12,000	2,200	22·45
1988	11,400	−600	−5·00
Wales			
1980	5,800	—	—
1981	4,900	−900	−15·52
1982	6,000	1,100	22·45
1983	6,800	800	13·33
1984	7,300	500	7·35
1985	8,000	700	9·59
1986	9,500	1,500	18·75
1987	11,000	1,500	15·79
1988	12,000	1,000	9·09
Scotland			
1980	15,300	—	—
1981	11,600	−3,700	−24·18
1982	13,100	1,500	12·93
1983	15,300	2,200	16·79
1984	14,800	−500	−3·27
1985	14,600	−200	−1·35
1986	16,300	1,700	11·64
1987	18,800	2,500	15·34
1988	20,000	1,200	6·38
Great Britain			
1980	133,200	—	—
1981	90,400	−42,800	−32·13
1982	112,900	22,500	24·89
1983	136,100	23,200	20·55
1984	148,600	12,500	9·18
1985	160,500	11,900	8·01
1986	186,800	26,300	16·39
1987	233,200	46,400	24·84
1988	245,800	12,600	5·40
Northern Ireland			
1980	1,000	—	—
1981	700	−300	−30·00
1982	1,000	300	42·86
1983	1,200	200	−20·00
1984	1,500	300	−25·00
1985	1,600	100	6·67
1986	2,000	400	25·00
1987	2,200	200	10·00
1988	2,800	600	27·27
United Kingdom			
1980	134,200		
1981	91,100	−43,100	−32·12
1982	113,900	22,800	25·03
1983	137,300	23,400	20·54
1984	150,200	12,900	9·40
1985	162,100	11,900	7·92
1986	188,800	26,700	16·47
1987	235,400	46,600	24·68
1988	248,500	13,100	5·56

Claimants

Mr. Leighton: To ask the Secretary of State for Employment if he will list the destinations of those who left the unemployment claimants count.

Mr. Lee: Information on the destinations of those leaving the count is not available.

Civil Service Appeal Board

Mr. Nellist: To ask the Secretary of State for Employment on how many occasions in 1986, 1987, and 1988 his Department has *(a)* accepted and acted upon or *(b)* not accepted or acted upon Civil Service appeal board's recommendations concerning his Department's unfair conduct in disciplinary matters.

Mr. Lee: The figures requested are as follows:

	Recommendation accepted and acted upon	*Recomendation not accepted or acted upon*
1986	1	nil
1987	no cases	no cases
1988	nil	3

Mr. Nellist (Coventry South East): To ask the Secretary of State for Employment, further to his reply to the hon. Member for Coventry South-East, 6 February, *Official Report*, column 510, what policy guidance his Department's headquarters management have on whether to accept or reject a unanimous recommendation of a Civil Service appeal board.

Mr. Lee: There is no formal policy guidance on this issue. A decision to reject a unanimous recommendation of a Civil Service appeal board can be taken only by the permanent head of the Department and each case is considered on its merits.

Tourism

Mrs. Maureen Hicks: To ask the Secretary of State for Employment how many and what value of section 4 grants have been made for each of the past five years in the west midlands.

Mr. Lee: Information on section 4 offers of assistance is not held on a district, metropolitan district or county basis. However, figures for the area covered by the heart of England, including the west midlands are as follows:

£ million

	Projects	*Value*
[1]1988	48	1·238
1987-88	47	1·049
1986-87	45	1·224
1985-86	19	0·457
1984-85	25	0·648

[1] February 1989

Retail Prices Index

Miss Emma Nicholson: To ask the Secretary of State for Employment whether he has yet received a report from the retail prices index advisory committee on the effect of the abolition of domestic rates on the construction of the index.

Mr. Fowler: I have today received a report from the committee recommending that the community charge should be included in the retail prices index when domestic rates are abolished. I will shortly be publishing the report and announcing the Government's decision on the recommendations.

Disabled People (Training)

Mr. Bellingham: To ask the Secretary of State for Employment if he will make a statement about the progress of disabled people in employment training.

Mr. Fowler *[holding answer 14 February 1989]:* Twelve per cent. of new entrants to employment training are people with a long-term health problem or disability.

This is a significantly higher proportion than for any previous adult training programme, including the community programme. It shows that people with disabilities are just as able as others to benefit from training when it is geared flexibly to their individual needs.

Employers can now look very seriously at recruiting and training people with disabilities through ET. As the growth in the work force slows down, opportunities for people with disabilities to get and keep jobs will increase and they will be better able to realise their full potential. Employment training is helping people with disabilities to make the most of these opportunities.

SOCIAL SECURITY

Pensioners (Housing Benefit)

Mr. Redmond: To ask the Secretary of State for Social Security how many retirement pensioners in the county of South Yorkshire *(a)* aged 60 to 79 years and *(b)* aged 80 years and over receive housing benefit showing this as a percentage figure in relation to all retired pensioners in the county of South Yorkshire; and what are the comparable national figures.

Mr. Peter Lloyd: I regret that the information requested is not available.

Board and Lodging

Mr. Win Griffiths: To ask the Secretary of State for Social Security what representations he has received in the month of February, concerning his plans to replace the present system of board-and-lodging allowances for residents of hostels with housing benefit and income support; and if he will make a statement.

Mr. Peter Lloyd: A number of hon. Members, organisations and members of the public have made representations echoing those already made by the 346 organisations mentioned in my reply to the hon. Member for Halifax (Mrs Mahon) on 23 January at columns *417-18*.

HOME DEPARTMENT

Prisoners (Deaths)

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will list all deaths during 1987 and 1988 of persons detained in prison department establishments, stating in each case the age and sex of the inmate,

the cause of death, the inquest verdict, whether the inmate was sentenced or on remand, the establishment where the inmate was detained, and whether the death occurred there or in an outside hospital.

Mr. Douglas Hogg: The information, together with the dates of the deaths, is as follows (all deaths took place at the establishment where the inmate was detained unless otherwise stated):

1. 1 January 1987; male, 40; hanging; suicide; remand; HMP Pentonville.
2. 6 January 1987; male, 33; hanging; suicide; remand; HMP Brixton.
3. 8 January 1987; male, 20; hanging; suicide; remand; HMP Canterbury.
4. 13 January 1987; male, 26; hanging; misadventure; sentenced; HMP Swansea.
5. 26 January 1987; male, 33; hanging; suicide; remand; HMP Hull.
6. 27 January 1987; female, 47; heart failure; natural causes, aggravated by lack of care; remand; HMP Holloway (died in outside hospital).
7. 28 January 1987; male, 55; cardiac arrest; natural causes; sentenced; HMP Lincoln (died in outside hospital).
8. 30 January 1987; male, 34; hanging; suicide; remand; HMP Manchester.
9. 1 February 1987; male, 35; cut artery; suicide; sentenced; HMP Grendon.
10. 6 February 1987; male, 50; coronary thrombosis; natural causes; sentenced; HMP Acklington.
11. 13 February 1987; male, 54; throat cancer; natural causes; sentenced; HMP Canterbury (died in outside hospital.
12. 18 February 1987; male, 57; stomach cancer; natural causes; sentenced; HMP Lewes (died in outside hospital).
13. 21 February 1987; male, 58; lung cancer; natural causes; sentenced; HMP Ashwell (died in outside hospital).
14. 25 February 1987; male, 39; heart attack; natural causes; sentenced; HMP Wormwood Scrubs.
15. 26 February 1987; male, 37; heart disease; natural causes; sentenced; HMP Lewes.
16. 28 February 1987; male, 38; hanging; suicide; remand; HMP Coldingley.
17. 7 March 1987; male, 20; hanging; suicide; remand; HMP Ashford.
18. 22 March 1987; male, 24; hanging; suicide, aggravated by lack of care; Immigration Act detainee; HMP Pentonville.
19. 24 March 1987; male, 49; cardiac arrest; natural causes; sentenced; HMP Stafford.
20. 31 March 1987; male, 29; hanging; suicide; remand; HMP Wormwood Scrubs.
21. 1 April 1987; male, 40; hanging; suicide; remand; HMP Manchester.
22. 5 April 1987; male, 20; hanging; suicide; sentenced; HMYCC Stoke Heath.
23. 10 April 1987; male, 21; hanging; suicide; remand; HMP Leeds.
24. 21 April 1987; male, 30; hanging; suicide; remand; HMP Canterbury.
25. 23 April 1987; male, 32; hanging; misadventure; sentenced; HMP Wakefield.
26. 24 April 1987; male, 24; hanging; suicide; remand; HMP Wormwood Scrubs.
27. 25 April 1987; male, 28; hanging; suicide; remand; HMP Durham.
28. 28 April 1987; male, 30; diabetic coma; misadventure; remand; HMP Dorchester.
29. 3 May 1987; male, 21; hanging; misadventure; remand; HMP Brixton.
30. 9 May 1987; male, 56; brain haemorrhage; natural causes; sentenced; HMP Ranby (died in outside hospital).
31. 15 May 1987; male, 33; hanging; suicide; remand; HMP Brixton.
32. 18 May 1987; male, 28; inflammation of lung tissue; natural causes, aggravated by lack of care; remand; HMP Wormwood Scrubs (died in outside hospital).
33. 25 May 1987; male, 68; heart attack; natural causes; sentenced; HMP Thorp Arch.
34. 29 May 1987; male, 36; heart disease; natural causes; sentenced; HMP Birmingham.
35. 2 June 1987; male, 53; hanging; suicide; sentenced; HMP Kingston.
36. 7 June 1987; male, 29; hanging; suicide; remand; HMP Winchester.
37. 19 June 1987; male, 65; heart attack; natural causes; sentenced; HMP Lancaster.
38. 25 June 1987; male, 39; coronary thrombosis; natural causes; remand; HMP Brixton.
39. 29 June 1987; male, 24; hanging; suicide; remand; HMP Durham.
40. 7 July 1987; male, 39; heart attack; natural causes; sentenced; HMP Liverpool (died in outside hospital).
41. 8 July 1987; male, 24; dehydration; lack of care; sentenced; HMP Birmingham.
42. 10 July 1987; male, 34; hanging; suicide; remand; HMP Leeds.
43. 14 July 1987; male, 17; hanging; suicide; sentenced; HMYCC Rochester.
44. 23 July 1987; female, 28; hanging; suicide; remand; HMRC Risley.
45. 27 July 1987; male, 46; kidney failure; natural causes; sentenced; HMP Reading (died in outside hospital).
46. 29 July 1987; male, 36; hanging; suicide; remand; HMP Durham.
47. 1 August 1987; male, 39; hanging; suicide; sentenced; HMP Long Lartin.
48. 1 August 1987; Female, 46; brain tumour; natural causes; remand; HMP Holloway (died in outside hospital).
49. 19 August 1987; male, 25; pneumonia; natural causes, aggravated by lack of care; remand; HMP Brixton.
50. 19 August 1987; male, 18; bronchial asthma; natural causes; sentenced; HMYCC Onley (died in outside hospital).
51. 21 August 1987; male, 28; hanging; suicide; remand; HMP Lincoln.
52. 23 August 1987; male, 18; hanging; suicide; remand; HMRC Risley.
53. 27 August 1987; male, 25; hanging; suicide; remand; HMRC Risley.
54. 28 August 1987; male, 19; hanging; suicide; sentenced; HMYCC Stoke Heath.
55. 31 August 1987; male, 40; coronary thrombosis; natural causes; sentenced; HMP Northeye (died in outside hospital).
56. 5 September 1987; male, 22; cardiac arrest; natural causes; fine defaulter; HMP Hull (died in outside hospital).
57. 7 September 1987; male, 42; hanging; suicide; sentenced; HMP Wandsworth.
58. 10 September 1987; male, 19; brain haemorrhage; natural causes; remand; HMRC Brockhill (died in outside hospital).
59. 13 September 1987; male, 22; heart disease; natural causes; remand; HMP Pentonville (died in outside hospital).
60. 14 September 1987; male, 32; hanging; suicide; sentenced; HMP Manchester (died in outside hospital).
61. 16 September 1987; male, 37; hanging; suicide; sentenced; HMP Wandsworth.
62. 25 September 1987; male, 28; hanging; suicide, while balance of mind disturbed; sentenced; HMP Cardiff.
63. 28 September 1987; male, 21; hanging; suicide; remand; HMP Lincoln.
64. 3 October 1987; male, 43; hanging; suicide; remand; HMP Norwich.
65. 8 October 1987; male, 39; hanging; suicide; sentenced; HMP Exeter.
66. 21 October 1987; male, 43; cancer; natural causes; sentenced; HMP Grendon.
67. 21 October 1987; male, 27; hanging; suicide; sentenced; HMP Wandsworth.
68. 23 October 1987; male, 29; brain tumour; natural causes; remand; HMP Leeds.
69. 24 October 1987; male, 26; hanging, suicide; remand;

HMP Canterbury.

70. 24 October 1987; male, 49; heart attack; natural causes; sentenced; HMP Wakefield.
71. 1 November 1987; male, 39; hanging; suicide; remand; HMP Birmingham.
72. 4 November 1987; male, 32; hanging; suicide; remand; HMP Brixton.
73. 5 November 1987; male, 59; heart attack; natural causes; sentenced; HMP Sudbury (died in outside hospital).
74. 30 November 1987; male, 36; heart attack; natural causes; sentenced; HMP Kirkham (died in outside hospital).
75. 1 December 1987; male, 67; coronary atheroma; natural causes; sentenced; HMP Wandsworth (died in outside hospital).
76. 5 December 1987; male, 51; coronary atheroma; natural causes; remand; HMP Brixton (died in outside hospital).
77. 13 December 1987; male, 36; hanging; open; sentenced; HMP Maidstone.
78. 19 December 1987; male, 20; hanging; suicide; sentenced; HMP Camp Hill.
79. 21 December 1987; male, 28; hanging; suicide; sentenced; HMP Wakefield.
80. 30 December 1987; male, 50; heart failure; natural causes; remand; HMP Leicester.
81. 13 January 1988; male, 39; heart attack; natural causes; sentenced; HMP The Verne (died in outside hospital).
82. 28 January 1988; male, 23; heart attack; natural causes; sentenced; HMP Haverigg.
83. 3 February 1988; male, 34; stroke; natural causes; remand; HMP Wormwood Scrubs.
84. 5 February 1988; male, 32; hanging; suicide; remand; HMP Brixton.
85. 8 February 1988; male, 29; cut throat; suicide; sentenced; HMP Acklington.
86. 9 February 1988; male, 56; asphyxia; natural causes; remand; HMP Lincoln (died in outside hospital).
87. 2 March 1988; male, 66; hanging; suicide; remand; HMP Pentonville.
88. 5 March 1988; male, 34; sub-arachnoid haemorrhage; natural causes; sentenced; HMP Leeds (died in outside hospital).
89. 8 March 1988; male, 27; hanging; suicide; remand; HMP Preston.
90. 12 March 1988; male, 45; hanging; suicide; sentenced; HMP Coldingley.
91. 15 March 1988; male, 50; pneumonia; natural causes aggravated by lack of care; sentenced; HMP Wandsworth (died in outside hospital).
92. 21 March 1988; male, 65; myocardial fibrosis; natural causes; sentenced; HMP Wakefield.
93. 24 March 1988; male, 18; hanging; open; remand; HMYCC Rochester.
94. 24 March 1988; male, 46; heart attack; natural causes; sentenced; HMP Gloucester.
95. 4 April 1988; male, 21; dothiepan poisoning; misadventure; sentenced; HMP Acklington.
96. 8 April 1988; male, 48; heart failure; natural causes; sentenced; HMP Lincoln (died in outside hospital).
97. 14 April 1988; male, 58; cardiac arrest; natural causes; remand; HMP Swansea.
98. 15 April 1988; male, 22; hanging; suicide; remand; HMRC Risley.
99. 15 April 1988; male, 23; hanging; suicide; sentenced; HMP Lincoln.
100. 29 April 1988; male, 49; pneumonia; natural causes; remand; HMRC Risley (died in outside hospital).
101. 1 May 1988; male, 39; hanging; suicide; sentenced; HMP Wandsworth.
102. 4 May 1988; male, 51; cardiac arrest; natural causes; sentenced; HMP Liverpool (died in outside hospital).
103. 11 May 1988; male, 20; hanging; suicide; remand; HMRC Risley.
104. 17 May 1988; male, 56; heart attack; natural causes; sentenced; HMP Wormwood Scrubs (died in outside hospital).
105. 19 May 1988; male, 43; hanging; suicide; sentenced; HMP Wakefield.
106. 20 May 1988; male, 62; heart attack; natural causes; sentenced; HMP Canterbury (died in outside hospital).
107. 21 May 1988; male, 48; hanging; suicide; sentenced; HMP Littlehey.
108. 28 May 1988; male, 17; hanging; suicide; remand; HMP Leeds.
109. 29 May 1988; male, 49; pneumonia; natural causes; remand; HMRC Risley (died in outside hospital).
110. 4 June 1988; male, 38; hanging; suicide; remand; HMP Bedford.
111. 11 June 1988; male, 47; hanging; suicide; remand; HMP Swansea.
112. 13 June 1988; male, 27; hanging; open; remand; HMP Manchester.
113. 13 June 1988; male, 23; hanging; suicide; remand; HMRC Risley.
114. 14 June 1988; male, 32; hanging; suicide; remand; HMP Durham.
115. 16 June 1988; male, 82; cancer of oesophagus; natural causes; sentenced; HMP Parkhurst.
116. 16 June 1988; male, 69; heart attack; natural causes; sentenced; HMP Littlehey.
117. 20 June 1988; male, 32; hanging; suicide; remand; HMP Wormwood Scrubs.
118. 20 June 1988; male, 49; asthma; natural causes; sentenced; HMP Manchester.
119. 21 June 1988; male, 51; epileptic fit; natural causes; sentenced; HMP Birmingham.
120. 29-30 June 1988; male, 18; hanging; suicide; remand; HMP Leeds.
121. 11 July 1988; male, 67; circulation disorder; natural causes; sentenced; HMP Blundeston (died in outside hospital).
122. 24 July 1988; male, 39; coronary thrombosis; natural causes; sentenced; HMP Aldington.
123. 25 July 1988; male, 22; hanging; suicide; remand; HMP Wormwood Scrubs.
124. 27 July 1988; male, 26; hanging; misadventure; sentenced; HMP Wakefield.
125. 28 July 1988; male, 44; heart attack; natural causes; sentenced; HMP Wandsworth.
126. 4 August 1988; male, 53; heart disease; inquest to be held; sentenced; HMP Sudbury.
127. 21 August 1988; male, 51; hanging; suicide; sentenced; HMP Lindholme.
128. 23 August 1988; male, 61; chest infection; natural causes; sentenced; HMP Liverpool (died in outside hospital).
129. 27 August 1988; male, 29; heart failure; natural causes; sentenced; HMP Stafford (died in outside hospital).
130. 27-28 August 1988; male, 48; epileptic fit; natural causes; sentenced; HMP Stafford.
131. 4 September 1988; male, 36; hanging; inquest to be held; sentenced; HMP Birmingham.
132. 10 September 1988; male, 43; pneumonia; natural causes; remand; HMP Bedford (died in outside hospital).
133. 10 September 1988; male, 52; heart attack; natural causes; remand; HMP Brixton (died in outside hospital).
134. 15 September 1988; male, 32; heart attack; natural causes; sentenced; HMP Pentonville.
135. 22 September 1988; male, 24; hanging; open; sentenced; HMP Stafford.
136. 22 September 1988; male, 20; hanging; open; sentenced; HMP Manchester.
137. 26 September 1988; male, 57; pulmonary congestion; natural causes; sentenced; HMP Leicester.
138. 2 October 1988; male, 26; hanging; inquest to be held; remand; HMRC Risley.
139. 10 October 1988; male, 20; asthma; inquest to be held; sentenced; HMYCC Finnamore Wood.
140. 16 October 1988; male, 24; hanging; suicide; sentenced; HMP Exeter.
141. 16 October 1988; male, 33; pneumonia; inquest to be held; sentenced; HMP Nottingham (died in outside hospital).
142. 19 October 1988; male, 19; hanging; suicide; remand; HMP Shrewsbury.
143. 19 October 1988; male, 19; hanging; suicide; remand;

HMP Leeds.
144. 24 October 1988; male, 50; pneumonia; inquest to be held; remand; HMP Leeds.
145. 24 October 1988; male, 17; hanging; suicide; sentenced; HMYCC Glen Parva.
146. 26 October 1988; male, 54; hanging; inquest to be held; remand; HMP Birmingham.
147. 26 October 1988; male, 39; hanging; suicide; remand; HMP Dorchester.
148. 7 November 1988; male, 56; heart attack; inquest to be held; sentenced; HMP Spring Hill.
149. 16 November 1988; male, 28; hanging; misadventure; sentenced; HMP Parkhurst.
150. 21 November 1988; male, 61; cancer; inquest to be held; sentenced; HMP Stafford.
151. 23 November 1988; male, 30; asphyxiation; open; remand; HMP Brixton.
152. 26 November 1988; male, 23; hanging; inquest to be held; sentenced; HMP Maidstone.
153. 29 November 1988; male, 63; heart attack; inquest to be held; breach of bail; HMP Chelmsford.
154. 29 November 1988; male, 19; hanging, suicide; remand; HMP Leeds.
155. 11 December 1988; male, 35; epileptic fit; inquest to be held; sentenced; HMP Coldingley.
156. 19 December 1988; male, 53; found in a coma; inquest to be held; remand; HMP Brixton (died in outside hospital).
157. 21 December 1988; male, 23; pulmonary embolism; inquest to be held; remand; HMP Birmingham (died in outside hospital).
158. 23 December 1988; male, 66; heart attack; inquest to be held; sentenced; HMP The Verne (died in outside hospital).
159. 28 December 1988; male, 28; hanging; inquest to be held; sentenced; HMP Kingston.

Prison Officers (Disputes)

Mr. Sheerman: To ask the Secretary of State for the Home Department how many industrial disputes involving the withdrawal of prison officers' labour have been recorded by his Department since the introduction of fresh start in July 1987.

Mr. Douglas Hogg: Five.

Prison Services

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will list services in adult prisons already wholly or partly contracted out to private operators.

Mr. Douglas Hogg: The following services in adult prisons are wholly or partly contracted out to private operators, but not necessarily at every prison.

Domestic services
Hair cutting
Laundry—dry cleaning
Maintenance and cleaning of specialist kitchen equipment
Office cleaning
Pest control
Refuse collection
Window and chimney cleaning

Catering services
Catering for inmates
Catering for staff
Inmates canteen

Medical services
Agency nurses
Consultant specialists, eg psychiatrists
Dental, chiropody and optical services
Doctors—locums

Administration
Disposal of confidential waste
Security services—collection of cash
Telephone operators

Transport
Conveyance of goods and farm produce
Conveyance of prisoners
Maintenance of vehicles

Prison estate
Maintenance and improvement to prison buildings and quarters
Maintenance of plant and equipment
New construction

Risley Remand Centre

Mr. Sheerman: To ask the Secretary of State for the Home Department how many incidents of apparent suicide, self injury, and self injury with apparent suicidal intent, have been recorded at Risley remand centre since 1 June 1988.

Mr. Douglas Hogg: There have been two apparent suicides at Risley since 1 June 1988 (one was subsequently confirmed as such at the inquest, and the other inquest has yet to be held). During the same period seven apparent attempts at suicide and one incident of self-injury which was not thought to be a suicide attempt have been reported.

Women Prisoners (Injuries)

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will provide the latest figures on the number of self injuries inflicted by prisoners in each of the women's prisons in the most recent period for which figures are available.

Mr. Douglas Hogg: The following table gives the reported number of incidents of self-injury inflicted by female prisoners in the establishments concerned between 1 April 1987 and 31 March 1988, the most recent period for which figures are available:

	Number
Adults	
Askham Grange	65
Bullwood Hall	33
Cookham Wood	5
Drake Hall	Nil
Durham	5
East Sutton Park	Nil
Exeter	Nil
Holloway	209
Low Newton	1
New Hall	19
Pucklechurch	43
Risley	3
Styal	46
Young Offenders	
Bullwood Hall	67
Drake Hall	Nil
East Sutton Park	Nil
New Hall	6
Styal	34

Women's Prisons (Sanitation)

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will list the women's prisons which do not have integral sanitation.

Mr. Douglas Hogg: The majority of women's establishments have access to night sanitation, but the following have neither integral sanitation nor access to night sanitation:

Bullwood Hall
New Hall
Pucklechurch
Risley (one unit)
Durham (one unit)
Low Newton (one cell block only)

As stated in reply to a question from my hon. Friend the Member for Boothferry (Mr. Davis) on 20 February at columns *506-8*, plans are in hand to introduce integral sanitation at Durham and Pucklechurch and to provide access to night sanitation by electronic unlocking at Bullwood Hall and New Hall. The possibility of providing access to night sanitation at the two remaining establishments is under consideration.

Prison Building

Mr. Lawrence: To ask the Secretary of State for the Home Department what is the average time taken for building a prison from initial plans to completion.

Mr. Douglas Hogg: The time between initial plans and completion varies so greatly that an average would be meaningless. The greatest variable is the time taken to obtain the necessary planning clearance, which can be anything from three months to two or three years. In the past, design has also taken up to three years and preparing the prison for use on completion, that is, commissioning, has taken up to one year. Taken with the average period of construction, which has been at least three years, this has meant that the minimum period between initial plans and completion has been about seven years.

We have made substantial improvements. The use of repeat designs at six prisons has reduced the design period by at least two years and should reduce the construction period by at least six months. The commissioning period has also been reduced to three months, so that, subject to planning clearance and the ability of the construction industry to keep to agreed contract times, a new prison can now be provided in about three and a half years from initial planning to completion. In addition, a new design brief for prisons will shortly be published which will form the basis for all future new prisons, greatly reducing both the time and cost of design in each case.

Naturalisation Applications

Mrs. Wise: To ask the Secretary of State for the Home Department how many naturalisation applications made *(a)* two or more years ago and *(b)* three or more years ago are still outstanding.

Mr. Renton: On 16 February 1989, 3,447 applications for naturalisation made two or more years ago were still outstanding, of which 801 were made three or more years ago.

Mrs. Wise: To ask the Secretary of State for the Home Department if he will increase the number of staff employed to handle naturalisation applications.

Mr. Renton: This has already been done, and will continue. The Liverpool nationality office (LNO) which opened last August now has 111 caseworking staff processing registrations. This has allowed nationality division staff in Croydon to concentrate almost exclusively on naturalisations. When the LNO has completed the registrations, it too will work on naturalisations, representing an additional increase of almost 65 per cent. in naturalisation caseworking capacity.

New Prison Facility, Everthorpe

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) who *(a)* designed, *(b)* will carry out the construction and *(c)* are the civil engineers for the new prison facility to be built alongside Her Majesty's youth custody centre, Everthorpe;

(2) who will staff the new prison facility to be built alongside Her Majesty's youth custody centre, Everthorpe;

(3) what will be the completed size, function and predicted cost of the new prison facility to be built alongside Her Majesty's youth custody centre, Everthorpe; and if he will make a statement.

Mr. Douglas Hogg: Tenders have recently been received for the design and construction of a remand centre for 300 inmates next to Her Majesty's young offenders institution Everthorpe, and are being considered. Pending decisions on these tenders it is not possible to say what might be the cost of the centre, or who might design and build it. The scheme has been developed so that the centre could form an addition to the prison estate, and as such it would be staffed by members of the prison service.

Mr. Salman Rushdie

Mr. Winnick: To ask the Secretary of State for the Home Department if he is satisfied that full and adequate police protection is being given to Mr. Salman Rushdie; and whether such protection will continue so long as Mr. Rushdie considers it necessary to safeguard his life.

Mr. Hurd: Mr. Rushdie is receiving police protection, but it would not be sensible to give further details. The protection will continue for as long as it is considered necessary, having regard to all the circumstances.

Incitement to Murder

Mr. Winnick: To ask the Secretary of State for the Home Department if he will make a statement on the maximum penalties in United Kingdom law for those convicted of incitement to murder.

Mr. Hurd: The maximum penalty is life imprisonment.

Private Security Firms

Mr. McCrindle: To ask the Secretary of State for the Home Department (1) if he will seek to introduce legislation to control the activities of private security firms; and if he will make a statement;

(2) what plans he has to improve the vetting and training procedures of private security firms.

Mr. John Patten *[holding answer 23 February 1989]:* I refer my hon. Friend to the reply that I gave to questions by the hon. Members for Clwyd, South-West (Mr. Jones) and for Walsall, South (Mr. George) on 15 December at column *716*.

Electronic Tagging

Mr. Bermingham: To ask the Secretary of State for the Home Department (1) if he will list those companies who have tendered to monitor the pilot electronic surveillance system to be introduced for persons remanded on bail this summer; and if he will make a statement;

(2) what is the estimated cost per week of supervising a person remanded on bail but subject to electronic surveillance; and if he will make a statement.

Mr. John Patten *[holding answer 23 February 1989]:* Tenders have not yet been received, and are not expected until April. It will not be possible before then to estimate the weekly costs involved.

Mr. Bermingham: To ask the Secretary of State for the Home Department if he has any plans to expand the use of electronic surveillance to sentenced prisoners, or as a condition of a probation or community service order; and if he will make a statement.

Mr. John Patten *[holding answer 23 February 1989]:* We shall consider the case for changes in the law to provide for the use of electronic monitoring in the case of convicted offenders in the light of the outcome of the forthcoming trials and in the light of comments on the Green Paper, "Punishment, Custody and the Community".

Bail Hostels

Mr. Bermingham: To ask the Secretary of State for the Home Department what representations he has received since April 1988 about the need for more secure conditions in bail hostels in England and Wales; and if he will make a statement.

Mr. John Patten *[holding answer 23 February 1989]:* Probation service organisations have made representations that staffing levels at approved probation bail hostels should be increased to ensure the safety of hostel staff. A working party, set up to look into this matter, is due to report shortly. We look forward to receiving the report.

A consultation paper, "Bail Accommodation and Secure Bail Hostels", was issued on 13 February 1989. The paper discusses the purpose and use of existing accommodation for bailees and possible changes in hostel admission policies, rules and regimes. It also examines the concept of secure bail hostels for defendants who may be remanded in custody because of lack of suitable bail places. The closing date for responses is 9 May 1989.

Bolton Magistrates Court

Mr. Thurnham: To ask the Secretary of State for the Home Department what was the revenue collected from fines imposed by the magistrates court in Bolton during each of the last five years.

Mr. John Patten *[holding answer 23 February 1989]:* The available information relates to fines and fees collected by the magistrates court in Bolton for the last five years as follows:

	£
1983-84	478,070·66
1984-85	447,050·88
1985-86	474,813·25
1986-87	528,324·77
1987-88	665,860·03

Juvenile Offenders

Mr. Thurnham: To ask the Secretary of State for the Home Department what is the number of re-offences committed by juveniles since the introduction of the intermediate treatment projects as an alternative to custodial sentences; and if he will make a statement.

Mr. John Patten *[holding answer 23 February 1989]:* Reliable information is not available. On behalf of the Government, the National Association for the Care and Resettlement of Offenders has been monitoring the Department of Health's intensive intermediate treatment initiative. Its final report, which should contain information about reconvictions, is expected later this year.

DEFENCE

Nuclear Explosions

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence (1) if his Department has made any estimates of the ionisation effects of a nuclear explosion on *(a)* the Backbone and *(b)* the Boxer microwave communication system;

(2) if *(a)* the Backbone and *(b)* the Boxer microwave communication system has been hardened against the ionisation effects of a nuclear explosion;

(3) if his Department has made any estimates of the electromagnetic pulse effect of a high-altitude nuclear explosion on the land-line elements of project UNITER;

(4) if his Department has made any estimates of the electromagnetic pulse effect of a high-altitude nuclear explosion on the defence communication network telephone circuits;

(5) if his Department has made any estimates of the electromagnetic pulse effect of a high-altitude nuclear explosion on the missile impact prediction computer system at Fylingdales BMEWS site;

(6) if his Department has made any estimates of the electromagnetic pulse effects of a high-altitude nuclear explosion on the VAX computers installed as part of the UKADGE air defence system;

(7) if the defence communication network, telephone circuits have been hardened against the electromagnetic pulse effects of a high-altitude nuclear explosion;

(8) if the VAX computers installed as part of the UKADGE air defence system are hardened against the electromagnetic pulse effects of a high-altitude nuclear explosion;

(9) if the land-line elements of project UNITER have been hardened against the electromagnetic pulse effects of a high-altitude nuclear explosion;

(10) if the missile impact prediction computer system at the Fylingdales BMEWS site is hardened against the electromagnetic pulse effects of a high-altitude nuclear explosion.

Mr. Archie Hamilton: It is not our practice to comment on operational matters of this kind.

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence if any studies have been carried out by his Department regarding the hardening of *(a)* the BBC low frequency transmitter at Droitwich, *(b)* the Inskip low frequency transmitter, *(c)* the Rugby very low frequency transmitter, *(d)* the Criggon very low frequency transmitter, *(e)* the Crimond low frequency transmitter and *(f)* the Anthorn very low frequency transmitter to resist the electromagnetic pulse effects of a high-altitude nuclear explosion.

Mr. Archie Hamilton: So far as the transmitters referred to in *(b)* to *(f)* are concerned, I have nothing to add to the reply that I gave the hon. Member on 10 February at columns *859-60*. The transmitter at Droitwich is the responsibility of my right hon. Friend the Secretary of State for Home Affairs.

US Communications Facilities

Mr. Cohen: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Leyton on 20 June 1985, *Official Report*, columns *431-32*, if the United States communications facilities listed at Fort Murkle and RAF Thurso are two separate installations; and if he will make a statement.

Mr. Neubert: The United States communications facility at Thurso is a high frequency transmitter station. That at Fort Murkle is an associated high frequency receiver and satellite communications station, which has to be sited separately for technical reasons.

US Forces

Mr. Cohen: To ask the Secretary of State for Defence when the royal aircraft establishment Oakhanger was first made available for use by United States forces.

Mr. Neubert: The telemetry and command station at Oakhanger, which is controlled and managed by the Royal aircraft establishment at Farnborough, has been part of the continuing co-operation between the United Kingdom and the United States in the field of satellite communications since operations there began in 1969. I also refer the hon. Member to the answers given by my predecessor on 28 June 1984 at column *488* and on 9 December 1985 at column *544*.

Mr. Cohen: To ask the Secretary of State for Defence when the microwave communications relay at Leafield was first made available for use by United States forces.

Mr. Neubert: June 1987.

Mr. Cohen: To ask the Secretary of State for Defence when the microwave communications relay at RAF Uxbridge was first made available for use by United States forces.

Mr. Neubert: In 1962.

Mr. Cohen: To ask the Secretary of State for Defence on what date warehousing at Dunstable was made available for use by the United States Navy exchange.

Mr. Neubert: April 1980.

Mr. Cohen: To ask the Secretary of State for Defence on what date planning permission for the proposed second echelon medical storage facility for United States forces to be constructed at Ridgewell was refused; and what information he has about the reasons for refusal.

Mr. Neubert: The Ministry of Defence was notified that planning clearance for the proposed second echelon medical facility at Ridgewell had not been given in June 1986. I understand that clearance was given on the grounds that the proposed development was contrary to the Essex structure plan, was an inappropriate development in a special landscape area and that road access was inadequate.

Mr. Cohen: To ask the Secretary of State for Defence on what date (i) the Royal Aircraft Establishment airfield at Bedford, (ii) RAE Brawdy, (iii) RAF Cottesmore and (iv) RAF Scampton were allocated for use as collocated operating bases in support of United States forces.

Mr. Neubert: Formal agreement between the United Kingdom and the United States for the designation of RAF Bedford as a collocated operating base was reached in February 1982 and for the designation of RAF Brawdy, RAF Cottesmore and RAF Scampton in May 1987.

Luftwaffe

Mr. Cohen: To ask the Secretary of State for Defence whether any recent agreement has been reached concerning flying over Britain by the Luftwaffe; and if he will make a statement.

Mr. Neubert: No.

Services (Statutory Provisions)

Mr. Sayeed: To ask the Secretary of State for Defence, further to his answer of 9 February, *Official Report*, column *766*, if he will give the reasons why it is necessary to preserve differences in the statutory provisions for the different services; and what consideration he has given as to whether joint service headquarters and organisations will make a policy of separate disciplinary acts for each service difficult to administer.

Mr. Neubert: While there are considerable areas of similarity in the service discipline Acts, the differences in the provisions are in the main a reflection of operational requirements. These requirements need to be taken into account in the interests of the timely administration of justice and the resolution of disciplinary problems. Where necessary, suitable arrangements can be made for joint service headquarters and organisations within the framework of the current legislation.

Nuclear Missiles

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence if, at the next North Atlantic Treaty Organisation summit in May, when the modernisation and replacement of the Lance short-range nuclear weapons capable missiles is discussed, he intends to raise the matter of the lack of fully interoperable communications systems between the British Army units providing these delivery systems and the United States units with custody of nuclear warheads for these missiles.

Mr. Archie Hamilton: No.

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence if, at the next North Atlantic Treaty

Organisation summit in May, when the modernisation of short-range nuclear forces is discussed, he intends to raise the matter of the absence of fully interoperable communications systems between the British Army units providing 155 mm and 203 mm artillery systems and the United States' units with custody of nuclear shells for these systems.

Mr. Archie Hamilton: No.

Ethnic Minorities

Mr. Janner: To ask the Secretary of State for Defence (1) what percentage of candidates for recruitment to the armed forces during the past 12 months have come from minority ethnic groups; and what number and what percentage of successful recruits came from those groups;

(2) whether he has any proposals to increase the number and percentage of ethnic minorities in armed forces.

Mr. Neubert: I refer the hon. Member to the results of the first year of the ethnic monitoring of applicants and recruits to the armed forces which my predecessor reported to the House on 15 November 1988 at columns *621-22*. It is our aim to increase the number of recruits from the ethnic minorities. We already try to direct our recruiting effort to all ethnic groups and we are considering what more can be done. To that end discussions have taken place with the Commission for Racial Equality and in the Home Secretary's advisory council on race relations and a contract has been placed with independent consultants to survey the attitudes of young people from the ethnic minorities towards the services, to examine the services' recruitment criteria and practices and to consider the effectiveness and value for money of a range of measures designed to increase recruiting from the ethnic minorities.

Recruitment

Mr. Janner: To ask the Secretary of State for Defence whether he will place in the Library a copy of the report concerning the enlistment of recruits, codenamed Marilyn. "Management and Recruitment in the Lean Years of the 90s".

Mr. Archie Hamilton: The handling of the internal, classified report on "Manning and Recruiting in the Lean Years of the 90s," which has been given the acronym Marilyn, is still under discussion. But in due course we should be in a position to publish a document summarising the steps that we shall be taking to improve recruitment and retention. A copy of that document will be placed in the Library of this House.

Seismology

Ms. Gordon: To ask the Secretary of State for Defence what contracts and agreements currently exist between his Department and universities and other institutions of higher education for research related to the verification of arms control treaties by seismology.

Mr. Sainsbury: The MOD has no contracts or agreements for seismology research. There are arrangements for the acquisition of seismological data for research purposes.

Naval Visits

Ms. Gordon: To ask the Secretary of State for Defence if he will publish in the *Official Report* the details which are available of specific visits by ships and submarines of other countries' navies since 1 January 1988 giving the date of arrival, date of departure, details of moorings and country of origin.

Mr. Archie Hamilton: The information that the hon. Member requires is not readily available. I will write to her in due course.

Ms. Gordon: To ask the Secretary of State for Defence if he will publish in the *Official Report* a list of Royal Navy vessels which have visited the port of London since 1 January 1988, giving the date of arrival, date of departure and details of moorings.

Mr. Archie Hamilton: The information requested is as follows:

Ship	*Dates*	*Moorings*
Sandpiper	17-21 March 1988	Tower Pier
Peterel	17-21 March	Tower Pier
Jersey	26-28 March	HMS Belfast
Ariadne	20-25 April	HMS Belfast
London	28 April-4 May	HMS Belfast
Hunter	20-27 May	Tower Pier
Sheffield	25-30 May	HMS Belfast
Onslaught	1-6 June	HMS Belfast
Brocklesbury	10-15 June	HMS Belfast
Bronington	23-27 June	HMS Belfast
Brocklesbury	1-7 July	Tower Stairs Pier
Apollo	8-12 July	HMS Belfast
Redpole	16-22 September	HMS Belfast
Mentor	17-22 September	HMS Belfast
Wilton	2-7 December	HMS Belfast
Cornwall	18-24 January 1989	HMS Belfast

Ms. Gordon: To ask the Secretary of State for Defence if he will publish in the *Official Report*, the details of planned visits in 1989 to the port of London by military vessels of the royal and other navies giving date of arrival, date of departure, details of moorings and country of origin.

Mr. Archie Hamilton: It is not our policy to comment on future movements of Royal Navy vessels, nor would it be appropriate to comment on the movements of vessels of other navies.

Courts Martial

Mr. Ashley (Stoke on Trent South): To ask the Secretary of State for Defence, how many courts martial took place during 1988; in how many cases there was an acquittal; and in how many of these the member of the forces was told that there was no case to answer.

Mr. Neubert: There were 976 courts martial held in 1988, of which 101 resulted in a acquittal. As it can take up to 12 weeks to confirm sentence, those figures may not represent the final total for the year. It is not possible to provide the additional information requested by the right hon. Member without disproportionate cost.

Low Flying

Mr. Home Robertson: To ask the Secretary of State for Defence (1) if he will make a statement on the speed, height

and purpose of eight low-level flights by jet aircraft over East Linton, East Lothian, between 11.15 am and 11.50 am on Friday 10 February;

(2) if he will make a statement on the speed, height and purpose of the low-level flight by two jet aircraft over Roadlands hospital, Haddington, at 10.5 am on Tuesday 21 February.

Mr. Neubert: Military aircraft are authorised as a matter of routine to carry our low-level flying training in the areas mentioned at heights no lower than 250 ft and at speeds normally not exceeding 450 knots.

Challenger 2

Mr. Robert G. Hughes: To ask the Secretary of State for Defence further to the reply by the Parliamentary Under-Secretary of State for Defence Procurement on 13 January, *Official Report*, column 783, whether a contract has now been signed with Vickers Defence Systems to allow it to demonstrate that the Challenger 2 mk 2 main battle tank can meet the required specification, delivery time and cost.

Mr. Sainsbury: I refer my hon. Friend to the answer given to my hon. Friend the Member for Shrewsbury and Atcham (Mr. Conway) on 23 January 1989 at column *453*.

Tern hill Barracks

Mr. Sean Hughes: To ask the Secretary of State for Defence what civilian activities take place at Tern hill barracks; when those activities take place; whether any facilities are provided for a gliding club; and what security arrangements are made for the civilian activities.

Mr. Neubert: No civilian activities take place on a regular basis at Clive barracks, Tern hill. Civilian sports clubs have been invited to compete against the resident battalion infrequently. On such occasions, members of the latter have escorted members of the former throughout such visits.

RAF Tern hill, a totally separate organisation whose buildings and real estate abut onto Clive barracks, is the venue for weekend gliding activities. These sessions come under the umbrella of No. 632 volunteer gliding school. All instructors and students are reserve/cadets members of the RAF, the only civilian element in these activities being some civilian instructors who accompany cadets who visit RAF Tern hill at weekends. All RAF Tern hill personnel and visiting glider students reach the airfield through Clive barracks. Their identities are checked on arrival before they are escorted through Clive barracks to the point of entry on to the airfield, a crash gate in the southern perimeter fence which is the dividing line between the barracks and the airfield.

The only other civilians who enter Clive barracks on a regular basis are those who work in the camp and those who deliver goods or provide services. The former categories are subject to normal civil service vetting procedures and the latter group are escorted throughout the period they are within the camp.

AGRICULTURE, FISHERIES AND FOOD

Consumer Consultation

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what institutional arrangements his Department has for consulting consumers.

Mr. Ryder: Consumer committees for Great Britain and for England and Wales are established under the Agricultural Marketing Act 1958. Their role is to consider and report to Ministers on the effect on consumers of the operation of marketing schemes approved under the Act. Schemes currently apply to milk, potatoes and wool and are operated by the marketing boards.

In addition, there are Acts such as the Food Act 1984 which require Ministers to consult organisations representative of interests which might be substantially affected by proposed secondary legislation. Consumers are consulted in all appropriate cases.

Consumer organisations have, in addition, been fully involved in the extensive consultations on the review of Food Act 1984. Twenty-eight consumer organisations and 14 health organisations have been consulted.

Nitrates

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral answer to the hon. Member for Linlithgow 16 February, *Official Report*, column *474*, if he will set out the various sources of his research advice on nitrates in water.

Mr. MacGregor: I receive research advice from a wide variety of sources including ADAS, Agricultural Food and Research Council centres such as Rothamsted, and the Water Research Centre.

Food Research Institute, Langford

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what representations he has received to retain funding for the food research institute at Langford, near Bristol since the recent concern regarding salmonella and listeria in food; what his present intentions are for this institute; and if he will make a statement.

Mr. Ryder: We have received a number of representations from interested individuals concerning the funding of the research work on the manipulation of microbial flora of the gut of young chickens at the Agricultural and Food Research Council's food research institute at Langford. After an extensive review of all food microbiology research being funded by the Ministry, it was decided that this particular research was clearly at the stage of take-up and development by the poultry industry. The technique is already being applied on a trial basis by at least two British companies. In addition, an overseas company has applied for an import licence. The funds released are to be diverted to other important areas of the Ministry's extensive programme of research into microbiological food safety.

My right hon. Friend the Secretary of State for Education and Science is responsible for research councils but I understand that directors of the AFRC's eight institutes have been asked to produce long-term plans for

reorganising their activities on to a smaller number of sites. The institute of food research will present to the AFRC options for the restructuring of its three laboratories on to two sites. The council will then make a decision based on a detailed analysis and appraisal of these options and taking full account of the scientific programme of the institute.

Cheese

Mr. Amos: To ask the Minister of Agriculture, Fisheries and Food, if he will make a statement on the proposed banning of the sale of cheeses made with unpasteurised milk.

Mr. Ryder: There is no proposal to ban the sale of cheeses made with unpasteurised milk. However, as part of the consultation process on the proposal to ban the sale of untreated milk, I shall be seeking comments as to whether cheeses made from such milk should be labelled to make this clear.

Potatoes

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) what is the total United Kingdom consumption of potatoes for the latest available period;

(2) what is the total United Kingdom consumption of imported potatoes for the latest available period;

(3) what is the total United Kingdom consumption of home-grown potatoes for the latest available period.

Mr. MacGregor: United Kingdom consumption of potatoes for 1987-88 (June-May) was as follows:

	Thousand tonnes
Home grown[1]	5,684
Imported	1,047
Total consumption[2]	6,731

[1] Supplies recorded as moving into human consumption.
[2] Including potato products.

Bovine Spongiform Encephalopathy

Mr. Ron Davies: To ask the Minister for Agriculture, Fisheries and Food (1) what date his action to ban the use of animal by-products in cattle food became operative; and if he will make a statement;

(2) what action his Department has taken to enforce his ban on the use of animal by-products in the manufacture of cattle feed;

(3) whether he will introduce regulations permanently banning the use of animal by-products in the manufacture of feed for cattle and other ruminants.

Mr. MacGregor: The use of ruminant-derived protein material in ruminant feedstuffs has been prohibited since 18 July last year. The ban will continue unless processing methods sufficient to destroy the agent which causes BSE are developed and widely available. Ministry officials are empowered to take and test samples of feedstuffs if they have reason to believe that the law is being broken, but there is no evidence to suggest that this is so.

Mr. Ron Davies: To ask the Minister for Agriculture, Fisheries and Food whether he has made any estimate of the incidence of bovine spongiform encephalopathy which goes unreported.

Mr. MacGregor: There is no evidence available to suggest to me that farmers are failing to report suspected cases of BSE; indeed, the number of cases being notified to the Ministry indicates a high level of co-operation from the farming industry.

Mr. Ron Davies: To ask the Minister for Agriculture, Fisheries and Food (1) if he will list those intiatives he has taken to date to research into the epidemiology of bovine spongiform encephalopathy;

(2) whether his Department possesses any information on the vertical transmission of bovine spongiform encephalopathy;

(3) whether his Department has taken any steps to trace the progeny of dairy or beef cattle subsequently found to be suffering from bovine spongiform encephalopathy.

Mr. MacGregor: The Ministry has initiated research to obtain descriptive epidemiological information about BSE, to examine the role of meat and bone meal as the source of BSE, and to determine whether cattle-to-cattle transmission can take place. Progeny of affected animals are being monitored as part of this study.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) what information he has about the total volume of milk from bovine spongiform encephalopathy infected cattle, banned from sale for human consumption;

(2) whether he has any plans to introduce a compensation scheme for milk from bovine spongiform encephalopathy infected cows.

Mr. MacGregor: Animals affected by BSE produce little or no milk. Information about the total volume is not available. There are no plans to introduce a compensation scheme for milk.

Forestry Commission (Sporting Rights)

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if it is his practice to require the Forestry Commission to secure income from the letting of all sporting rights; and if he will make a statement.

Mr. Ryder: It is the practice of the Forestry Commission to let the sporting rights over land under its management where this is compatible with forestry operations and public access, and to secure a market rental for such rights.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what revenues accrue to the Forestry Commission in England from the issuing of *(a)* licences for fox hunting and *(b)* letting of other sporting rights.

Mr. Ryder: The Forestry Commission receives no income from licences for fox hunting. In the year ended 31 March 1988 it received almost £160,000 from letting other sporting rights. In addition, about £48,000 was realised from day permits for shooting and fishing.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will issue instructions to the Forestry Commission to amend its earth stoppers code, so that badger setts shall not be subject to any interference by fox hunters; and if he will make a statement.

Mr. Ryder: I see no reason to issue such instructions to the Forestry Commission. Its earth stoppers code is designed so as to prevent undue interference with badger setts.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will place a copy of the Forestry Commission's "Authority to Hunt" document in the Library.

Mr. Ryder: It is the Forestry Commission's policy to allow fox hunting over land where it has been traditionally carried out. Where it is considered appropriate, written permission is given and a copy of the form of permission used in the Forestry Commission's east England conservancy is being placed in the Library.

Food Additives

Mr. Gordon Brown: To ask the Minister of Agriculture, Fisheries and Food how many additives appear on his Department's list of food additives including flavourings and colours at present in use in Britain; and whether he has any plans to add to this list.

Mr. Ryder: There are about 300 additives, including colours listed in United Kingdom regulations and about 3,000 flavourings in use which are subject to the provisions of the 1984 Food Act. I have recently circulated proposals on preservatives and emulsifiers and stabilisers which would add three new substances and delete four substances from the permitted list. New regulations will also be required to implement the EC directive on extraction solvents. In addition, I have announced our intention to ban the use of mineral hydrocarbons in food as soon as possible. Applications to use new food additives may be reserved from time to time and would be subject to careful evaluation by two independent expert advisory committees, the food advisory committee and the Department of Health's committee on toxicity.

Official Secrets

Mr. Gordon Brown: To ask the Minister of Agriculture, Fisheries and Food if he will list the advisory committees coming under his Department and concerned in some way with public health which are covered by the Official Secrets Act whose members are required to sign the Official Secrets Act.

Mr. Ryder: It is our normal practice to require members of the steering group on food surveillance to sign the Official Secrets Acts declaration.

Fisheries Council

Mr. Harris: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the Fisheries Council in Brussels on 23 February.

Mr. Donald Thompson: I attended the Council of Fisheries Ministers in Brussels on 23 February 1989.

The Council agreed reduced tariff import quotas for 1989. These come into operation on 1 April. The total quantities are below last year's levels and some tariffs are at a rather higher level, reflecting changes in supplies and prices. I am satisfied that the final agreement maintains a good balance between the interests of consumers, processors and catchers.

The Council had a useful first discussion of a proposal to provide Community financing to improve member states' control and enforcement arrangements.

The Council agreed to accept an offer to fish an extra 4,000 tonnes of cod from Greenland, but on the understanding that this was in accordance with and not outside the EC-Greenland agreement so as not to prejudice EC claims for fishing rights at Greenland.

The Council also agreed the approach to a possible EC-USSR framework agreement. The Commission will be undertaking discussions with the USSR and any exchange of fishing rights is likely to be confined initially to the Baltic sea.

White Mineral Oil

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food when he received a report from Shell outlining the dangers of white mineral oil in food.

Mr. Ryder *[holding reply 22 February 1989]:* This issue has been the subject of extensive investigations by the joint expert committee of the WHO/FAO on food additives, the committee on toxicity of chemicals in food, consumer products and the environment and the food advisory committee. Ministers received the advice of the food advisory committee on 2 February this year and announced their intentions to Parliament on 9 February.

Wood Crops

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the European Community sources of grant or loan or technical assistance for the conversion of low-grade agricultural land into the production of arable wood crops;

(2) what European Community assistance is available for farmers or landowners who seek to plant arable wood crops for cropping as a fuel feedstock and for conversion to electricity.

Mr. Ryder: As part of the set-aside scheme, which is a national scheme implementing European Community legislation, farmers and landowners may plant trees for short rotation energy coppice under the non-agricultural use option. The rate of premium is £150 per hectare (£130 per hectare in less-favoured areas).

There are also provisions in Council regulations (EC) 797/85 as amended for a Community contribution towards member states' expenditure on afforestation of agricultural land subject to various conditions. There are no specific provisions for Community aid towards production specifically of crops for fuel.

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food what help he will give to farmers or landowners who seek to plant arable wood crops for cropping as a fuel feedstock and for conversion to electricity; and if he will make a statement.

Mr. Ryder *[holding answer 22 February 1989]:* Assessment of the technical and economic feasibility of using such arable crops for fuel feedstocks or for conversion to electricity is primarily a matter for the Secretary of State for Energy. However, under the set-aside scheme introduced by my Department last year, aid is available for the planting of trees as short rotation energy coppice on land taken out of arable use.

FOREIGN AND COMMONWEALTH AFFAIRS

Paraguay

Mr. Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will make representations to the new President of Paraguay about the need for the forthcoming elections to (i) permit all political parties to participate, and (ii) provide sufficient time for parties other than the Government to organise and campaign.

Mr. Waldegrave: On 10 February, the Spanish ambassador in Asuncion expressed on behalf of the Twelve to the new Paraguayan Foreign Minister our hope that the necessary conditions would be created to permit a genuinely democratic process, and that the promised elections would include all the political forces in the country. We shall continue to encourage the Paraguayan authorities to facilitate conditions necessary for free and fair elections.

Fiji

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government have received a request from the present Government of Fiji for assistance in drafting a constitution for that country.

Mr. Waldegrave: The Government of Fiji have made such a request. We have agreed to recruit a constitutional expert to provide independent advice to the Government of Fiji.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government have made any representations to the Government of Fiji, regarding the drafting of the constitution.

Mr. Waldegrave: We have kept in touch with the Government of Fiji and constantly encouraged them to return Fiji to parliamentary government on the basis of a constitution acceptable to a majority of all sections of the community.

Libya (Weapons)

Sir Eldon Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his NATO colleagues about common measures among all members of the Alliance to prevent Semtex explosives and shoulder-launched anti-aircraft missiles being supplied from Libya to the Irish Republican Army.

Mr. Waldegrave: None.

Sir Eldon Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to institute common action by all member countries of the European Economic Community to prevent European companies from supplying to Libya Semtex explosives, anti-aircraft missiles and equipment or technology that can be used to build chemical weapons; and if he will make a further statement.

Mr. Waldegrave: In 1986 EC member states agreed a series of measures against Libya including a ban on the export of arms and other military equipment; these are still in force. On 20 February 1989 the EC adopted a regulation controlling the export of eight chemical weapon precursors. Discussion continues among the Twelve about possible further measures to counter chemical weapon proliferation in Libya and elsewhere.

Background Briefs

2. **Mr. Tony Lloyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs to whom in the United Kingdom he makes available his Department's background briefs.

Mr. Waldegrave: FCO background briefs are produced for use overseas. However, a small number are distributed in the United Kingdom, principally to members of both Houses of Parliament, journalists, academics, specialists in certain areas, certain institutions and libraries.

Members of the general public may obtain copies through their local public library from the British library lending division.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

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13th February–24th February 1989

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc, between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc, under subject headings and under the names of those taking part.

Rulings and Statements by Mr. Speaker and his deputies are brought together under the heading Speaker's rulings and statements.

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Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

Abbreviations

Bills 1R=first reading, 2R=second reading, Money res=money resolution, Com=Committee stage, Rep=Report stage, 3R=third reading, amendt/amendts=amendment/amendments, *=matter taken formally, without debate.

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